

*These notes relate to the Regulation of Care (Scotland) Act
2001 (asp 8) which received Royal Assent on 5 July 2001*

REGULATION OF CARE (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Commentary on sections

Part 1: the Commission and Care Services

Complaints

Section 6: Complaints about care services

42. Subsection (1) requires the Commission to establish suitable procedures for dealing with any complaints made to it about regulated care services by users, their relatives or advocates or staff. Subsection (3) requires that, before establishing such procedures, the Commission will be required to consult local authorities, health bodies and such other persons or groups of persons it considers appropriate and that it should submit proposals to Scottish Ministers for approval.
43. While local resolution of complaints by the provider will be the norm there should be no requirement for a user of a service to go through the provider's own system before approaching the Commission. Any procedures developed must be kept under review by the Commission. The Commission must also ensure that the established procedure is given the appropriate publicity.