

## **The Ombudsman's final decision**

Summary: We will not investigate this complaint about a member of staff from a care provider being rude during a telephone call. There is insufficient evidence of fault to justify investigation.

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## **The complaint**

1. Mrs X complained a member of staff from a Care Provider was rude during a telephone call and did not properly explain how invoices were processed. Due to this, Mrs X says she had to stop her mother's service temporarily. Mrs X provided care during this time, causing her inconvenience. Mrs X wants an apology.

## **The Ombudsman's role and powers**

2. The Ombudsman investigates complaints about 'maladministration' and 'service failure', which we call 'fault'. We must also consider whether any fault has had an adverse impact on the person making the complaint, which we call 'injustice'. We provide a free service, but must use public money carefully. We do not start or may decide not to continue with an investigation if we decide there is not enough evidence of fault to justify investigating. (*Local Government Act 1974, section 24A(6)*)

## **How I considered this complaint**

3. I considered information provided by the complainant.
4. I considered the Ombudsman's Assessment Code.

## **My assessment**

5. Mrs X complains about a telephone call with a Care Provider, during which she says a member of staff was rude and unhelpful. She is otherwise happy with the service the Care Provider has given her mother. It is not in the public interest to investigate this isolated incident. We could not come to sound conclusions about any fault by the Care Provider, because tone of voice is subjective and both parties' version of events could reasonably be argued.

## **Final decision**

6. We will not investigate Mrs X's complaint because there is insufficient evidence of fault to justify an investigation.

## **Investigator's decision on behalf of the Ombudsman**