

SL(6)652 – The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) (Amendment) Regulations 2025

Background and Purpose

The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 (“the Principal Regulations”) set out how concerns about services provided by, or under arrangements with, the National Health Service in Wales will be considered.

These Regulations amend the Principal Regulations in order to:

- amend the general principles applicable to the handling and investigation of concerns to ensure the person who notified a concern is kept informed of progress via, as far as reasonably possible, their preferred manner of communication and in a manner which they can understand;
- expand the list of matters relating the investigation that must be discussed with the person who notified the concern, including what resolution they hope to achieve;
- increase the financial compensation that can be offered under the Principal Regulations from £25,000 to £50,000;
- define an early resolution procedure which enables the parties to resolve a concern before a full investigation is commenced;
- provide that after a matter has been investigated and reported on, the person who notified the concern is offered an opportunity for an in-person discussion of the report;
- amend the timeframes for the following elements of the redress arrangements:
 - exchange of information between healthcare providers if the concern involves care provided by more than one Welsh NHS body, primary care provider or independent provider;
 - preparation of an investigation report;
 - communication of the decision on whether to make an offer of redress;
- exclude from the scope of the redress arrangements concerns which are:
 - considered vexatious or frivolous; or
 - dealt with under the newly defined early resolution procedure;
- change to the monitoring and annual reporting requirements imposed on responsible bodies under the Principal Regulations.

Procedure

Draft Affirmative.



The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vii) that there appear to be inconsistencies between the meaning of its English and Welsh texts

Regulation 12 inserts a new regulation 22A into the Principal Regulations. In the opening words of the new regulation 22A(4) there is a difference between the English and Welsh text. The English text uses the words “has attempted resolution during the early resolution period” but the meaning given by the Welsh text is “has attempted to resolve the concern during the early resolution period”.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Committee Consideration

The Committee considered the instrument at its meeting on 06 October 2025 and reports to the Senedd in line with the reporting point above.

