

Constitutional Affairs Committee

CA(3)-05-11

CA531: The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011

Procedure: Affirmative

The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 ("the Regulations") make new arrangements for the notification and consideration of and response to concerns notified by persons in respect of services provided by or under arrangements with the National Health Service in Wales. They implement the provisions of the NHS Redress (Wales) Measure 2008 ("the Measure").

Technical Scrutiny

Under Standing Order 15.2 the Assembly is not invited to pay special attention to this instrument.

Merits Scrutiny

The NHS Redress Measure 2008 was the first Assembly Measure to be passed by the Assembly and these Regulations are the first to be made under that Measure (although some provisions in the Regulations are made under powers conferred on Welsh Ministers by Westminster legislation).

The (then) Subordinate Legislation Committee was concerned that Regulations made under the Measure should be subject to thorough consultation. Members have, therefore, been supplied with a background paper from the Members' Research Service, setting out some of the Committee's concerns at the time, as well as information on the consultation arrangements that have applied and amendments made to the draft regulations following consultation.

Given the background, the Committee may wish to consider whether to make a "merits" report to the Assembly under Standing Order 15.3.

Legal Advisers
Constitutional Affairs Committee
February 2011