



# Public Services Ombudsman (Wales) Act 2019

2019 anaw 3

## PUBLIC SERVICES OMBUDSMAN (WALES) ACT 2019

### PART 1

#### INTRODUCTION

- 1 Overview

### PART 2

#### THE PUBLIC SERVICES OMBUDSMAN FOR WALES

- 2 The Public Services Ombudsman for Wales

### PART 3

#### INVESTIGATIONS

##### *Power of investigation*

- 3 Power to investigate complaints
- 4 Power to investigate on own initiative
- 5 Criteria for own initiative investigations
- 6 Alternative resolution of matters

##### *Complaints*

- 7 Who can complain
- 8 Requirements: complaints made to the Ombudsman
- 9 Requirements: complaints referred to the Ombudsman
- 10 Records of complaints

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*Matters which may be investigated*

- 11 Matters which may be investigated
- 12 Exclusion: matters not relating to Wales
- 13 Exclusion: other remedies
- 14 Other excluded matters
- 15 Decisions taken without maladministration

*Ancillary investigations*

- 16 Power to investigate other health-related services

*Decisions not to investigate etc*

- 17 Decisions not to investigate or to discontinue investigation

*Investigation procedure and evidence*

- 18 Investigation procedure
- 19 Information, documents, evidence and facilities
- 20 Obstruction and contempt
- 21 Obstruction and contempt: costs recovery
- 22 Serving a costs recovery notice

*Reports of investigations*

- 23 Reports of investigations
- 24 Publicising reports
- 25 Publicising reports: health care providers
- 26 Action following receipt of a report
- 27 Reports: alternative procedure

*Special reports*

- 28 Special reports
- 29 Special reports: supplementary
- 30 Special reports relating to the Welsh Government and the National Assembly for Wales Commission

*Listed authorities*

- 31 Listed authorities
- 32 Restrictions on power to amend Schedule 3
- 33 Provisions in regulations adding persons to Schedule 3
- 34 Power to issue guidance

*Compensation*

- 35 Compensation for the person aggrieved

**PART 4**

**LISTED AUTHORITIES: COMPLAINTS-HANDLING PROCEDURES**

- 36 Complaints-handling: statement of principles
- 37 Model complaints-handling procedures
- 38 Model complaints-handling procedures: specification of listed authorities

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- 39 Declarations of non-compliance
- 40 Submission of complaints-handling procedure: general
- 41 Complaints-handling procedures: promotion of best practice etc

## **PART 5**

### **INVESTIGATION OF COMPLAINTS RELATING TO OTHER PERSONS: SOCIAL CARE AND PALLIATIVE CARE**

#### *Application of this Part*

- 42 Matters to which this Part applies

#### *Investigation of complaints*

- 43 Power to investigate complaints
- 44 Power to investigate on own initiative
- 45 Criteria for own initiative investigations
- 46 Alternative resolution of matters
- 47 Who can complain
- 48 Requirements: complaints made to the Ombudsman
- 49 Requirements: complaints referred to the Ombudsman
- 50 Records of complaints

#### *Decisions not to investigate etc*

- 51 Decisions not to investigate complaints or to discontinue investigations

#### *Investigation procedure and evidence*

- 52 Investigation procedure
- 53 Information, documents, evidence and facilities
- 54 Obstruction and contempt

#### *Reports about investigations*

- 55 Investigation reports
- 56 Further publicity for investigation reports
- 57 Action following receipt of investigation reports
- 58 Reports: alternative procedure

#### *Special reports*

- 59 Circumstances in which special reports may be prepared
- 60 Special reports
- 61 Further publicity for special reports

#### *Interpretation*

- 62 Meaning of “care home” and “care home provider”
- 63 Meaning of “domiciliary care” and “domiciliary care provider”
- 64 Meaning of “palliative care service” and “independent palliative care provider”

## **PART 6**

### **INVESTIGATIONS: SUPPLEMENTARY**

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### *Consultation and co-operation*

