

SPSO decision report

Case: 201508616, A Medical Practice in the Lanarkshire NHS Board area
Sector: health
Subject: lists (incl difficulty registering and removal from lists)
Outcome: some upheld, recommendations

Summary

Mrs A and her daughters were removed from the GP list following an incident at the practice involving her husband, who was not registered at the practice.

Mrs A's father (Mr C) complained that the decision to remove Mrs A and her daughters from the list was unreasonably severe and lacked transparency and that the removal letter was vague. He also complained that previous problems experienced with a particular receptionist had not been addressed and that the complaints process was lengthy and unclear.

We found that while the decision to remove Mrs A and her daughters from the list was reasonable, the practice did not follow NHS guidance which states that where no warning about the patient's or their representative's behaviour is given within the preceding 12 months, patients can only be removed if the police or the procurator fiscal had been informed of the incident which led to the removal. This did not happen in Mrs A's case. Although we did not uphold this part of Mr C's complaint, we made a recommendation to the practice.

The letter informing Mrs A of her removal reached her on a Saturday and she had an appointment booked at the practice for the following Monday. The letter did not make it clear that this appointment could still go ahead and repeat prescriptions could be issued until Mrs A was registered with a new GP. The practice has now changed the wording of such letters to make the transition arrangements clear. Therefore while we upheld Mr C's complaint in relation to this, we made no further recommendations.

We reviewed the actions taken to address the previous problems that the family had experienced with a particular receptionist and found that these had been appropriately addressed. We did not uphold this part of the complaint.

In relation to the handling of the complaint, we found evidence of delays. Although the delays were not a result of inaction by the practice, Mr C was not kept informed of the reasons or given a timescale by which he could expect their response. We upheld this part of the complaint.

Recommendations

We recommended that the practice:

- remind all relevant staff of the requirements of the NHS guidance on the removal of patients from a GP list;
- ensure that copies of their complaints procedure are readily available to patients and are provided on request;
- remind all staff involved in complaints handling about the timescales set by the NHS complaints handling guidance and provide training if necessary, and that where timescales cannot be adhered to, patients and/or complainants should be provided with meaningful updates;
- reflect upon our view that it was not appropriate to address complaints correspondence to Mrs A when the

- complaint was being made by Mr C on her behalf and with her consent; and,
- issue a written apology for the failings identified by this investigation.