

Case: 201104524, Mental Welfare Commission for Scotland
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: some upheld, action taken by body to remedy, no recommendations

Summary

Mrs C complained that the Mental Welfare Commission for Scotland (the Commission) failed to respond appropriately to a letter sent to them by her son. The letter contained her son's concerns about his detention and treatment under Mental Health legislation. In addition, Mrs C complained that the Commission failed to tell her or her husband about the letter, and failed to provide her son with reasonable levels of help following a meeting in 2008.

We did not look into the complaint about levels of help, as Mrs C had not given the Commission the opportunity to respond to her concerns on this point through their complaints process.

We did not uphold her complaint that they failed to inform her or her husband of the letter, as the Commission had no authority to share this information with them. We did, however, uphold her complaint that they had failed to respond appropriately to the letter. We found that their response was delayed by staff absence and that by the time the letter was actioned, their son had moved to stay with his brother in another part of the UK. As, however, the Commission had acknowledged and apologised for their failure to respond promptly to the letter, made changes to their processes and as they had visited him in hospital when he returned to Scotland, we did not recommend any further actions.