
WELSH STATUTORY INSTRUMENTS

2005 No. 3365

**The Representations Procedure
(Children) (Wales) Regulations 2005**

PART IV

HANDLING AND CONSIDERATION OF REPRESENTATIONS

Response

18.—(1) The local authority must prepare a written response to the representations which—

- (a) summarises the nature and substance of the representations;
- (b) describes the investigation under regulation 16 and summarises the conclusions;
- (c) explains what action will be taken to resolve the representations;
- (d) where appropriate, contains an apology to the complainant; and
- (e) identifies what other action, if any will be taken in the light of the representations.

(2) Subject to paragraph (3) and to regulation 13, the response must be sent to the complainant within 25 working days beginning on the date on which the local authority received the request from the complainant for formal consideration.

(3) If, in the case of—

- (a) any representations where there has been difficulty in the determination of their nature or substance;
- (b) representations which have been treated as subject to concurrent consideration under regulation 8; or
- (c) any other representations where the complainant has agreed to a later response,

it is not possible for the response to be sent within 25 working days the local authority must notify the complainant of the reason for the delay, the date by which it expects to send the response and must send that response as soon as reasonably practicable.

(4) The response must include information about—

- (a) the complainant's right to request that the representations be further considered by an independent panel in accordance with provisions in regulations made by the National Assembly under section 26ZB of the Act⁽¹⁾;
- (b) the procedure for requesting such further consideration; and
- (c) the time within which such request must be made.

(5) Copies of the response prepared in accordance with paragraph (1) must be sent to—

- (a) the complainant's advocate;
- (b) the independent person appointed under regulation 17;

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- (c) any person who was the subject of the representations;
- (d) where the representations are care standards representations mentioned in regulation 10, to the person registered under the Care Standards Act 2000 or Children Act 1989 as provider in respect of the establishment or agency.