SPSO decision report

Case:	**201202629, Ayrshire and Arran NHS Board**
Sector:	health
Subject:	communication, staff attitude, dignity, confidentiality
Outcome:	upheld, action taken by body to remedy, recommendations,

Summary

When Mr C was admitted to hospital, medical staff decided that, due to his severe lung disease, he should not be resuscitated in the event of heart or breathing failure. They, therefore, placed a Do Not Attempt Cardiopulmonary Resuscitation (DNACPR) order on his medical notes. Mr C was dismayed when he later found this out and expressed his disagreement with the decision. In responding to Mr C, the board indicated that the decision was one that medical staff were empowered to make. However, they acknowledged that this should have been discussed with Mr C and/or his family. They apologised for their failure to do so and also agreed to clearly record Mr C's wishes on the front of his medical notes.

Mr C was not satisfied that the remedial steps taken by the board would prevent a similar thing happening to someone else and he approached us. We noted that the NHS Scotland policy on DNACPR says that resuscitation should not be offered as a treatment option where, in the opinion of medical staff, it would fail. We were, therefore, satisfied that it was appropriate for staff to exercise their judgment and take the decision. However, because of the failure to tell Mr C about this, which the board had already acknowledged, we upheld the complaint. The board have demonstrated to us that they learned from this failing. They implemented a quality improvement plan including provision to ensure that patients or their relatives are in future informed of requests for DNACPR, and said they would carry out random audits of patient case notes to ensure that this was being adhered to.

Recommendations

We recommended that the board:

- inform the Ombudsman of the outcome of the audit of patient case notes used as a measure of effectiveness in their quality improvement plan.