2019 No.1

Health and Social Care Complaints Procedure (Amendment No. 2) Directions (Northern Ireland) 2019

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

Citation, commencement and interpretation

1.—(1) These Directions, which may be cited as the Health and Social Care Complaints Procedure (Amendment No. 2) Directions (Northern Ireland) 2018, shall come into operation on 1st April 2019.

(2) In these Directions, “the principal Directions” means the Health and Social Care Complaints Procedures Directions (Northern Ireland) 2009, which came into operation on 1st April 2009.

Amendment of the principal Directions with respect to Interpretation

2.—(1) In paragraph 2 (Interpretation) of the principal Directions, for the definition of “NI Commissioner for Complaints” substitute the following—

“Northern Ireland Public Services Ombudsman” means the Northern Ireland Public Services Ombudsman appointed in accordance with section 3 of the Public Services Ombudsman Act (Northern Ireland) 2016;“(e);”

(2) In paragraphs 5(1)(c) (General duty to co-operate), 7(1)(m) (No investigation of complaint), 14(5) (Response), 15(2) (Monitoring) and 17(1) (Annual Reports) of the principal Directions for “NI Commissioner of Complaints” at each place it occurs, substitute “Northern Ireland Public Services Ombudsman”.

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

3. In paragraph 7(1)(g) (No investigation of complaint) of the principal Directions, for “a complaint which has led to the protection of vulnerable adults policy or procedures having been activated” substitute “a complaint which has led to the adult safeguarding procedures or protocol having been activated”.

Amendment of the principal Directions with respect to responding to a complaint

4. In paragraph 14 (Response) of the principal Directions omit sub-paragraph (7).

(a) Formerly the Department of Health, Social Services and Public Safety (DHSSPS) renamed by virtue of the Departments Act (Northern Ireland) 2016; see 2016 c. 5 (N.I.), s. 1(5)
(b) 2009 c. 1 (N.I.), as amended by 2014 c. 5 (N.I.)
(c) S.I. 1991/194 (N.I. 1)
(d) S.I. 1990/247 (N.I. 3)
(e) 2016 c. 4 (N.I.)
Amendment of paragraph 17 (Annual Reports) of the principal Directions

5. In paragraph 17(1)(a) (Annual Reports) of the principal Directions for “the Department of Health, Social Services and Public Safety” substitute “the Department of Health”.

Sealed with the Official Seal of the Department of Health on 22nd March 2019

[Signature]

Dr Paddy Woods
A senior officer of the Department of Health