



STUC report into complaints upheld in older people's care homes

In 2021, following the failings of social care during the pandemic, the Scottish Government announced its policy for the National Care Service. The former First Minister, Nicola Sturgeon described it as “arguably the most significant public service reform since the creation of the NHS” in 1948.

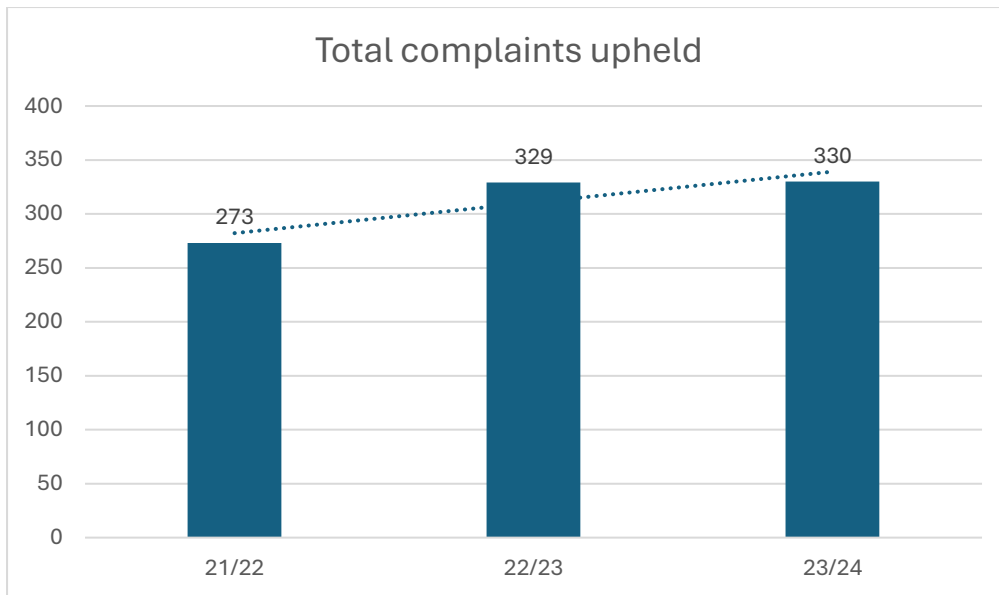
But despite extensive international and Scottish literature linking financialised and privatised care with poor outcomes and excess profit extraction,¹ the Scottish Government's recently withdrawn National Care Service Bill did not propose any change to who provides care. Neither has the Scottish Government brought forward reforms to address these issues since it withdrew the NCS Bill.

Using data from the Care Inspectorate, this report analyses complaints into older people's care homes in the private, voluntary and public sector over the last three years.² It finds:

- The number of complaints upheld in older people's care homes is increasing.
- 21% of complaints are from employees.
- The private sector is responsible for the vast majority of complaints and has a higher ratio of complaints per care home compared to the public and voluntary sector.
- More than half of private sector care homes have had at least one complaint upheld since April 2022. In contrast, less than a third of voluntary sector care homes, and less than a fifth of public sector care homes, have had at least one complaint upheld since April 2022.
- This matters because the private sector care industry is growing, while the voluntary and public sector are both shrinking.
- A truly transformative National Care Service - one that respects the human rights of care workers and care users alike – simply cannot be achieved without a radical transformation of power and ownership in the sector.

The number of complaints upheld is increasing

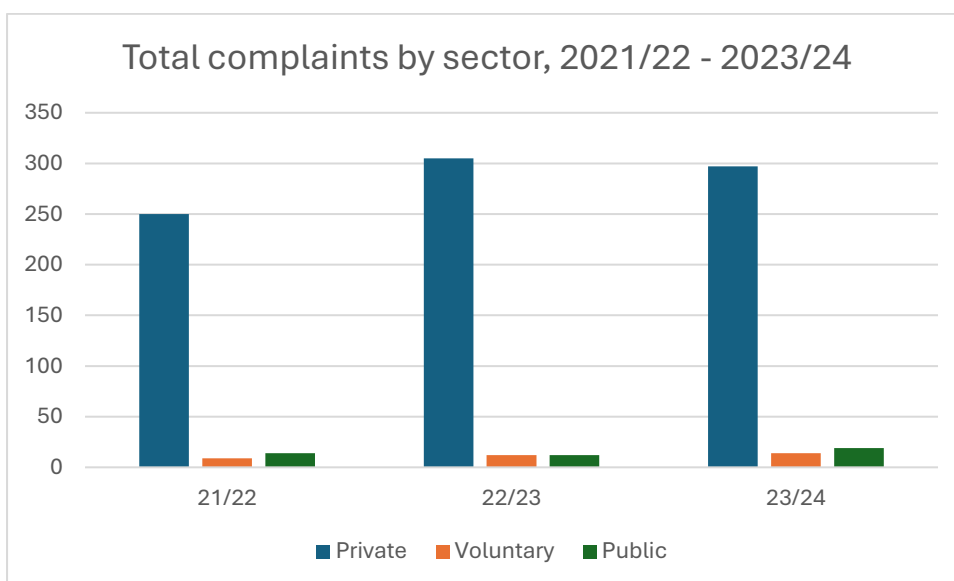
In 2023/24, 330 complaints were upheld across 770³ older people's care homes. While 53% of complaints are from relatives or carers, 21% are from employees. As the table below shows, the number of complaints upheld appears to be increasing.



