

SPSO decision report

Case: 201305323, Highland NHS Board
Sector: health
Subject: loss of deceased person's property
Outcome: upheld, recommendations

Summary

Mrs C complained that, after her husband (Mr C) died in Raigmore Hospital, the board lost his property. Mr C was very ill and was on a high-dependency ward before he died. The board had said that although they understood this had been very distressing for Mrs C, they would not offer compensation for the loss of Mr C's watch and hearing aid.

During our investigation we looked at correspondence provided by Mrs C and the board. We also looked at the board's personal property disclaimers, and we took advice from a nursing adviser with practical experience of dealing with cases like this on hospital wards.

We found that, while the board's disclaimers clearly say that patients remain responsible for their personal property when in hospital, there are circumstances when the situation is less clear. In Mr C's case, there was uncertainty over whether some or all of his property had been lost, and the board could not provide an adequate explanation of why an inventory of his property was not taken when he died. We also found statements in the board's responses about this to be contradictory. We took the view that any items of property belonging to a deceased person, no matter the amount or nature, are their personal belongings, and should be catalogued and held until they can be passed safely to the person's next of kin. To do otherwise in such circumstances is disrespectful and, therefore, unreasonable. We upheld Mrs C's complaint and made a number of recommendations.

Recommendations

We recommended that the board:

- apologise to Mrs C for unreasonably losing Mr C's property at the hospital;
- make a payment to Mrs C to cover the cost of the lost watch and hearing aid;
- clarify their procedures on dealing with patients' personal property, taking account of the issues raised in this case and their own audits of lost property; and
- use the learning from this complaint to improve communication with complainants on sensitive matters.