

SPSO decision report

Case: 201204951, An NHS Board
Sector: health
Subject: communication, staff attitude, dignity, confidentiality
Outcome: upheld, no recommendations

Summary

Mr C was being treated for HIV (Human immunodeficiency virus - the virus that causes acquired immunodeficiency syndrome (AIDS)). He was unhappy because the board sent his medication to a family member's home, rather than to his medical practice as requested. A family member opened the package and became aware of Mr C's HIV status. Mr C had not discussed this with his family, and it caused him and his family a great deal of upset and difficulty.

He complained to the board, who investigated and found that when he had asked for his medication be sent to his practice (which was in another board's area) the board's pharmacy services had said that they could not send medication to a GP outwith their board's area. Nursing staff had then contacted Mr C's consultant for advice, who said that the medication should be sent to Mr C's home address. However, pharmacy services unfortunately had the address of a family member on their database rather than Mr C's own address. They did not contact Mr C to check that the address was correct or that he was happy for the medication to be posted directly to him. As a result of these failings, the board upheld his complaint, apologised to him, and advised that they had introduced procedural changes to prevent this happening again.

Mr C remained unhappy and brought the complaint to us. We investigated and found that the board's explanation of what went wrong was correct. As they failed to check Mr C's address details or seek his consent to send the medication to his home address, we upheld his complaint. We also obtained details of the safeguards introduced to ensure that this does not happen again, and were satisfied that these were appropriate. For this reason, and because they had already apologised to Mr C for the significant distress this matter had caused, we made no recommendations for further action.