

## SPSO decision report



**Case:** 202400331, Forth Valley NHS Board  
**Sector:** Health  
**Subject:** Clinical treatment / diagnosis  
**Decision:** upheld, recommendations

### Summary

C complained about the care and treatment provided to them in relation to their health in prison. C experienced difficulties in relation to their medical needs, including staff not attending when C requested, not receiving their medication, lack of communication and that the complaint response did not answer all of C's concerns.

We took independent advice from a qualified GP. We found that the board seemed to lack appreciation that without medication for stomach acid, C would be left very symptomatic and sore and that they failed to supply the alternative medication to C when it was due. Once the medication had been obtained, they failed to locate C within the prison to give them the medication and failed to follow protocol to store the medication for reissue. We found that the board failed to communicate the problem with their medication to C and failed to reach a solution about C's missing medication. We also found that the board failed to attempt to reach a solution about the poor communication between them and the Scottish Prison Service (SPS). Therefore, we upheld this complaint. We acknowledged that the board had taken learning and improvement action in relation to a number of these failings.

C also complained that the board unreasonably failed to respond to all of C's concerns in their complaint response. We found that the board's first complaint response was unreasonable, and while the second response was generally reasonable, the length of time it took for the board to issue this was unreasonable.

On balance, we upheld this complaint. We also acknowledged that the board had taken some learning and improvement action in relation to these matters going forward.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failing identified. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/meaningful-apologies](http://www.spsso.org.uk/meaningful-apologies).

What we said should change to put things right in future:

- All staff should follow relevant processes and procedures in relation to prisoners medication and medical needs. There should be clear communication between staff and prisoners in relation to their medication and medical needs
- When it is decided that a prisoner needs to be seen by medical / nursing staff, this should be adequately communicated.

In relation to complaints handling, we recommended:

- Complaints should be investigated and responded to in accordance with the board's complaint handling procedure and the NHS Model Complaints Handling Procedure. The board should investigate and

respond fully to the key issues raised, identify and action appropriate learning, and signpost to other relevant organisations as soon as practical. We offer SPSO accredited Complaints Handling training. Details and registration forms for our online self-guided Good Complaints Handling course (Stage 1) and our online trainer-led Complaints Investigation Skills course (Stage 2) are available at <https://www.spsso.org.uk/training-courses>.