
WELSH STATUTORY INSTRUMENTS

2005 No. 3365

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

PART III

NATURE AND SCOPE OF THE REPRESENTATIONS PROCEDURE

Representations subject to concurrent consideration

8.—(1) Where representations relate to any matter—

- (a) about which the complainant has stated in writing that he or she intends to take proceedings in any court or tribunal, or
- (b) about which the local authority are taking or are proposing to take disciplinary proceedings, or
- (c) about which the local authority have been notified that an investigation is being conducted by any person or body in contemplation of criminal proceedings, or
- (d) about which a meeting involving other bodies including the police has been convened to discuss issues relating to the protection of children or vulnerable adults, or
- (e) about which the local authority have been notified that there are current investigations in contemplation of proceedings under section 59 of the Care Standards Act 2000⁽¹⁾,

the local authority must consider, in consultation with the complainant and any other person or body which they consider appropriate to consult, how the representations should be handled. Such representations shall be referred to for the purposes of this regulation as “representations subject to concurrent consideration”.

(2) The consideration of representations subject to concurrent consideration may be discontinued if at any time it appears to the local authority that to continue would compromise or prejudice the other consideration.

(3) Where the local authority decide to discontinue the consideration of a complaint under paragraph (2) the local authority must give notice of that decision to the complainant.

(4) Where the local authority discontinue the consideration of any representations under paragraph (2), they may at any time resume their consideration.

(5) Where the consideration of a complaint has been discontinued under paragraph (2) the local authority must ascertain the progress of the concurrent consideration and notify the complainant when it has been concluded.

(6) The local authority must resume consideration of any representations where the concurrent consideration is discontinued or completed and the complainant requests that the representations be considered under these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
