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STATUTORY INSTRUMENTS

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**2007 No. 1889**

**The Regulatory Reform (Collaboration  
etc. between Ombudsmen) Order 2007**

**Collaborative working**

6. After section 18 of the 1993 Act (consultation during investigations)(1), insert —

**“18ZA Collaborative working between the Commissioner and other Commissioners**

(1) If at any stage in the course of conducting an investigation under this Act the Commissioner forms the opinion that the complaint relates partly to a matter within the jurisdiction of—

- (a) the Parliamentary Commissioner,
- (b) a Local Commissioner, or
- (c) both,

he may, subject to subsection (2), conduct an investigation under this Act jointly with that Commissioner or those Commissioners.

(2) The Commissioner must obtain the consent of the person aggrieved or any person acting on his behalf in accordance with section 9(3) before agreeing to a joint investigation referred to in subsection (1).

(3) If the Commissioner forms the opinion that a complaint which is being investigated by—

- (a) the Parliamentary Commissioner,
- (b) a Local Commissioner, or
- (c) both,

relates partly to a matter within his jurisdiction, he may conduct an investigation under this Act jointly with that Commissioner or those Commissioners.

(4) If the Commissioner conducts an investigation of a complaint jointly with another person, the requirements of section 14 (reports)(2) (so far as relating to a case where the Commissioner conducts an investigation under this Act) may be satisfied by a report made jointly with that person.

(5) Apart from identifying any body or provider investigated, a report prepared by virtue of subsection (4) by the Commissioner and a Local Commissioner shall not—

- (a) mention the name of any person, or

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(1) Amended by the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 11, paragraphs 60, 64; the Government of Wales Act 1998 (c.38), Schedule 10, paragraph 14, Sch 18; the Public Services Ombudsman (Wales) Act 2005 (c.10) Schedule 6, paragraphs 27, 50; the Housing Act 2004, Sch 15, para 37, Sch 16; and S.I. 2004/1823, article 17.

(2) Amended by the Health Authorities Act 1995 (c.17), Schedule 1, paragraph 126; the Health Service Commissioners (Amendment) Act 1996 (c.5), sections 3, 10, 13 and Schedule 1, paragraph 5 and Schedule 2; the Government of Wales Act 1998 (c.38), Schedule 10, paragraph 10; the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 9, paragraph 11; the Public Services Ombudsman (Wales) Act 2005 (c.10), Schedule 6, paragraphs 27, 44, 45; S.I. 1999/1820, article 4 and Schedule 2; and S.I. 2004/1823, article 17.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) contain any particulars which, in the opinion of the Commissioner and the Local Commissioner, are likely to identify any person and can be omitted without impairing the effectiveness of the report,

unless, after taking into account the public interest as well as the interests of the complainant and of persons other than the complainant, the Commissioner and the Local Commissioner consider it necessary to mention the name of that person or to include in the report any such particulars.

- (6) Nothing in subsection (5) of this section prevents a report—

- (a) mentioning the name of, or
- (b) containing particulars likely to identify,

the Mayor of London or any member of the London Assembly.”.