



Public Services Ombudsman (Wales) Act 2019

2019 anaw 3

PART 5

INVESTIGATION OF COMPLAINTS RELATING TO OTHER PERSONS: SOCIAL CARE AND PALLIATIVE CARE

Investigation of complaints

47 Who can complain

- (1) The persons entitled to make a complaint to the Ombudsman are—
 - (a) a member of the public (referred to in this Part as “the person aggrieved”) who claims or claimed to have sustained injustice or hardship as a result of a matter to which this Part applies,
 - (b) a person authorised in writing by the person aggrieved to act on that person's behalf, or
 - (c) if the person aggrieved is not capable of authorising such a person (for example because the person has died), a person who appears to the Ombudsman to be appropriate to act on behalf of the person aggrieved.
- (2) “Member of the public” does not include a person acting in the capacity of—
 - (a) a care home provider,
 - (b) a domiciliary care provider,
 - (c) an independent palliative care provider, or
 - (d) a listed authority.
- (3) It is for the Ombudsman to determine any question of whether a person is entitled under this section to make a complaint.

Changes to legislation: Public Services Ombudsman (Wales) Act 2019, Section 47 is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II S. 47 in force at 23.7.2019 by [S.I. 2019/1096](#), [reg. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2023 asc 3 Sch. 2 para. 6](#)
- Act modified by [2023 asc 3 Sch. 12 para. 7\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(a\)](#) (Welsh language text)
- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(b\)](#) (English language text)