

---

WELSH STATUTORY INSTRUMENTS

---

**2001 No. 2787**

**The Children's Commissioner for Wales Regulations 2001**

**PART VI  
REPORTS**

**Reports**

**13.**—(1) Following the conclusion of an examination undertaken pursuant to Part III of these regulations, the Commissioner shall make a report .

(2) Following the conclusion of a functions review, an arrangements review, monitoring pursuant to section 73(1) of the Act or an assessment pursuant to section 73(1A) of the Act, the Commissioner may make a report.

(3) A report made under paragraph (1) or (2) shall set out—

- (a) the findings and conclusions of the Commissioner; and
- (b) any recommendations made by the Commissioner.

(4) The Commissioner shall send a copy of such a report to—

- (a) The First Minister; and
- (b) The libraries of the Assembly and of the Houses of Parliament.

(5) The Commissioner shall send a copy

- (a) in the case of a report made under paragraph (1), to the child or person , as the case may be, who made a representation to the Commissioner in accordance with regulation 6; and
- (b) in the case of a report made under paragraph (1) or (2), to the person or persons
  - (i) whose provision of services or the exercise of whose functions have been examined,
  - (ii) whose arrangements in relation to complaints, whistle-blowing or advocacy have been reviewed or monitored,
  - (iii) in respect of whom an assessment pursuant to section 73(1A) of the Act has been carried out, or
  - (iv) who are mentioned in the report.

**Further action following a report**

**14.**—(1) Where the Commissioner has made a report under paragraph (1) of regulation 13 which contains a recommendation in respect of a provider of regulated children's services in Wales, the Assembly or a person mentioned in Schedule 2A to the Act, the Commissioner may require the person in writing in respect of whom the recommendation is made to provide the Commissioner with the relevant information within 3 months of the date on which the person is sent a copy of the report.

(2) Where the Commissioner has made a report under paragraph (2) of regulation 13 which contains a recommendation in respect of a person mentioned in paragraph (1) of this regulation, the

Commissioner may request the person in writing in respect of whom the recommendation is made to provide the Commissioner with the relevant information within 3 months of the date on which the person is sent a copy of the report.

(3) For the purposes of paragraphs (1) and (2) “the relevant information” means such information, explanations or assistance as to enable the Commissioner to determine whether the person concerned has complied with the recommendation or will be so complying, or an explanation of the reason for no such action having been taken or not being intended to be taken.

(4) Where a requirement is made under paragraph (1) or a request is made under paragraph (2) it shall include a statement that failure to respond within the 3 months concerned may be published in such manner as the Commissioner considers appropriate.

(5) If the Commissioner reasonably considers, upon receipt of the relevant information, that the action taken or proposed to be taken to comply with the recommendation or that the reason for no such action being taken or not being proposed to be taken is inadequate, the Commissioner may send to the person concerned a written notice setting out the inadequacies which requires a response within 1 month of the date of sending.

(6) Where the Commissioner receives no response in accordance with the written notice under paragraph (5) within 1 month or is dissatisfied with the response the Commissioner may send a supplementary notice which requires a supplementary response within 1 month of the date of sending.

(7) The supplementary notice shall include a statement that failure to provide what the Commissioner reasonably considers to be a satisfactory supplementary response, or a response at all, may be published in such manner as the Commissioner considers appropriate.

(8) The Commissioner shall maintain a register containing details of—

- (a) recommendations contained in reports made under paragraphs (1) or (2) of regulation 13, and
- (b) the results of further action taken in accordance with paragraphs (1), (2), (5) and (6) of this regulation .

(9) Any register maintained under paragraph (8) shall be open to inspection by any person at all reasonable times at the offices of the Commissioner and the Commissioner may make arrangements for copies of the register to be available for inspection in such other place or places or by such other means as he or she considers appropriate.

(10) The Commissioner shall publish the said arrangements in such a way as to bring them to the attention of persons who are, in the reasonable opinion of the Commissioner, likely to be interested.

## **Annual Reports**

**15.—**(1) Subject to paragraph (3), the Commissioner shall make an annual report to the First Minister which shall contain—

- (a) a summary of the action taken in the exercise of the Commissioner’s functions under the Act during the previous financial year including a summary of the reports issued during that period and of such representations as the Commissioner may have made during that period pursuant to section 75A of the Act, including any representations made as to the range or effectiveness of the Commissioner’s powers;
- (b) a review of issues relevant to the rights and welfare of children in Wales; and
- (c) a summary of the Commissioner’s work programme for the financial year in which the report is made and of the Commissioner’s proposals for a work programme for the financial year following that year.

(2) The Commissioner shall also produce a version of the annual report which is, so far as reasonably practicable, suitable for children.

(3) The first reports referred to in paragraphs (1) and (2) shall be made in 2002.

(4) Subject to paragraph (3), the Commissioner shall, no later than 1st October in each year, send a copy of the reports referred to in paragraphs (1) and (2) to—

(a) The First Minister; and

(b) The libraries of the Assembly and of the Houses of Parliament.

### **Publication of reports**

**16.**—(1) The Commissioner shall arrange for copies of reports made under paragraphs (1) or (2) of regulation 13 and under regulation 15 to be available for inspection at the Commissioner's office at all reasonable times and at such other places or by such other means, including by electronic means, as the Commissioner considers appropriate.

(2) The Commissioner shall publish the said arrangements in such a way as to bring them to the attention of persons who are, in the reasonable opinion of the Commissioner, likely to be interested.