



# National Health Service Reform and Health Care Professions Act 2002

## 2002 CHAPTER 17

### PART 2

#### HEALTH CARE PROFESSIONS

##### *The Council for the Regulation of Health Care Professionals*

#### **28 Complaints about regulatory bodies**

- (1) The Secretary of State may make provision in regulations about the investigation by the Council of complaints made to it about the way in which a regulatory body has exercised any of its functions.
- (2) The regulations may, in particular, make provision as to—
  - (a) who (or what description of person) is entitled to complain,
  - (b) the nature of complaints which the Council must (or need not) investigate,
  - (c) matters which are excluded from investigation,
  - (d) requirements to be complied with by a person who makes a complaint,
  - (e) the procedure to be followed by the Council in investigating complaints,
  - (f) the making of recommendations or reports by the Council following investigations,
  - (g) the confidentiality, or disclosure, of any information supplied to the Council or acquired by it in connection with an investigation,
  - (h) the use which the Council may make of any such information,
  - (i) the making of payments to any persons in connection with investigations,
  - (j) privilege in relation to any matter published by the Council in the exercise of its functions under the regulations.
- (3) The regulations may also make provision—
  - (a) empowering the Council to require persons to attend before it,

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*Status: This is the original version (as it was originally enacted).*

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- (b) empowering the Council to require persons to give evidence or produce documents to it,
  - (c) about the admissibility of evidence,
  - (d) enabling the Council to administer oaths.
- (4) No person shall be required by or by virtue of regulations under this section to give any evidence or produce any document or other material to the Council which he could not be compelled to give or produce in civil proceedings before the High Court or, in Scotland, the Court of Session.