

## SPSO decision report

**Case:** 201205327, Dumfries and Galloway NHS Board  
**Sector:** health  
**Subject:** complaints handling  
**Outcome:** some upheld, recommendations

### Summary

Mrs A had Parkinson's disease (a progressive neurological condition in which part of the brain becomes more damaged over many years) and an Alzheimer's-type condition and needed help with a number of day to day tasks. Her son (Mr C) was her next of kin, carer and power of attorney. He complained that when Mrs A was admitted to hospital, staff failed to recognise his status and include him in discussions about her treatment. Mr C felt that he had to actively seek information from staff, rather than this being openly discussed with him. He also complained about the quality of the nursing care and the appropriateness of a decision to discharge Mrs A.

We found that, although Mr C was eventually appropriately included in discussions about Mrs A's treatment, he was not adequately involved during the first days of her admission. As such, important background medical information was not gathered, as Mrs A could not provide this herself. We noted that the board have useful tools for staff to establish whether there is a carer available, but these were not used. We were satisfied that appropriate consideration was given to Mrs A's suitability for discharge and that there was clear evidence of Mr C being consulted and of his comments influencing the decision-making process. However, we were critical of the board's handling of Mr C's complaints, as their investigation into his concerns was substantially delayed.

### Recommendations

We recommended that the board:

- review their processes for establishing and communicating the level of involvement in care for patients with a welfare guardian or power of attorney;
- introduce a process that ensures that the relatives or carers of any patient who lacks capacity or is confused are engaged in meaningful communication from the earliest point practicable following admission; and
- ensure that they have a structured process in place to act upon all points of learning arising from complaints.