

SPSO decision report

Case: 201104296, Grampian NHS Board
Sector: health
Subject: communication, staff attitude, dignity, confidentiality
Outcome: not upheld, no recommendations

Summary

Mr C complained that, on two separate occasions, a physiotherapist made inappropriate remarks to him. He also complained that the board's complaint investigation was unfair because it was mostly done by a senior colleague of the physiotherapist.

We obtained Mr C's physiotherapy records and the board's complaint file. However, we were unable to establish whether the remarks had been made. The physiotherapist herself, and one of her colleagues (who had been present on the second occasion) disputed Mr C's account. There were, therefore, no grounds on which we could uphold the complaint about her behaviour.

We explained to Mr C that it was appropriate, under the NHS complaints procedure, for the lead physiotherapist to carry out the investigation. We also explained that she had not been responsible for the complaint decision or the replies to Mr C: they had been drafted by the complaints team and considered, and signed, by the board's chief executive in recognition of his overall responsibility for complaints. The complaint file also showed that the investigation had been thorough and that Mr C had been given a full and fair hearing.