

SCHEDULE 3

OTHER CONTRACTUAL TERMS

PART 6

COMPLAINTS

Making of complaints

48.—(1) A complaint may be made by or, with his or her consent, on behalf of a patient or former patient, who is receiving or has received services under the contract, or—

(a) where the patient is a child, by—

(i) a parent;

(ii) a person duly authorised by a local authority to whose care the child has been committed under the provisions of the Children Act 1989⁽¹⁾; or

(iii) a person duly authorised by a voluntary organisation by which the child is being accommodated under the provisions of that Act; or

(b) where the patient is incapable of making a complaint, by a relative or other adult person who has an interest in his or her welfare.

(2) Where a patient has died, a complaint may be made by a relative or other adult person who had an interest in his or her welfare or, where the patient falls within sub-paragraph (1)(a)(ii) or (iii) by the authority of a voluntary organisation.

⁽¹⁾ 1989 c. 41.