



# Public Services Ombudsman (Wales) Act 2019

2019 anaw 3

## PART 3

### INVESTIGATIONS

#### *Reports of investigations*

#### **27 Reports: alternative procedure**

- (1) This section applies if, after the Ombudsman has conducted an investigation—
  - (a) the Ombudsman concludes that no person has sustained, or is likely to sustain, injustice or hardship in consequence of the matter investigated, and
  - (b) the Ombudsman is satisfied that the public interest does not require sections 23 to 26 to apply.
- (2) This section also applies if, after the Ombudsman has conducted an investigation—
  - (a) the Ombudsman concludes that any person has sustained, or is likely to sustain, injustice or hardship in consequence of the matter investigated,
  - (b) the listed authority to which the investigation relates agrees to implement, before the end of the permitted period, any recommendations the Ombudsman makes, and
  - (c) the Ombudsman is satisfied that the public interest does not require sections 23 to 26 to apply.
- (3) The permitted period is—
  - (a) a period agreed between the Ombudsman and the listed authority and, if the investigation relates to a complaint, the person who made the complaint, or
  - (b) if the Ombudsman thinks that no such agreement can be reached, the period specified by the Ombudsman in writing.

*Changes to legislation: Public Services Ombudsman (Wales) Act 2019, Section 27 is up to date with all changes known to be in force on or before 17 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*

- (4) The Ombudsman may decide to prepare a report on the Ombudsman's findings under this section instead of under section 23.
- (5) If the Ombudsman decides to prepare a report under this section—
- (a) sections 23 to 26 do not apply;
  - (b) the Ombudsman must send a copy of the report to—
    - (i) if the investigation relates to a complaint, the person who made the complaint;
    - (ii) the listed authority in respect of which the report was made;
  - (c) the Ombudsman may send a copy of the report to any other persons the Ombudsman thinks appropriate.
- (6) The Ombudsman may publish a report prepared under this section if, after taking account of the interests of the person aggrieved (if any) and any other persons the Ombudsman thinks appropriate, the Ombudsman considers it to be in the public interest to do so.
- (7) The Ombudsman may supply a copy of a report published under subsection (6), or any part of such a report, to any person who requests it.
- (8) The Ombudsman may charge a reasonable fee for supplying a copy of a report, or part of a report, under subsection (7).
- (9) If a report prepared under this section—
- (a) mentions the name of any person other than the listed authority in respect of which the report was made, or
  - (b) includes any particulars which, in the opinion of the Ombudsman, are likely to identify any such person and which, in the Ombudsman's opinion, can be omitted without impairing the effectiveness of the report,
- that information must not be included in a version of the report sent to a person under subsection (5) or published under subsection (6), subject to subsection (10).
- (10) Subsection (9) does not apply in relation to a version of the report if, after taking account of the interests of the person aggrieved (if any) and any other persons the Ombudsman thinks appropriate, the Ombudsman considers it to be in the public interest to include that information in that version of the report.

#### Commencement Information

**II** S. 27 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

**Changes to legislation:**

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

- Act modified by [2023 asc 3 Sch. 2 para. 6](#)
- Act modified by [2023 asc 3 Sch. 12 para. 7\(2\)](#)

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

- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(a\)](#) (Welsh language text)
- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(b\)](#) (English language text)