



Public Services Ombudsman (Wales) Act 2005

2005 CHAPTER 10

PART 2

INVESTIGATION OF COMPLAINTS [F¹RELATING TO LISTED AUTHORITIES]

Reports of investigations

16 Reports of investigations

- (1) The Ombudsman must, after conducting an investigation into a complaint in respect of a listed authority—
- (a) prepare a report on his findings, and
 - (b) send a copy of the report to all the appropriate persons.

This is subject to section 21.

- (2) The appropriate persons are—
- (a) the person who made the complaint;
 - (b) the listed authority;
 - (c) any other person who is alleged in the complaint to have taken or authorised the action complained of;
 - (d) if the listed authority is a family health service provider in Wales—
 - (i) any Local Health Board with whom the authority had, at the time of the action which is the subject of the complaint, entered into a contract to provide the family health services which are under investigation;
 - (ii) any person to whom the authority had, at that time, undertaken to provide those services;
 - (iii) any person with whom the authority had, at that time, made arrangements for the provision of those services;
 - (e) if the listed authority is an independent provider in Wales—

Changes to legislation: There are currently no known outstanding effects for the Public Services Ombudsman (Wales) Act 2005, Section 16. (See end of Document for details)

- (i) any Welsh health service body with whom the authority had, at the time of the action which is the subject of the complaint, made arrangements for the provision of the services under investigation;
 - (ii) any family health service provider in Wales with whom the authority had, at that time, made arrangements for the provision of those services;
 - (f) the [^{F1}First Minister for Wales](unless the listed authority is itself the [^{F2}Welsh Assembly Government] or is a local authority in Wales).
- (3) The Ombudsman may send a copy of the report to any other persons he thinks appropriate.
- (4) The Ombudsman may publish a report prepared under this section if, after taking account of the interests of the person aggrieved and any other persons he thinks appropriate, he considers it to be in the public interest to do so.
- (5) The Ombudsman may supply a copy of a report published under subsection (4), or any part of such a report, to any person who requests it.
- (6) The Ombudsman may charge a reasonable fee for supplying a copy of a report, or part of a report, under subsection (5).
- (7) If a report prepared under this section—
- (a) mentions the name of any person other than the listed authority in respect of which the complaint was made, or
 - (b) includes any particulars which, in the opinion of the Ombudsman, are likely to identify any such person and which, in his 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 (1)(b) or (3) or published under subsection (4), subject to subsection (8).
- (8) Subsection (7) does not apply in relation to a version of the report if, after taking account of the interests of the person aggrieved and any other persons he thinks appropriate, the Ombudsman considers it to be in the public interest to include that information in that version of the report.
- (9) ^{F3}

Textual Amendments

- F1** Words in s. 16(2)(f) substituted by [Government of Wales Act 2006 \(c. 32\), s. 160\(1\), Sch. 10 para. 73\(2\)\(a\)](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(1)(4)(5) of the amending Act.
- F2** Words in s. 16(2)(f) substituted by [Government of Wales Act 2006 \(c. 32\), s. 160\(1\), Sch. 10 para. 73\(2\)\(b\)](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(1)(4)(5) of the amending Act.
- F3** S. 16(9) repealed by [Government of Wales Act 2006 \(c. 32\), ss. 160\(1\), 163, Sch. 10 para. 73\(3\), Sch. 12](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the

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There are currently no known outstanding effects for the Public Services Ombudsman (Wales) Act 2005, Section 16.