

PUBLIC SERVICES OMBUDSMAN (WALES) ACT 2019

EXPLANATORY NOTES

INTRODUCTION

Part 5

Section 58 - Reports: alternative procedure

228. **Section 58** provides that the full reporting procedure under sections 55 to 57 does not apply if the Ombudsman decides to report under the alternative procedure set out in this section.
229. The Ombudsman may apply the alternative procedure where the Ombudsman is satisfied that:
- a) no person has sustained, or is likely to sustain, injustice or hardship as a consequence of the action investigated; or
 - b) a person has sustained, or is likely to sustain, such injustice or hardship and
 - c) the provider to whom the matter relates agrees within the permitted period (as defined in section 58(3)) to implement the Ombudsman's recommendations.
230. Where the Ombudsman is satisfied that these conditions are met the Ombudsman may decide to report under the alternative procedure under section 58. However, the Ombudsman may do so only if the Ombudsman is satisfied that the public interest does not require a report under the full reporting procedure set out in sections 55 to 57.
231. A report under the alternative procedure in this section is subject to similar restrictions with respect to naming or identifying individuals to those which apply to a report under section 55 (section 58(9) and (10)).