- 65 Consultation and co-operation with other ombudsmen
- 66 Working jointly with specified persons
- 67 Working collaboratively with Commissioners
- 68 Working with the Auditor General for Wales

### *Disclosure*

- 69 Disclosure of information
- 70 Disclosure prejudicial to safety of State or contrary to public interest
- 71 Protection from defamation claims

## **PART 7**

### MISCELLANEOUS AND GENERAL

#### *Welsh language standards*

- 72 Authorisation to give compliance notice to the Ombudsman in relation to Welsh language standards

#### *Review of Act*

- 73 Review of Act

#### *Application of the 2005 Act to certain investigations*

- 74 Investigations commenced before sections 3, 4, 43 and 44 come into force

#### *General*

- 75 Repeals, savings and consequential amendments
- 76 Functions of the Assembly
- 77 Commencement
- 78 Interpretation
- 79 Former health care providers, social landlords, social care providers and palliative care providers: modifications
- 80 Consequential, transitional provisions etc
- 81 Regulations and directions
- 82 Short title

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## SCHEDULE 1 — PUBLIC SERVICES OMBUDSMAN FOR WALES: APPOINTMENT ETC

### *Appointment*

- 1 The Ombudsman is to be appointed by Her Majesty on...

### *Status*

- 2 (1) The Ombudsman is a corporation sole.

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### *Term of office*

- 3 (1) A person's term of office as the Ombudsman is...

#### *Acting Public Services Ombudsman for Wales*

- 4 (1) If the office of the Ombudsman becomes vacant, Her...

#### *Further provision: appointment*

- 5 The Assembly must determine the terms that apply to an...

### *Disqualification*

- 6 (1) A person is disqualified from being the Ombudsman or...  
7 (1) A person who holds office as the Ombudsman or...  
8 (1) A person who has ceased to hold office as...  
9 The references in paragraphs 7 and 8 to a paid...

### *Remuneration etc*

- 10 (1) The Assembly must— (a) pay a person who is...

#### *Special financial provisions*

- 11 (1) Any sums payable by the Ombudsman in consequence of...

### *Staff*

- 12 (1) The Ombudsman may appoint such staff as is necessary...

### *Advisers*

- 13 (1) The Ombudsman may obtain advice from any person who,...

### *Delegation*

- 14 (1) Any function of the Ombudsman may be discharged on...

### *Annual and extraordinary reports*

- 15 (1) The Ombudsman— (a) must annually prepare a general report...

### *Estimates*

- 16 (1) For each financial year, the Ombudsman must prepare an...

### *Accounts*

- 17 (1) The Ombudsman must— (a) keep proper accounting records, and...

### *Audit*

- 18 (1) The accounts prepared by the Ombudsman for a financial...

### *Accounting officer*

- 19 (1) The Ombudsman is the accounting officer for the office...

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*Examinations into the use of resources*

- 20 (1) The Auditor General for Wales may carry out examinations...

*Supplementary powers*

- 21 The Ombudsman may do anything (including acquire or dispose of...

*Previous Ombudsman to continue to be Ombudsman*

- 22 (1) This paragraph applies to the person who is the...

SCHEDULE 2 — EXCLUDED MATTERS: PART 3

- 1 Action taken by or with the authority of the Welsh...
- 2 The commencement or conduct of proceedings before a court of...
- 3 Action taken by a member of the administrative staff of...
- 4 Action taken in respect of appointments, removals, pay, discipline, superannuation...
- 5 Action relating to the determination of the amount of rent...
- 6 (1) Action taken by an authority specified in sub-paragraph (2)...
- 7 Action taken by a Local Health Board in the discharge...

SCHEDULE 3 — LISTED AUTHORITIES

Government of Wales The Welsh Government. The National Assembly for...

SCHEDULE 4 — EXCLUDED MATTERS: PART 5

- 1 The commencement or conduct of proceedings before a court of...
- 2 Action taken in respect of appointments or removals, pay, discipline,...

SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS

PART 1 — INVESTIGATIONS

*Care Standards Act 2000 (c.14)*

- 1 Insert new section 75ZB— Working jointly with the Public Services...
- 2 Insert new section 75ZC— Working jointly with the Public Services...

*Public Audit (Wales) Act 2004 (c.23)*

- 3 Insert new section 67B— Protection from defamation claims For the purposes of the law of defamation, the publication...

*Public Audit (Wales) Act 2013 (anaw 3)*

- 4 Insert new section 29A— Working with the Public Services Ombudsman...

*Well-being of Future Generations (Wales) Act 2015 (anaw 2)*

- 5 In section 25, after subsection 1(c), insert—  
PART 2 — MISCELLANEOUS

*Parliamentary Commissioner Act 1967 (c.13)*

- 6 In section 4 (departments etc. subject to investigation), in subsection...

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- 7 In section 11A (consultations between Parliamentary Commissioner and other Commissioners...

*Local Government Act 1974 (c.7)*

- 8 In section 34M (consultation with other Commissioners), in subsection (1)(d),...  
9 In section 34T (interpretation of Part 3A), in subsection (1),...

*Ancient Monuments and Archaeological Areas Act 1979 (c.46)*

- 10 In Schedule A2 (decisions on reviews by person appointed by...

*Local Government and Housing Act 1989 (c.42)*

- 11 In section 5 (designation and reports of monitoring officer)—  
12 In section 5A (reports of monitoring officer – local authorities...

*Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)*

- 13 In Schedule 1B (decisions on reviews by person appointed by...  
14 In Schedule 3 (determination of certain appeals by person appointed...

*Health Service Commissioners Act 1993 (c.46)*

- 15 In section 18 (consultation during investigations), in subsection (1)(ba), at...

*Housing Act 1996 (c.52)*

- 16 In section 50C (grounds for giving notice), in subsection (10),...  
17 In section 51 (schemes for investigation of complaints), in subsection...

*Freedom of Information Act 2000 (c.36)*

- 18 In section 76 (disclosure of information between Commissioner and ombudsmen),...

*Local Government Act 2000 (c.22)*

- 19 In section 68 (Public Services Ombudsman for Wales), in subsection...  
20 In section 70 (investigations: further provisions), in subsection (2)(b), for...

*Health and Social Care (Community Health and Standards) Act 2003 (c.43)*

- 21 In section 113 (complaints about health care), in subsection (4)(aa)—...

*National Health Service (Wales) Act 2006 (c.42)*

- 22 In section 187 (independent advocacy services), in subsection (3)—

*Commissioner for Older People (Wales) Act 2006 (c.30)*

- 23 In section 18 (power to disclose information), in subsection (1)(b),...

*Government of Wales Act 2006 (c.32)*

- 24 In Schedule 8 (Auditor General for Wales), in paragraph 17(8)(ba),...

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*Local Government and Public Involvement in Health Act 2007 (c.28)*

- 25 In section 223A (independent advocacy services), in subsection (10)—

*Social Services and Well-being (Wales) Act 2014 (anaw 4)*

- 26 In section 171 (complaints about social services), in subsection (3)(a)  
—...
- 27 In section 177 (further consideration of representations), in  
subsection (4)(a)—...

*Data Protection Act 2018 (c.12)*

- 28 In Schedule 2 (exemptions etc from the GDPR), in paragraph...



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**Changes and effects yet to be applied to :**

- Sch. 3 words substituted by [2022 asc 1 Sch. 4 para. 41](#)
- Sch. 5 para. 13 omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)
- Sch. 5 para. 14 omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)
- Sch. 5 para. 10 and cross-heading omitted by [2023 asc 3 Sch. 13 para. 195\(a\)](#)
- Sch. 5 para. 13 cross-heading omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2023 asc 3 Sch. 2 para. 6](#)
- Act modified by [2023 asc 3 Sch. 12 para. 7\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(a\)](#) (Welsh language text)
- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(b\)](#) (English language text)