Source: STUC analysis using Care Inspectorate data

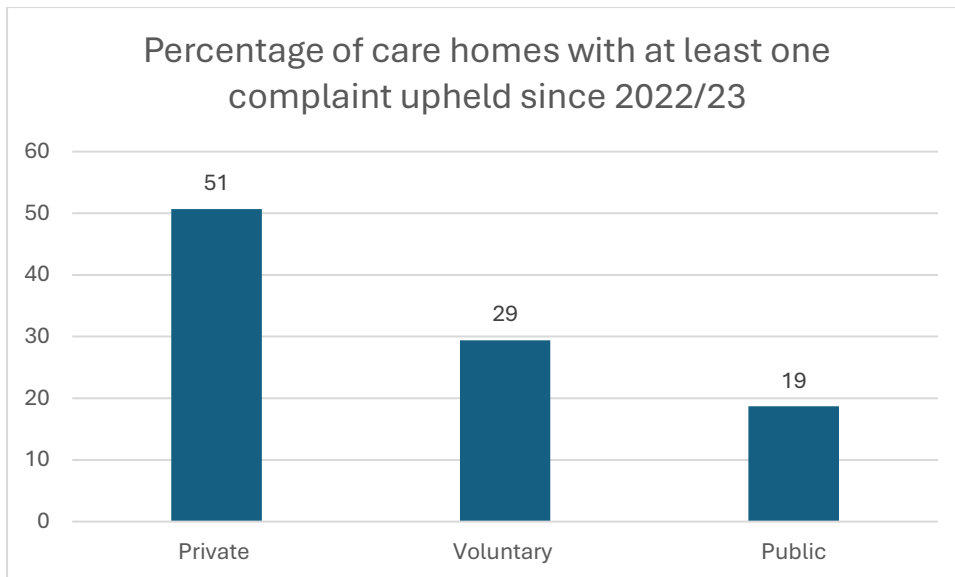
Complaints vary significantly by sector

Private sector care homes are responsible for most complaints being upheld, as highlighted by the table below.



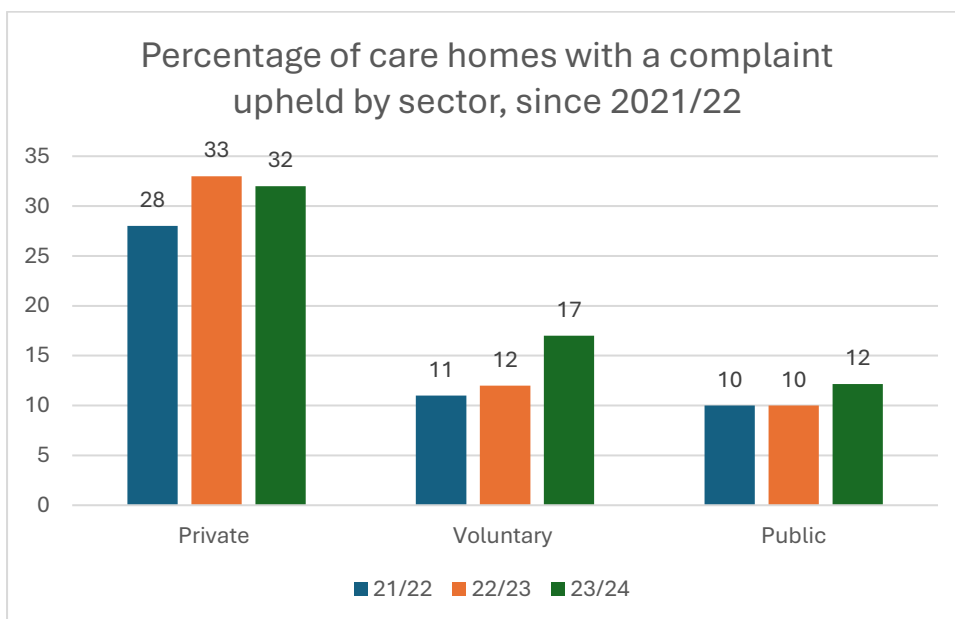
Source: STUC analysis using Care Inspectorate data

