

SPSO decision report

Case: 201400680, Forth Valley NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: upheld, recommendations

Summary

A clinician at the prison health centre told Mr C, who is a prisoner, that he appeared to have a toenail infection and that she would let the health centre GP know, who might prescribe treatment. However, despite Mr C sending a number of written reminders on complaint forms, nothing happened. Mr C also complained that, despite his reminders, the health centre did not deal with his complaint. Our investigation showed that the complaint had not been answered appropriately, and when Mr C complained to the board, they replied to an earlier complaint that he had made on an unrelated matter.

When we became involved, this error came to light. Even then, the board did not say that they intended to put matters right, for example by arranging for Mr C to be re-examined and for any appropriate treatment to be given. Nor did they give any indication that they would be taking action in relation to the health centre's replies to the complaint. We upheld all Mr C's complaints, as we considered what had happened to be unreasonable.

Recommendations

We recommended that the board:

- apologise to Mr C for the clinical shortcoming our investigation identified;
- apologise to Mr C for the shortcomings we identified in the way in which the prison health centre and board's complaints staff handled his complaint;
- tell us what action they will take to help prevent a recurrence of the situation; and
- provide us with evidence that they have reviewed the complaints handling shortcomings we identified, and have taken action to help prevent a recurrence.