

SPSO decision report

Case: 201103307, Care Inspectorate
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: not upheld, recommendations

Summary

Ms C and Mr C were unhappy that the Care Inspectorate had refused to investigate their complaints. They had told Ms C and Mr C that the complaints were out of time, were not appropriate for the complaints procedure and were not complaints about the Care Inspectorate.

Ms C and Mr C had felt that there were reasons why the complaints should be considered outwith the normal time limit. Our investigation found, however, that the Care Inspectorate had considered the exceptional circumstances Ms C and Mr C put forward, and had explained why, despite these, they had decided that the complaints were out of time, as they were entitled to do. We also found that they had clearly explained why one of the complaints was not suitable for the complaints procedure and why one was suitable for the review procedure (which Ms C and Mr C had in fact used).

Recommendations

We recommended that the Care Inspectorate:

- should, for the avoidance of doubt, ensure that a complainant understands that other items not related to the review of their complaint may be considered at the committee.