
WELSH STATUTORY INSTRUMENTS

2005 No. 3366

**The Social Services Complaints
Procedure (Wales) Regulations 2005**

PART III

NATURE AND SCOPE OF THE COMPLAINTS PROCEDURE

Complaints subject to concurrent consideration

12.—(1) Where a complaint relates 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,

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

(2) The consideration of a complaint subject to concurrent consideration under this Part of the Regulations 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 authority must give notice of that decision to the complainant.

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

(5) Where 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 complaint where the concurrent consideration is discontinued or completed and the complainant requests that the complaint be considered under these Regulations.