

## SPSO decision report

**Case:** 201703571, A Medical Practice in the Ayrshire and Arran NHS Board area  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Decision:** not upheld, no recommendations

### Summary

Miss C complained about the care and treatment provided to her mother (Mrs A) at her GP practice. Miss C was concerned that the practice were not addressing Mrs A's health problems or taking into account her fear of medical situations. Miss C had power of attorney for Mrs A and complained that the practice provided Mrs A with unreasonable treatment and that they were not keeping her informed of Mrs A's health care.

We took independent advice from a GP. We found that the practice had completed a full assessment of Mrs A and a full advanced care plan was done. Mrs A was seen on a house call, as requested, and appropriate treatment was provided. There had also been communication between the practice and other professionals regarding Mrs A's healthcare. We considered that the practice provided Mrs A with appropriate care and treatment, and therefore, did not uphold this aspect of Miss C's complaint.

In relation to Miss C's complaint about the practice failing to keep her informed, we found that at the time of Miss C's complaint, the practice held a letter confirming that Mrs A did have capacity. A subsequent assessment confirmed she lacked capacity, but the practice had not been aware of that at the time of the complaint, nor had they been aware of the power of attorney. We found that the practice acted appropriately in maintaining Mrs A's confidentiality until such time as it was brought to their attention that she no longer had capacity and Miss C had power of attorney. We did not uphold this aspect of Miss C's complaint.