

Scottish Public Services Ombudsman response to the Care Inspectorate's consultation on Draft Human Rights and Well-being Principles.

*This response was submitted using the on-line portal. The comment below was linked to the principle: **I am entitled to a responsive service. This means: I receive the right care and support at the right time. My care and support responds when my needs, views and decisions change. I have personal goals, aspirations and the support to achieve them.***

We consider that this principle is important but that it could be strengthened. It should be clear from the principles that people who are unhappy with the service have a right to:

- raise their concerns;
- be heard; and
- an independent view if they consider they have not been heard by the service provider.

It is our experience that those who are most vulnerable are most reluctant to complain. Given this, it is important that it is clear from the standards that it is a key part of good practice that those providing care can listen to and respond appropriately to critical comments about the service they provide. We would also expect that they should be able to evidence that they are open to complaints and demonstrate when they have made changes to services as a result of complaints.

Over the last few years, there have been significant developments in Scotland which have led to improvements in the handling of complaints by public services. This means there is now good practice available in the form of models of complaint handling procedures which may be adaptable to other situations. It is important to recognise that these models are in use across the public sector and, as we move to integrated services, will be the model used by those providing health and social work care and provision. These areas intersect with and are delivered alongside care provision. We think there is the potential for considerable benefit to the public by encouraging a similar approach through the care standards. We have found that

public organisations have welcomed the support and training that has been provided alongside the model complaints procedures. We would, therefore, urge the inclusion of some specific standards around complaints handling not only to ensure this principle is met but also to help build confidence and skills amongst care providers, particularly those smaller providers who may find this area particularly difficult and challenging. We have significant experience in developing principles and standards around complaints handling and would be very happy to discuss this further as you move to develop the detailed standards.