

SPSO decision report

Case: 201304641, A Medical Practice in the Forth Valley NHS Board area
Sector: health
Subject: appointments / admissions (delay / cancellation / waiting lists)
Outcome: some upheld, recommendations

Summary

Mrs C complained on behalf of her son (Mr A) that his medical practice failed to provide him with appropriate care before and during appointments when he attended the practice with concerns about his physical and mental health. She also complained that the practice had, following the appointments, unreasonably removed her and her son from their list of patients.

We reviewed the clinical records and obtained independent advice from our medical adviser. Having considered the medical records, he said that the care given to Mr A was reasonable, so we did not uphold this element of the complaint. We noted that, after the second appointment, the police had to be called because of Mr A's violent and threatening behaviour and Mrs C's abusive behaviour, and that it was following this that both were removed from the practice list.

Having reviewed the case we established that the practice had followed the correct procedure in terms of removing Mr A from their list because of his violent behaviour, and we did not uphold this aspect of the complaint. However, Mrs C had not been violent and they did not give her a written warning, allowing her the opportunity to modify her behaviour. Before removing a patient whose behaviour is non-violent, but unacceptable, the practice are required to warn them about this, and so we upheld this aspect.

Recommendations

We recommended that the practice:

- review their removal policy to ensure that it reflects the terms of the NHS General Medical Services Contracts (Scotland) regulations and associated guidance, particularly in respect of giving patients relevant prior warning if they are at risk of removal; and
- apologise to Mrs C for not following the proper procedure when removing her from their list of patients.