

## SPSO decision report

**Case:** 201707512, Lothian NHS Board - Acute Division  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Decision:** upheld, recommendations

### Summary

Mrs C complained on behalf of her husband (Mr A) in relation to the care he received from the Chronic Pain Clinic. Mr A had a long term back condition and was being reviewed in the clinic by a clinical nurse specialist. During our consideration of Mrs C's complaint, we took independent advice from a consultant in anaesthesia.

Mrs C firstly complained that the board unreasonably delayed providing treatment to Mr A. The board acknowledged that Mr A's treatment was delayed by a miscommunication in relation to an appointment and apologised for this. We noted that this may have prolonged the pain Mr A experienced but we were unable to conclude that earlier treatment would have had a better outcome. We upheld the complaint and provided feedback to the board about documentation.

Mrs C also had concern about the way the service communicated with Mr A. We noted that the board had apologised that Mr A was not contacted with an update about his treatment following a consultation. Therefore, we upheld this aspect of Mrs C's complaint but noted that the board had already apologised for this failing.

Finally, Mrs C complained that the board did not investigate or respond to her complaint reasonably. We found evidence of a number of instances where the board did not meet the requirements of the NHS complaints handling procedure. Therefore, we upheld this aspect of Mrs C's complaint.

### Recommendations

In relation to complaints handling, we recommended:

- Staff should be aware of the requirements of the NHS Model Complaints Handling Procedure and handle complaints in accordance with this.