



Health and Social Care (Quality and Engagement) (Wales) Act 2020

2020 asc 1

PART 4 **E+W**

THE CITIZEN VOICE BODY FOR HEALTH AND SOCIAL CARE

Making representations

15 **Representations to public bodies** **E+W**

- (1) The Citizen Voice Body may make representations to a person mentioned in subsection (2) about anything it considers relevant to the provision of a health service or the provision of social services.
- (2) The persons are—
 - (a) a local authority;
 - (b) an NHS body.
- (3) A person to whom representations under subsection (1) are made must have regard to the representations in exercising any function to which the representations relate.
- (4) The Welsh Ministers must issue guidance to the persons mentioned in subsection (2), in relation to representations made under this section.
- (5) Those persons must have regard to the guidance.

Commencement Information

II S. 15 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(I)

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020, Cross Heading: Making representations. (See end of Document for details)

16 Advocacy services etc. in respect of complaints about services E+W

- (1) The Citizen Voice Body may provide assistance (by way of representation or otherwise) to any individual making, or intending to make a complaint to which any of the following subsections applies.
- (2) This subsection applies to any complaint in respect of which, by virtue of section 187 of the 2006 Act, the Welsh Ministers are required to arrange for the provision of independent advocacy services.
- (3) This subsection applies to any complaint under regulations under section 171 of the 2014 Act (complaints about social services).
- (4) This subsection applies to any complaint to a service provider in respect of a regulated service (within the meaning of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)).
- (5) This subsection applies to any complaint to the Public Services Ombudsman for Wales which relates to—
 - (a) a local authority's social services functions;
 - (b) a matter to which, by virtue of section 42(1)(a) and (b) of the Public Services Ombudsman (Wales) Act 2019 (anaw 3), Part 5 of that Act applies (investigations by Ombudsman in relation to action taken by care home providers or domiciliary care providers).
- (6) The Citizen Voice Body may also provide assistance (by way of representation or otherwise) to an individual making, or intending to make a complaint capable of being considered as representations under section 174 of the 2014 Act (representations relating to certain children etc.); but this is subject to subsection (7).
- (7) The Citizen Voice Body may not provide assistance under subsection (6) to an individual if the individual is eligible for assistance in relation to the complaint by virtue of arrangements made under section 178(1)(a) of the 2014 Act (duty of local authorities to arrange assistance for children in respect of representations falling within section 174 of the 2014 Act).
- (8) In exercising its functions under this section, the Citizen Voice Body must have regard to the importance of ensuring, where appropriate, face-to-face engagement between its staff, or any other persons acting on its behalf, and any individuals to whom any assistance under this section is being or may be provided.
- (9) In this section, “2014 Act” means the Social Services and Well-being (Wales) Act 2014 (anaw 4).

Commencement Information

12 S. 16 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(m)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020, Cross Heading: Making representations.