

## SPSO decision report

**Case:** 201202593, A Practice in the Grampian NHS Board area  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Outcome:** upheld, recommendations

### Summary

Mrs C complained that the medical practice had unreasonably removed her name from the list of patients who were entitled to receive the flu vaccination. She said she had been told to wait in the chance there was a surplus of flu vaccinations. Mrs C, who has a medical history of non-hodgkin's lymphoma (a cancer which affects certain cells in the lymphatic system) was in remission but had received the flu vaccination for many years previously. Mrs C then purchased the vaccination privately. She also contacted her haematologist (a specialist concerned with the study of blood and blood-related disorders) who wrote to the practice. As a result, Mrs C was reinstated to the list of patients entitled to receive the vaccination.

The practice explained that Mrs C's condition was stable in 2011. She was not receiving immunosuppressant therapy (treatment to suppress immune response) and did not satisfy the criteria for groups who require the vaccination. Mrs C's records did not contain a marker that would have highlighted her eligibility for the vaccination and the GP who was reviewing patients on the list had used her clinical judgement and decided not to allow Mrs C the vaccination.

We upheld Mrs C's complaint. Our investigation found that the GP was entitled to decide whether individual patients satisfied the criteria for the vaccination and had used her clinical judgement. Our medical adviser explained, however, that although Mrs C was not on immunosuppressant therapy at the time, her past history of lymphoma made it likely that she would be prone to infections. The adviser felt that most GPs would cover such patients using immunisations such as the flu vaccination. We found that the practice could have taken a more proactive role when they told Mrs C that she was not going to have the vaccine. They could also have made contact with the haematologist themselves when Mrs C reported her concerns or have offered her a face-to-face meeting to discuss the matter in more detail.

### Recommendations

We recommended that the practice:

- apologise to Mrs C for the failure to take her circumstances fully into account; and
- consider holding a significant event analysis in order to establish if there were any missed learning opportunities.