

## SPSO decision report

**Case:** 201404004, Tayside NHS Board  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Outcome:** not upheld, no recommendations

### Summary

Ms C, who is an advice worker, complained that the care and treatment provided by the prison health centre to her client (Mr A) for pain in his arm was unreasonable. In particular, Mr A had been unhappy because a nurse had questioned why he was being prescribed a certain type of pain killer. Mr A felt the nurse did not have the authority to do that.

We reviewed Mr A's medical records which confirmed the nurse had concerns about Mr A receiving the pain killer whilst also being prescribed methadone. His medical record also confirmed the doctor was unsure what kind of pain Mr A was feeling and felt further investigation was needed. The doctor prescribed the pain killer for a two week period and also referred Mr A's case to neurology. We took independent medical advice from a GP adviser who confirmed that there was no issue with a clinician - either a doctor or nurse - clarifying why a patient was being prescribed certain medication. Our adviser also confirmed that Mr A's case was reviewed regularly by the doctor and proper steps were taken to explore the type of pain he was experiencing. In addition, our adviser said Mr A was prescribed an appropriate alternative pain killer. Because of this, we did not uphold the complaint.

Ms C also complained that the board's handling of Mr A's complaint was inappropriate. In particular, Mr A said that after he submitted his complaint form, he was called to a meeting with the doctor. He said that when he arrived in the doctor's room, the nurse who he had raised concerns about was there and she was holding his complaint form. Mr A said he understood his form would go to the board's complaints and feedback team. We reviewed the relevant Scottish Government guidance, *Can I help you?*, which outlines how health service providers should deal with complaints. In particular, it says that if a complaint is reasonably straight forward and non-complex it may be managed without the requirement for a detailed investigation. In Mr A's case, the prison health centre forwarded his complaint to the board's complaints and feedback team the day after the meeting took place and a written response was issued to him in line with the complaints procedure. We were satisfied that the handling of Mr A's complaint was appropriate and we did not uphold his complaint.