

Care Commission Complaints Procedure

Some answers to questions you might have if you are not happy with your care service.



We have written this leaflet in a way that we think will help people with learning disabilities understand our complaints procedure. It is written in a question and answer way. The questions are what people have asked us about making a complaint. We would be very interested to know what you think. If you want to tell us something, please contact us at one of our offices listed on the back of this leaflet.

The Care Commission

Q What is The Care Commission?



ANSWER

The Scottish Executive passed a new law called an “Act” of Parliament – The Regulation of Care (Scotland) Act 2001.

We became the Scottish Commission for the Regulation of Care in April 2002. Our short name is the Care Commission.

Commission is another word for a group of people asked by the Scottish Parliament to carry out their rules.

We have a list of all of the care services in Scotland. We make sure they are providing services that meet peoples’ needs. This includes people with learning disabilities.

We will also work with people who want to start providing care for people with a learning disability for the first time.

Complaints Procedure

Q What is a Complaint?

ANSWER

A complaint is when you are worried or not happy about something. This can be about something that has happened to you. It can also be about something that has happened to someone you know.

Q What is a procedure?

ANSWER

A procedure is a way you can have your say. You can use this to tell the person who is in charge of the care service that you are not happy about the service. You can also tell us.

If something has happened to you or someone that you know, then this complaints procedure can be used to help sort out the problem.

This Leaflet



Q What does this leaflet do?

ANSWER

It takes you through what happens if you want to make a complaint.

You can get someone to help you read through it. This might be for example, a member of your family, or an advocate, or anyone else you know who helps you understand what can be done when you need support.

Q Who else can help if I want to know more?

ANSWER

If there are still questions you want to ask, please contact or get your helper to contact, one of our offices. There is a person called a Complaints Co-ordinator who will listen to what you have to say. This person can be contacted at any one of our offices. These are listed on the back of this leaflet.

Complaints Co-ordinator

Q What else does the Complaints Co-ordinator do?

ANSWER

The Complaints Co-ordinator starts by listening to what you have to say.

This can be about:

- a care service inspected by the Care Commission
or
- the way the Care Commission works

The Complaints Co-ordinator then tells you about:

- what you can do if you want to make a complaint
- what the Care Commission will do when this happens, and
- how long the Care Commission will take to reply to your complaint

Making a Complaint?



Q What can I do if I want to make a complaint?

ANSWER

- You can go to any of our offices
- You can write to any of our offices
- You can telephone any of our offices
- You can e-mail us through our website, www.carecommission.com
- You can fax us on 01382 207236

Q How can I find the Care Commission offices?

ANSWER

There are 5 offices across Scotland. They are called Regional Offices. They are in Aberdeen, Dundee, Paisley, Musselburgh and Hamilton. Our Headquarters is also in Dundee. The addresses and telephone numbers of all of these offices are listed on the back of this leaflet with a map showing where they are.

Q What will the Care Commission do?

ANSWER

We will make sure that:

- All your complaints are listened to very seriously by our staff
- Every point you make is looked into
- Each complaint is answered
- Each point you make in your complaint is answered

We will try to answer your complaint as quickly as possible and in a way that:

- is clear and understood by you
- will be helpful to you
- will respect your points of view and other people's points of view
- is fair and thoughtful of others and
- will make sure that the law has not been broken

How the procedure works



Q Who will I see, or write, or speak to?

A_{NSWER}

This will be the Complaints Co-ordinator. This person will write down your unhappy or worried feelings about the care service. On the next four pages, we explain what we will do if you complain and how long it will take.

Q What will the Complaints Co-ordinator ask me?

A_{NSWER}

The Complaints Co-ordinator will ask if you or your helper have talked to the person who provides the care about your feelings. The Complaints Co-ordinator will also ask what you want to happen to make you happier and not worry so much.

Q Do I have to give my name?

A_{NSWER}

You don't have to give your name or where you live. If you don't give your name and address it may make it more difficult for us to answer your complaint or make things better in the future. Also there may be special reasons when something that is against the law has happened. We will have to tell the Police about this. You will be told if this is going to happen.

Q What if my complaint happened a long time ago?

A_{NSWER}

It does not matter how long ago your complaint started. You can still complain now. If a long time has gone by it might mean that it is more difficult to answer your complaint. This should NOT stop you from making a complaint.

Complaints Resolution Officer

Q What happens after I make my complaint?

ANSWER

The Complaints Co-ordinator will give your complaint to a person called a Complaints Resolution Officer, and will write and tell you when this has been done. This will be within 3 working days of us receiving your complaint. You can say how you want the reply to be given for example, letter, or e-mail or telephone.

Q What will the Complaints Resolution Officer do?

ANSWER

The Complaints Resolution Officer will write and tell you how the complaint is to be looked into and how long this may take.

Q Will I need to do anything else?

ANSWER

We may need to meet with you about the complaint. If you want you can have someone to help you during this meeting. There will be a record of the meeting made. The Complaints Resolution Officer will ask you to sign or make your mark on this, to make sure that it is what you said. You will be given a copy of this record.

Proposed Resolution



Q What will the Complaints Resolution Officer do next?

