



Making a complaint about the Care Inspectorate's work

Information for people using or providing
a care service

The Care Inspectorate is the independent scrutiny and improvement body for care and social work services across Scotland. We regulate, inspect and support improvement of care services for the benefit of the people who use them. We also carry out joint inspections of services for children and for adults with other regulators and partners.

People have a right to complain about the performance of the Care Inspectorate. We value complaints and use information from them to help us improve our services. If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint about the Care Inspectorate. You can read the full procedure on our website www.careinspectorate.com

There is a separate guide if you are unhappy about a care service and want to make a complaint or would like us to look into this.

What is a complaint?

A complaint is any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- us not following our own policies
- our failure to follow proper procedure
- treatment by or attitude of a member of Care Inspectorate staff
- our standard of service.

Are there complaints you will not consider?

Yes. We will not consider a complaint against the Care Inspectorate that is, for example, about:

- a request for compensation only
- issues that are in court or have already been heard by a court or tribunal
- disagreement with a decision where a statutory right of appeal exists
- an attempt to reopen a complaint that has been concluded already or to have a complaint reconsidered where we have already given our final decision.

We cannot accept challenges to evaluations made about a care service as part of our inspection or complaint investigation work in a care service. This is because during an inspection or complaint investigation the care service has the opportunity to provide all of the evidence needed for the inspection or complaint investigation team to carry out its evaluations, and there is an error response process. If there is a problem during an inspection or complaint investigation, you should speak to the lead inspector or another member of the inspection or complaint investigation team as it is easier to resolve any issues at this stage.

However, if you feel that we have not followed standard procedures during the course of an inspection or complaint investigation, we would accept and investigate that complaint.

We cannot comment on, resolve or investigate complaints about policies and regulations set by the Scottish Government. If you have a complaint about a policy set by the Scottish Government, you should contact them directly. Their website is: www.scotland.gov.uk

If there are other procedures or rights of appeal which could help you resolve your concerns, we will give information and advice to help you.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our work. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

You can complain in person at any of our offices, by phone, in writing, email or by completing our online complaints form at www.careinspectorate.com

It is easier for us to resolve complaints if you make them quickly and directly to the person concerned, so please contact us and we can try and find the most appropriate person to try and resolve your problems on the spot.

When complaining, please tell us:

- your full name and address
- as much as you can about your complaint
- what has gone wrong
- how you would like us to resolve the matter.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Contact details

Our contact details are at the end of this leaflet.

What happens when I have complained?

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages:

Stage one – frontline resolution stage

We aim to resolve complaints quickly and close to when the matter arose. This could mean an 'on-the-spot' apology and explanation if something has clearly gone wrong and immediate action to resolve the problem.

We will give you our decision at stage 1 in five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to stage 2. You can choose to do this immediately or sometime after you get our initial decision.

Stage two – investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation.

When using stage 2 we will:

- acknowledge receipt of your complaint for investigation within three working days
- allocate the complaint to an appropriate manager in the Care Inspectorate for investigation
- where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- investigate your complaint
- give you a full written response to the complaint as soon as possible and within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

What if I'm still dissatisfied?

After we have fully investigated and if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO cannot normally look at:

- a complaint that has not completed our complaints procedure (so please make sure it has done so before contacting the SPSO)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post

SPSO

Freepost EH641

Edinburgh

EH3 0BR

Freephone: **0800 377 7330**

Online contact **www.spsso.org.uk/contact-us**

Website: **www.spsso.org.uk**

Mobile site: **<http://m.spsso.org.uk>**

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We can accept complaints from the representative of a person who is dissatisfied with our service. We can accept complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance
Tel: **0131 260 5380** Fax: **0131 260 5381**
Website: www.siaa.org.uk

We are committed to making our service easy to use for everyone. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help people access and contact the Care Inspectorate. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, Braille, or easy read, tell us in person, contact us on **0845 600 9527** or email us at enquiries@careinspectorate.com

Quick guide to our procedure for complaints against the Care Inspectorate

Complaints procedure

You can make your complaint in person, by phone, by e-mail, on line or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly, but if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.



Stage 1: **frontline** resolution

We will always try to resolve your complaint quickly, within 5 working days if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.



Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your complaint within **three working days**. We will give you our decision as soon as possible. This will be after no more than **20 working days** unless there is clearly a good reason for needing more time.



The Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.



Headquarters

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This publication is available in other formats and other languages on request.

Tha am foillseachadh seo ri fhaighinn ann an cruthannan is cànan eile ma nithear iartras.

অনুরোধসাপেক্ষে এই প্রকাশনাটি অন্য ফরম্যাট এবং অন্যান্য ভাষায় পাওয়া যায়।

یہ اشاعت درخواست کرنے پر دیگر شکلوں اور دیگر زبانوں میں فراہم کی جاسکتی ہے۔

ਬੈਨਤੀ 'ਤੇ ਇਹ ਪ੍ਰਕਾਸ਼ਨ ਹੋਰ ਰੂਪਾਂ ਅਤੇ ਹੋਰਨਾਂ ਭਾਸ਼ਾਵਾਂ ਵਿੱਚ ਉਪਲਬਧ ਹੈ।

هذه الوثيقة متوفرة بلغات ونماذج أخرى عند الطلب

本出版品有其他格式和其他語言備索。

Na życzenie niniejsza publikacja dostępna jest także w innych formatach oraz językach.

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