

SPSO decision report

Case: 201003865, Lothian NHS Board – Acute Divison
Sector: health
Subject: policy/administration
Outcome: not upheld, action taken by body to remedy, no recommendations

Summary

Mrs C entered into an agreement with the board for IVF treatment in accordance with the criteria in place at that time. She waited from December 2008 until 2010 to reach within the top places on the waiting list, however by that time the board's IVF treatment policy had changed. Ms C said that this policy change (reducing the number of rounds of treatment) had disadvantaged her and should not have applied to her.

Our investigation found that although Mrs C was on the IVF programme pathway, she been told of the policy change before her actual IVF treatment had started. Furthermore we did not have the authority to intervene in professionally based medical judgements coupled with funding issues.

We noted that before Mrs C brought her complaint to us the board had apologised to her for a delay in formally informing her of the policy change.