

## SPSO decision report

**Case:** 201301246, Highland NHS Board  
**Sector:** health  
**Subject:** appointments/admissions (delay, cancellation, waiting lists)  
**Outcome:** not upheld, no recommendations

### Summary

Ms C complained that a doctor refused her request to be accompanied by a friend during a lumbar puncture procedure (a medical procedure where a needle is inserted into the lower part of the spine). She said she was aware of other patients who had been allowed this, and complained that the hospital were not treating patients consistently. The board said that it was the doctor's normal practice to only have herself and a nurse in the room with a patient, because of hygiene and infection control concerns. They also said that no one would be available to offer assistance if someone accompanying the patient became unwell. They apologised that this was not explained to Ms C at the time and confirmed that the doctor was happy for her to be accompanied during other parts of the consultation.

We asked the board whether this was board policy or the doctor's policy. The board said that they did not have a policy and the approach depended on the individual consultant and on the procedure. We took independent advice on this from one of our medical advisers. He said that a lumbar puncture was a fairly minor procedure, and that some doctors would have no objections to the patient being accompanied. He was not persuaded by the board's explanations, as he said hygiene and infection control could be reasonably managed, and considered it unlikely that an observer would become unwell during such a procedure. However, as there was no board policy, and although it meant approaches were likely to vary, it was reasonable for the decision about who was allowed to be in the room to be left to doctors. He noted that it would not be appropriate for patients to be accompanied during some more invasive procedures. Having reviewed the relevant clinical records, the adviser noted that Ms C consented to the procedure going ahead and that there was no record, in either the medical or nursing notes, that she raised any concerns at the time.

We acknowledged that Ms C was distressed at not being accompanied during the procedure, but we accepted that, in the absence of a board policy, it was reasonable for the doctor to decide who was allowed in the room. In the circumstances, and as Ms C consented to the procedure going ahead on these terms, we did not uphold the complaint. We noted that there was no evidence that she made the board aware in advance of her wish to be accompanied and equally no indication of the doctor having told Ms C of her position on this. Although we did not make any formal recommendations, we suggested that the board might wish to reflect on whether they could have communicated better with Ms C.