

SPSO decision report



Case: 201900750, Care Inspectorate
Sector: Scottish Government and Devolved Administration
Subject: complaints handling
Decision: upheld, recommendations

Summary

C is the welfare and financial guardian to A who requires residential care. C complained to the Care Inspectorate about the service A was receiving at the care home in which they reside. The Care Inspectorate upheld C's complaints and made a requirement and recommendation for improvement. C later complained that these had not been implemented, however the Care Inspectorate did not uphold this complaint. C complained to us that the Care Inspectorate failed to take into account the evidence they provided in support of their complaint.

The Care Inspectorate confirmed that all of C's concerns were taken into account and they had noted that some improvements were being made by the care provider.

We found that the Care Inspectorate failed to satisfactorily address the detailed evidence submitted by C in support of their complaint. While it was not unreasonable to note that some improvements had been made by the care provider, we considered that if the Care Inspectorate had reviewed C's evidence in detail, they could not have reached the conclusion that the provider had met the requirement and recommendation. As such, we upheld the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to investigate their complaint to a reasonable standard. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

In relation to complaints handling, we recommended:

- Complaint responses should demonstrate that evidence has been considered in the course of an investigation.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.