
WELSH STATUTORY INSTRUMENTS

2005 No. 1816

The Social Housing Ombudsman (Wales) Regulations 2005

Power of SHOW to investigate a complaint made

6.—(1) Subject to regulation 5 SHOW may investigate a complaint where a complaint is made by or on behalf of a complainant in accordance with these Regulations.

(2) Subject to paragraph (3) a complaint must be made in writing, specifying the matters about which the complaint is made.

(3) A complaint need not be made in writing if SHOW is satisfied that there are special circumstances which make it appropriate for it to be made orally.

(4) A complaint to SHOW must be made before the end of the period of one year starting on the day on which the complainant first has notice of the matters alleged in the complaint, but SHOW may waive this requirement if SHOW considers it is reasonable to do so.

(5) Subject to paragraph (6) SHOW may:

- (a) decide whether to begin, continue or discontinue an investigation; and
- (b) begin or continue an investigation into a complaint even if the complaint has been withdrawn.

(6) Where in accordance with paragraph (5) SHOW decides not to investigate a complaint or decides to discontinue an investigation, SHOW must prepare a written statement of the reasons for the decision.

(7) SHOW must send a copy of the statement to:

- (a) the complainant;
- (b) the social landlord; and
- (c) any other person SHOW considers appropriate.

(8) If a written statement of reasons prepared under paragraph (6) –

- (a) mentions the name of any person other than the social landlord in respect of which the complaint was made, or
- (b) includes any particulars which, in the opinion of SHOW, are likely to identify any such person and which, in SHOW's opinion, can be omitted without impairing the effectiveness of the statement of reasons,

that information must not be included in a version of the statement of reasons sent to a person under paragraph (7), subject to paragraph (9).

(9) Paragraph (8) does not apply in relation to a version of the statement of reasons if, after taking account of the interests of the complainant and any other persons SHOW thinks appropriate, SHOW considers it to be in the public interest to include that information in that version of the statement of reasons.