

## SPSO decision report

**Case:** 201203665, Tayside NHS Board  
**Sector:** health  
**Subject:** appliances, equipment & premises  
**Outcome:** some upheld, recommendations

### Summary

Mrs C complained about the children's waiting arrangements in a hospital accident and emergency department (A&E). She said that when she had to go there with her grandson she was appalled that children waited together with adults and were, therefore, exposed to bad language and inappropriate behaviour. She said that despite complaining to the board's chief executive little action was taken and the board failed properly to deal with her complaint.

We carefully considered all the available information, including all the complaints correspondence, and the response to our formal enquiries to the board. Our investigation confirmed that at the time Mrs C made her complaint, the board were simply required to provide emergency care 'within a safe environment' which could have been provided in a variety of ways. Since then, new standards have been introduced which are more than mere recommendations. The board are currently exploring the feasibility of creating a children's waiting area in A&E and reviewing how this could be achieved. However, it would seem that progress is slow. Although we did not uphold this complaint, we made a recommendation in order to monitor this.

The investigation also showed that the board took too long to respond to Mrs C's complaint, so we upheld her complaint about this. We noted that the board have introduced new ways of working to avoid this in the future, and made relevant recommendations.

### Recommendations

We recommended that the board:

- update the Ombudsman on the outcome of the feasibility study;
- formally apologise to Mrs C for their failure to deal with her complaint in a timely manner; and
- confirm to the Ombudsman that they are satisfied that their complaints process is robust and the resources to support it are sufficient to allow them to deal properly and efficiently with complaints made to them in accordance with the terms of the Patients Rights (Scotland) Act 2011.