



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

172 Complaints about social services: supplementary

- (1) The following are further examples of the provision which may be made in regulations under section 171.
- (2) The regulations may make provision about—
 - (a) the persons who may make a complaint;
 - (b) the complaints which may, or may not, be made;
 - (c) the persons to whom complaints may be made;
 - (d) complaints which need not be considered;
 - (e) the period within which complaints must be made;
 - (f) the procedure to be followed in making and considering a complaint;
 - (g) matters which are excluded from consideration;
 - (h) the making of a report or recommendations about a complaint;
 - (i) the action to be taken as a result of a complaint.
- (3) The regulations may—
 - (a) require a person about whom, or a body about which, a complaint is made to make a payment in relation to the consideration of the complaint under the regulations,
 - (b) require a payment of that kind—

Status: This is the original version (as it was originally enacted).

- (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, and
 - (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.
- (4) The regulations may require a person who, or a body which, considers complaints under the regulations to give publicity to the procedures to be followed under the regulations.
- (5) The regulations may also—
- (a) provide for different parts or aspects of a complaint to be treated differently;
 - (b) require the production of information or documents to enable a complaint to be properly considered;
 - (c) authorise the disclosure of information or documents relevant to a complaint to a person who, or a body which, is considering a complaint under the regulations or to whom a complaint has been referred (despite any rule of common law that would otherwise prohibit or restrict the disclosure).
- (6) The regulations may make provision about complaints which raise both matters falling to be considered under the regulations and matters falling to be considered under other statutory complaints procedures; including (among other things) provision to—
- (a) enable a complaint of that kind to be made under the regulations, and
 - (b) secure that matters falling to be considered under other statutory complaints procedures are treated as if they had been raised in a complaint made under the appropriate procedures.
- (7) In subsection (6) “statutory complaints procedures” means procedures established by or under an enactment within the legislative competence of the National Assembly for Wales.