

Case: 201101056, Care Inspectorate
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: not upheld, no recommendations

Summary

After she was admitted to a private care home, Mr C had concerns about his mother's care and treatment there. He complained to the care home and then to the Care Commission (this organisation is now called the Care Inspectorate). The Care Commission responded to six separate complaints over an eight-month period. They upheld most of them, and made recommendations for improvement.

While Mr C awaited the outcome of the last of the six complaints investigated by the Care Commission the care home was the subject of a themed inspection by Care Commission officers (as part of that body's regulatory function).

Mr C had taken issue with the Care Commission's previous overall grading of the care home as 'good'. He believed that this grading should not have been maintained after a more recent inspection and sought to have this investigated as a complaint. However, the Care Commission and then the Care Inspectorate told him that this could not be dealt with through the complaints procedure. When Mr C persisted, the Care Inspectorate told him that they intended to apply to him part of that procedure relating to persistent and vexatious complainants.

Mr C then complained to the SPSO that this procedure was incorrectly applied. We did not uphold this, however, as we found that Mr C had inappropriately persisted in pressing the matter as a complaint, despite having had it clearly explained to him that the complaints procedures excluded complaints about the inspection process.