

## SPSO decision report



**Case:** 201804269, A Medical Practice in the Lanarkshire NHS Board area  
**Sector:** Health  
**Subject:** clinical treatment / diagnosis  
**Decision:** not upheld, no recommendations

### Summary

Mrs C complained about the care and treatment of her late son (Mr A). Mrs C complained that Mr A was prescribed drugs that had a damaging effect on his mental state. She considered that the drugs should not have been prescribed in combination, and without appropriate supervision. She raised concerns that she was unable to support Mr A as she was excluded from discussions about his care. It was on record that Mr A did not wish for information about his care to be shared with Mrs C. Mrs C did not consider that Mr A had capacity to make that decision, and felt that the clinicians' duty of care and Mr A's right to life should have overridden any obligations to protect his right to confidentiality.

We took independent medical advice from a GP and a consultant psychiatrist. We found that the drugs prescribed to Mr A are commonly prescribed alongside one another and were an appropriate treatment option. We considered that the monitoring of Mr A's clinical state was reasonable, and that it was appropriate for clinicians to act in line with Mr A's expressed wish for information not to be shared with Mrs C. We found that the assessment of Mr A's capacity appeared reasonable and that Mr A's recorded clinical presentation was not viewed as meeting exceptional circumstances that would have permitted breaching confidentiality.

We did not uphold the complaint.