

SPSO decision report

Case: 201502425, A Medical Practice in the Greater Glasgow and Clyde NHS Board area
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, recommendations

Summary

Ms C complained that a GP and a nurse had acted unreasonably by failing to provide treatment to remove ear wax. Ms C had attended the practice on three occasions with compacted wax. Initially, her ears were not syringed as it was suspected she may have had an infection. On the third occasion, she was referred to a community-based NHS treatment area for ear irrigation, however, there were no appointments available in the following month. We sought independent advice from one of our nursing advisers. Our adviser found that the evidence indicated that the care and treatment was reasonable and in keeping with best practice. We did not uphold the complaint.

Ms C also complained about the way the practice had handled her complaint. Specifically, she was unhappy that there had been a delay in responding to her complaint, and that the response she received to a 16-page letter was inadequate. Ms C sent two letters - the first was responded to within 20 working days. The second (which raised some new issues) took three months to respond to. We recommended that the practice apologise to Ms C for the delay in responding to her second letter. Following careful review of the practice's response to Ms C's 16-page letter, we concluded that the response was appropriate and adequate. We considered that the overall handling of the complaint was reasonable and, therefore, we did not uphold the complaint. However, as the practice's complaints handling procedure was not in line with Scottish Government guidance, we made a recommendation to address this.

Ms C also complained that a member of reception staff failed to tell the truth about what had happened when Ms C returned to the practice after visiting the NHS treatment area. She was also unhappy that the receptionist discussed confidential information in the waiting room in front of other patients. There was no objective evidence to support Ms C's version of events and, therefore, we could not uphold the complaint. We were pleased to note that the practice had issued reminders to staff about patients not being led to believe that discussions have occurred when they have not. The practice had also reminded staff that discussion of sensitive and confidential information should take place in a private area of the practice.

Recommendations

We recommended that the practice:

- ensure the complaints handling procedure is fully compliant with the Patient Rights (Scotland) 2011 Act and the Scottish Government's 'Can I help you?' guidance; and
- apologise to Ms C for the delay in responding to her second letter.