

## SPSO decision report

**Case:** 201300401, A Medical Practice in the Lothian NHS Board area  
**Sector:** health  
**Subject:** lists  
**Outcome:** upheld, recommendations

### Summary

Miss C complained that she and her elderly mother (Mrs A) were unreasonably removed from the practice's list of patients without any discussion. She had received no prior warning from the practice, nor had she been invited to the practice to discuss this. The practice believed that they had followed procedures by informing the health board and that they were only responsible for Miss C and Mrs A's care and treatment for a period of ten days after notifying them of the removal.

We upheld the complaint, as our investigation found that the practice had not followed the guidance from various organisations and the NHS General Medical Services Contract that where deregistration was a possibility it should only be as a last resort. Although a practice is entitled to remove a patient from their list, action should only be taken after giving the patient prior warning that their behaviour is giving cause for concern, and advising that should matters not improve then there is a risk of deregistration. The only exception to this is where a patient has demonstrated violence, which would result in immediate deregistration - this was not the case here.

### Recommendations

We recommended that the practice:

- remind staff to act in accordance with the various pieces of guidance regarding the removal of patients from a practice list; and
- apologise to Miss C for their failure to follow the guidance on the removal of patients from the practice list.