

SPSO decision report



Case: 202410198, Lothian NHS Board - Acute Services Division
Sector: Health
Subject: Communication / staff attitude / dignity / confidentiality
Decision: upheld, recommendations

Summary

C complained that the board failed to communicate appropriately with their partner (A) regarding charges for treatment. A is a non-UK resident and was charged for non-urgent treatment at hospital following an accident. C complained that A was not informed of the financial liabilities they would incur prior to their treatment, despite having confirmed that they were a non-UK resident and having repeatedly tried to ascertain this information. According to the relevant guidance, any liability to charging should be explained from the outset and patients should be asked to sign an undertaking that they agree to this, ideally before treatment commences.

In their response to the complaint, the board said that the correct process had been followed, and that the variation to the standard processing of A's case was due to the local address information that was initially recorded. The board confirmed that further training and advice would be provided for clinical teams to ensure that they are fully aware of the guidance and how to advise potentially liable patients appropriately.

We found no evidence that the guidance was followed in A's case. We considered it a failing on the board's part that A's overseas address was not recorded at their initial presentation, noting that their overseas status was documented in the records at that time. We also found that there was a missed opportunity to follow up on matters when A's relative contacted the Private and Overseas Financial Team with an enquiry a few days after A's initial presentation at the hospital. Therefore, we upheld C's complaint.

We acknowledged that the board had taken significant steps to improve their service following C's complaint. A's insurer had also settled the outstanding sum. Therefore, we made no financial recommendation.

Recommendations

What we asked the organisation to do in this case:

- Apologise to A for the failings we have identified. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/meaningful-apologies. We note that the board do not intend to pursue A for any outstanding treatment charges not covered by A's insurer. For A's records, and for the avoidance of any doubt, we request that the board's apology letter includes a statement confirming that no outstanding sums are owed to the board.

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

- All relevant staff are familiar with how to input patient details on the MPI screen. All staff are aware of the Private and Overseas Finance Team contact details.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.