

SPSO decision report



Case: 202304648, Dumfries and Galloway NHS Board
Sector: Health
Subject: Communication / staff attitude / dignity / confidentiality
Decision: not upheld, no recommendations

Summary

C complained that the board failed to reasonably communicate with them about the care and treatment of their parent (A). C said that the board failed to inform them that a lump had been found on A's breast while A was in hospital. A had been due to go into respite care in a care home but this was delayed. When staff found the lump on A's breast, A told staff that they did not want it to be treated. This was communicated to A's GP and respite care home but was not communicated to C. C subsequently learned of the breast lump when A was admitted to another hospital in another board area.

We took independent advice from a consultant geriatrician (specialist in medicine of the elderly). With regard to the breast lump, we found that an appropriate hand-over was made to the GP for follow-up in the circumstances. In a non-emergency situation, it was reasonable to take time to establish capacity and consent before informing family. Due to time constraints before A's transfer, this was not fully explored, but the handover was deemed appropriate under the circumstances.

Therefore, we did not uphold the complaint. However, we provided feedback to the board about the need for early assessments of decision-making capacity, re-assessment during admission, and improved engagement with family members where appropriate. We also provided complaints handling feedback.