ANSWER

The Complaints Resolution Officer has between 14 and 28 working days to reply to you. The Complaints Resolution Officer will write or telephone you to say:

- what the complaint is
- how it was looked into
- what was found out
- if your complaint was agreed with, parts were agreed with or not agreed with at all, and
- what we expect to happen next

Q What will I need to do then?

ANSWER

You should tell the Complaints Resolution Officer if you agree with what was found out and what we expect to happen next. You can say this in a letter or by telephone. If you agree with what was found out and what we expect to happen next, then the Regional Manager will write to you. This will be called a Letter of Final Resolution.

If you do not agree, we may need to meet with you again. When we meet you can say why you do not agree. We can then try and work out what will happen next.

Letter of Final Resolution



Q What is a Letter of Final Resolution?

ANSWER

This will say:

- what your complaint was
- what we found out
- if your complaint was agreed with, parts were agreed with or not agreed with at all, and
- what we expect to happen next

Q Will anyone else get a Letter of Final Resolution?

ANSWER

The care service that the complaint was about will also receive a Letter of Final Resolution. They will be asked to take action on what is said in the letter, and we will monitor that this has happened.

Still not happy?



Q What if I am still not happy with the Letter of Final Resolution?

ANSWER

You can ask for a review of the investigation (what has been looked at). You need to write to the Care Commission Complaints Officer at our Headquarters. You need to do this by a certain time. This will be written on the letter.

Q Where does my request for a review go?

ANSWER

Two things can happen.

1. Senior staff can look at what has happened and make their own decision about the complaint. This might be the Director of Operations, who is responsible for all the work of the Regional Offices. Or, it might be the Head of Policy and Development, who is responsible for the complaints procedure.
2. There is a group of people who could review the complaint. They are called the Review Committee. They are made up of Care Commission Board Members. If they are asked to look at what has happened, they will make their own decision about the complaint.

Q What if I am still not satisfied?

ANSWER

Just now, you can ask for a Parliamentary Ombudsman to become involved.

This person is responsible for dealing with complaints that have not been sorted out by our complaints procedure.

Please note that this procedure is under review. When we know that there is someone else who is to become responsible, we will let you know.

You can contact the Parliamentary Ombudsman at:

Scottish Parliamentary Commissioner for Administration
28 Thistle Street
Edinburgh EH2 1EN
Phone: 0845 601 0456

Information provided differently

Q Can I get information about the
Complaints Procedure in a different way?

ANSWER

You can get a copy of this leaflet in large print, or on audio tape or in another language?

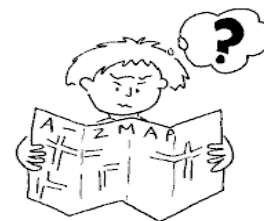
You can also get more information through our website

www.carecommission.com



or by Faxing us on 01382 207236 or contacting us at any of the offices listed on the back of this leaflet.

Where are we?



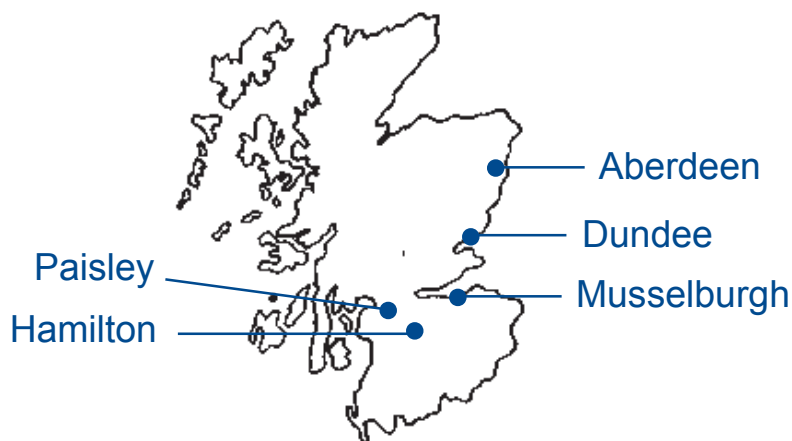
Q Where are we?

A ANSWER

We have 5 Regional Offices - in Aberdeen, Dundee, Paisley, Musselburgh and Hamilton. Our Headquarters is also in Dundee. These are their addresses and telephone numbers:

HEADQUARTERS

The Care Commission
Compass House
11 Riverside Drive
Dundee DD1 4NY
Telephone: 01382 207100
Complaints: 0845 6030890 (lo-call)



REGIONAL OFFICES

North Region

Johnston House
Rose Street
Aberdeen AB10 1UD
Tel: 01224 793870

South West Region

Princes Gate
Castle Street
Hamilton ML3 6BU
Tel: 01698 208150

Central West Region

4th Floor
No 1 Smithhills Street
Paisley PA1 1EB
Tel: 0141 843 4230

Central East Region

Compass House
11 Riverside Drive
Dundee DD1 4NY
Tel: 01382 207200

South East Region

Stuart House
Eskmills
Musselburgh EH21 7PB
Tel: 0131 653 4100

This leaflet has been produced with the help of SCLD, The Scottish Consortium for Learning Disability. They can be contacted at:

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www.sclد.co.uk

Pictures were provided by the CHANGE Picture Bank.
CHANGE can be contacted at:

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