



# Social Services and Well-being (Wales) Act 2014

2014 anaw 4

## PART 10

COMPLAINTS, REPRESENTATIONS AND ADVOCACY SERVICES

### CHAPTER 1

COMPLAINTS AND REPRESENTATIONS ABOUT SOCIAL SERVICES

#### **177 Further consideration of representations**

- (1) Regulations may make provision for the further consideration of representations (including complaints) which fall within section 174 or 176.
- (2) The regulations may, for example, make provision—
  - (a) for the further consideration of a representation by an independent panel established under the regulations;
  - (b) about the procedure to be followed on the further consideration of a representation;
  - (c) for the making of recommendations about the action to be taken as a result of the further consideration of a representation;
  - (d) about the making of reports about the further consideration of a representation;
  - (e) about the action to be taken by the local authority concerned as a result of the further consideration of a representation;
  - (f) for a representation to be referred back to the local authority concerned for reconsideration by the authority.
- (3) The regulations may—

**Changes to legislation:** *Social Services and Well-being (Wales) Act 2014, Section 177 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) require the making of a payment, in relation to the further consideration of a representation, by a local authority in respect of whose functions the representation is made;
  - (b) require the payment—
    - (i) to be made to a person or body specified in the regulations, and
    - (ii) to be of an amount specified in, or calculated or determined under, the regulations;
  - (c) require an independent panel to review the amount chargeable under paragraph (a) in a particular case and, if the panel thinks fit, to substitute a lesser amount;
  - (d) provide for different parts or aspects of a representation to be treated differently;
  - (e) require the production of information or documents to enable a representation to be properly considered;
  - (f) authorise the disclosure of information or documents relevant to a representation to a person who, or a body which, is further considering a representation under the regulations (despite any rule of common law that would otherwise prohibit or restrict the disclosure).
- (4) The regulations may also provide for a representation or any matter raised by a representation—
- (a) to be referred to the Public Services Ombudsman for Wales (“the Ombudsman”) for the Ombudsman to consider whether to investigate the representation or matter under [<sup>F1</sup>the Public Services Ombudsman (Wales) Act 2019] (and to be treated by the Ombudsman as a complaint duly referred under [<sup>F2</sup>section 3(3)] of that Act);
  - (b) to be referred to any other person or body for that person or body to consider whether to take any action otherwise than under the regulations.

#### Textual Amendments

- F1** Words in s. 177(4)(a) substituted (23.7.2019) by [Public Services Ombudsman \(Wales\) Act 2019 \(anaw 3\)](#), s. 77(1), [Sch. 5 para. 27\(a\)](#); S.I. 2019/1096, reg. 2
- F2** Words in s. 177(4)(a) substituted (23.7.2019) by [Public Services Ombudsman \(Wales\) Act 2019 \(anaw 3\)](#), s. 77(1), [Sch. 5 para. 27\(b\)](#); S.I. 2019/1096, reg. 2

#### Commencement Information

- I1** S. 177 in force at 6.4.2016 by [S.I. 2016/412](#), [art. 2](#) (with [art. 4](#), [Schs. 1, 2](#))

**Changes to legislation:**

Social Services and Well-being (Wales) Act 2014, Section 177 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))