



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 10

COMPLAINTS, REPRESENTATIONS AND ADVOCACY SERVICES

CHAPTER 1

COMPLAINTS AND REPRESENTATIONS ABOUT SOCIAL SERVICES

177 Further consideration of representations

- (1) Regulations may make provision for the further consideration of representations (including complaints) which fall within section 174 or 176.
- (2) The regulations may, for example, make provision—
 - (a) for the further consideration of a representation by an independent panel established under the regulations;
 - (b) about the procedure to be followed on the further consideration of a representation;
 - (c) for the making of recommendations about the action to be taken as a result of the further consideration of a representation;
 - (d) about the making of reports about the further consideration of a representation;
 - (e) about the action to be taken by the local authority concerned as a result of the further consideration of a representation;
 - (f) for a representation to be referred back to the local authority concerned for reconsideration by the authority.
- (3) The regulations may—

Status: This is the original version (as it was originally enacted).

- (a) require the making of a payment, in relation to the further consideration of a representation, by a local authority in respect of whose functions the representation is made;
 - (b) require the payment—
 - (i) to be made to a person or body specified in the regulations, and
 - (ii) to be of an amount specified in, or calculated or determined under, the regulations;
 - (c) require an independent panel to review the amount chargeable under paragraph (a) in a particular case and, if the panel thinks fit, to substitute a lesser amount;
 - (d) provide for different parts or aspects of a representation to be treated differently;
 - (e) require the production of information or documents to enable a representation to be properly considered;
 - (f) authorise the disclosure of information or documents relevant to a representation to a person who, or a body which, is further considering a representation under the regulations (despite any rule of common law that would otherwise prohibit or restrict the disclosure).
- (4) The regulations may also provide for a representation or any matter raised by a representation—
- (a) to be referred to the Public Services Ombudsman for Wales (“the Ombudsman”) for the Ombudsman to consider whether to investigate the representation or matter under the Public Services Ombudsman (Wales) Act 2005 (and to be treated by the Ombudsman as a complaint duly referred under section 2(3) of that Act);
 - (b) to be referred to any other person or body for that person or body to consider whether to take any action otherwise than under the regulations.