

SPSO decision report

Case: 201507980, A Medical Practice in the Lothian NHS Board area
Sector: health
Subject: communication / staff attitude / dignity / confidentiality
Decision: not upheld, recommendations

Summary

Mr C complained about statements made by a GP at an adult protection case meeting held in relation to the care of his wife (Mrs A). Mrs A suffered from an illness that affected her ability to care for herself and was in hospital at the time of the meeting, which was organised to discuss the possibility of discharging her home.

We took independent advice from a GP adviser. The adviser noted that Mrs A was a patient who did not have capacity to make decisions about her care, which meant that the GP was responsible for deciding on the appropriate medical treatment to safeguard or promote the physical or mental health of Mrs A. The adviser considered that the statements made by the GP were supported by the medical records and were, therefore, accurate. The adviser explained that an adult protection meeting is a forum in which care providers share information and that in this context, it was appropriate for the GP to share their concerns with the meeting. We did not uphold this complaint.

Mr C also raised concerns about a letter the GP had sent to him following the meeting. In particular, Mr C felt that the letter inferred that he had mistreated Mrs A. We found that the letter from the GP sought to explain the GP's reasons for the statements made in the previous meeting. The adviser did not consider that the letter inferred that Mr C had mistreated Mrs A, and overall felt that the letter was appropriate. We therefore did not uphold this aspect of Mr C's complaint.

Finally, Mr C expressed concern that the practice had not communicated with him reasonably in relation to arranging a meeting to discuss his complaint to them. We found that Mr C had spoken to the practice manager about a meeting, yet we noted that this did not take place. We considered that both Mr C and the practice manager had different expectations about who would take the next step to arrange a meeting. It was not possible for us to determine what was said and agreed in this conversation, and for this reason we did not uphold this aspect of Mr C's complaint.

We also considered how the practice had handled Mr C's complaint. Although we were satisfied with many aspects of the complaints handling, we found that the practice's complaint correspondence did not provide information about the support available through the Patient Advice and Support Service (PASS), and did not provide information about how to contact us should Mr C remain dissatisfied. We therefore made a recommendation in relation to this.

Recommendations

We recommended that the practice:

- take steps to ensure that complaints are acknowledged and handled in accordance with the practice's complaints procedure.