2013 No. 11

Health and Social Care Complaints Procedure (Amendment) Directions (Northern Ireland) 2013

The Department of Health, Social Services and Public Safety, in exercise of the powers conferred by section 8(1)(b) of the Health and Social Care (Reform) Act (Northern Ireland) 2009(a), Article 10 of, and paragraph 6 of Schedule 3 to, the Health and Personal Social Services (Northern Ireland) Order 1991(b) and Article 4 of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990(c), hereby directs as follows:

Citation commencement and interpretation

1.—(1) These Directions, which may be cited as the Health and Social Care Complaints Procedure (Amendment) Directions (Northern Ireland) 2013, shall come into operation on 2nd September 2013.

(2) In these Directions, "the Principal Directions" means the Health and Social Care Complaints Procedure Directions (Northern Ireland) 2009, which came into operation on 1st April 2009.

Amendment of paragraph 2 of the principal Directions

2. In paragraph 2 (Interpretation) of the principal Directions after the definition of "relevant HSC body" but before the definition of "social care", insert—

""Serious Adverse Incident" (SAI) means any incident falling within any of the criteria currently set out in paragraph 4.2 of the HSC Board’s "Procedure for the reporting and follow up of Serious Adverse Incidents" of April 2010 or as revised from time to time."

Amendment of the principal Directions with respect to the scope of the arrangements

3.—(1) After paragraph 7(1)(m) (No investigation of complaint) of the principal Directions add the following head—

"(n) a complaint that has been escalated to a Serious Adverse Incident (SAI)."

(2) After paragraph 7(4) of the principal Directions insert—

"(4A) Where the investigation of a matter which is the subject of a complaint is not commenced, or has ceased, in accordance with sub-paragraph (1)(n), investigation shall be commenced, or resumed in relation to any matter which is not the subject of the Serious Adverse Incident investigation.".

---

(a) 2009 c.1 (N.I.)
(b) S.I. 1991 No. 194 (N.I. 1)
(c) S.I. 1990 No. 247 (N.I. 3)
Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 2nd September 2013

Fergal Bradley
A senior officer of the
Department of Health, Social Services and Public Safety