However, given the private sector accounts for 76% of the sector, to allow a fair comparison by sector we need to compare the percentage of care homes that have had at least one complaint upheld. The table below shows that more than half of private sector care homes, have had at least one complaint upheld between 1 April 2022 and 31 March 2024. In contrast, less than a fifth of public sector care homes and less than a third of voluntary sector care homes have had at least one complaint upheld.



Source: STUC analysis using Care Inspectorate data

These trends are sustained over the time with the private sector consistently having higher proportions of complaints upheld on an annual basis compared to the public and voluntary sector.



Source: STUC analysis using Care Inspectorate data

It should also be noted that complaint rates in the big 10 ‘financialised’ care homes are higher than the average across the private sector. This is of particular concern because the trend in the sector is towards concentration and consolidation – with care homes closing and larger care homes increasing as a proportion of the sector.⁴

What kind of complaints have been upheld?

The Care Inspectorate estimate that the largest group of complaints relate to healthcare - including nutrition, medication, tissue viability, continence care and inadequate care and treatment.⁵

Specific complaints upheld include Craigieknowes care home in Perth, owned by the Four Seasons group which was found to have not adequately assessed the risk of choking, for a resident despite a stroke and subsequent diagnosis of dysphagia that put them at a high risk. The inspectorate also criticised the care home for its management of the resident's continence, seating arrangements and activities.

Lochbank Manor in Forfar was closed after an inspection revealed serious concerns in relation to the staffing levels within the home. Despite the warning, the regulator said there had been no significant improvement and the home's registration was cancelled through a Section 73 notice.

Why does this matter?

The figures presented in this report matter because most care home provision is delivered by the private sector and the private sector is growing relative to the public and voluntary sector. The percentage of older people's care homes run by the private sector increased from 70% in 2014 to 76% in 2024.⁶

The National Care Service Bill fails to address these issues

Despite the evidence presented in this report, and other evidence showing private providers are associated with lower wages and higher levels of rent extraction than public and third sector care providers,⁷ the Scottish Government has not proposed any substantive changes to who actually provides care. Worryingly, the Scottish Government's consultation on the National Care Service back in 2021, stated – "there is no evidence that providing services through the public sector increases quality".⁸

While the STUC welcome the Scottish Government withdrawing the main aspects of its National Care Service Bill, there is still a desperate need for a truly transformative National Care Service - one that respects the human rights of care workers and care users alike. This simply cannot be achieved without a radical transformation of power and ownership in the sector.

Having withdrawn the main aspects of the NCS Bill, the Scottish Government should now develop a real National Care Service which genuinely improves care quality across Scotland.

For further information contact:

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¹ <https://www.stuc.org.uk/resources/profitting-from-care-report.pdf>

² Analysis based on a data request, Care Inspectorate Datastore, and published annual complaints reports. See <https://www.careinspectorate.com/index.php/publications-statistics/93-public/datastore> and <https://www.careinspectorate.com/index.php/news/7683-complaints-about-care-services-in-scotland-2019-20-to-2023-24>

³ 770 as of 31 March 2024. There were 803 as of 31 March 2021, 796 as of 31 March 2022, and 788 as of 31 March 2023.

⁴ <https://www.stuc.org.uk/resources/profitting-from-care-report.pdf>

⁵ <https://www.careinspectorate.com/index.php/news/7683-complaints-about-care-services-in-scotland-2019-20-to-2023-24>

⁶ <https://publichealthscotland.scot/publications/care-home-census-for-adults-in-scotland/care-home-census-for-adults-in-scotland-statistics-for-2014-to-2024/>

⁷ <https://unison-scotland.org/summary-of-towards-a-real-national-care-service-report/>

⁸ <https://www.gov.scot/publications/national-care-service-scotland-consultation/pages/5/>