



Public Services Ombudsman (Wales) Act 2019

2019 anaw 3

PART 5

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

Special reports

60 Special reports

- (1) A special report must—
 - (a) set out the facts which entitle the Ombudsman to prepare the special report (that is, the facts on the basis of which case 1, 2 or 3 of section 59 applies), and
 - (b) make such recommendations as the Ombudsman thinks fit as to the action which, in the Ombudsman's opinion, should be taken—
 - (i) to remedy or prevent the injustice or hardship to the person, and
 - (ii) to prevent similar injustice or hardship being caused to any person in the future.
- (2) If the special report is prepared because case 1 of section 59 applies, the Ombudsman must send a copy of the report to each person to whom a copy of the section 55 report was sent under section 55(2)(b).
- (3) If the special report is prepared because case 2 or 3 of section 59 applies, the Ombudsman must send a copy of the report to—
 - (a) if the investigation relates to a complaint, the person who made the complaint;
 - (b) the provider to whom the report relates.
- (4) The Ombudsman may send a copy of a special report to any other persons the Ombudsman thinks appropriate.
- (5) The Ombudsman may publish a special report.

- (6) The Ombudsman may supply a copy of a published special report, or a part of such a report, to any person who requests it.
- (7) The Ombudsman may charge a reasonable fee for supplying a copy of a special report, or part of such a report, under subsection (6).
- (8) The following information must not be included in a version of a special report sent to a person under subsection (2), (3) or (4) or published under subsection (5)—
 - (a) the name of any person other than the provider in respect of whom the report was made;
 - (b) information which, in the opinion of the Ombudsman, is likely to identify any such person and which, in the Ombudsman's opinion, can be omitted without impairing the effectiveness of the special report.
- (9) Subsection (8) does not apply if, after taking account of the interests of the person aggrieved (if any) and any other persons the Ombudsman thinks appropriate, the Ombudsman considers that it would be in the public interest to include that information in that version of the special report.