

Case: 201103646, Tayside NHS Board
Sector: health
Subject: communication, staff attitude, dignity, confidentiality
Outcome: some upheld, recommendations

Summary

Mr C's wife (Mrs C) was admitted as an emergency case to hospital, but passed away the next day. Mr C was unhappy that the board did not contact him to tell him that his wife had died, and that he only found this out when he called to ask how she was. Mrs C had also wished for her body be donated for the benefit of medical science, and Mr C complained that the board unreasonably failed to contact a local university to arrange for her body to be taken there for this.

Our investigation found that when admitted to hospital, Mrs C had said she had no next of kin and had asked that her GP be told about any changes in her condition. We, therefore, did not uphold this complaint. We also found, however, that Mr C had been in touch with the hospital enquiring about her condition, but no note had been made about this, nor had the board given him a full explanation of their findings. We, therefore, made recommendations to address this.

We upheld the complaint about what happened to Mrs C's body as we found that the board were aware of Mrs C's wishes but that after she died they failed to contact the university to explore the possibility of donation. We also found during our investigation that the board's initial decision not to refer Mrs C's death to the procurator fiscal was incorrect and that they did not properly investigate Mr C's complaint or make him fully aware of what they had found out.

Recommendations

We recommended that the board:

- apologise for not having provided a full explanation of their findings when responding initially;
- apologise to Mr C for their failure to act upon his wife's wish to have her body donated to medical science; for initially failing to make the correct decision on referral to the procurator fiscal; for failing to thoroughly

investigate his complaint and for failing to report the findings of their investigation to him;

- feed back the Ombudsman's views on this complaint to the staff involved to try to ensure that such failings do not happen again; and
- write to the Ombudsman to explain what action they have taken to implement the remedies suggested as a result of their investigation and provide evidence regarding their implementation.