

SPSO decision report

Case: 201403867, A Medical Practice in the Lothian NHS Board area

Sector: health

Subject: policy / administration

Outcome: some upheld, recommendations

Summary

Miss A had provided a urine sample at the practice which was to be sent away for testing. Mrs C, who complained on behalf of Miss A, said that when a colleague called to check on the results for Miss A, the practice said that they could not trace the sample. Mrs C complained to the practice in August 2014 and received a response in October 2014. Mrs C complained to us that the practice had failed to properly process Miss A's urine sample and failed to properly handle her complaint.

We took independent medical advice from our GP adviser, who said that there was no recognised system to check that samples had left the practice and arrived at the laboratory, and that the sample going missing was likely due to an administrative difficulty which would be difficult to trace the origin of. In addition our adviser said that the response from the practice was reasonable and Miss A had come to no harm. Therefore, we did not uphold Mrs C's complaint about the loss of Miss A's urine sample.

We upheld Mrs C's complaint about the practice's handling of her complaint. We found that the practice had failed to observe their own policy in terms of timescales for responding to complaints, and had not made any apology for the delay in their response.

Recommendations

We recommended that the practice:

- issue Mrs C with an apology for failing to properly handle her complaint;
- ensure that all staff are made aware of the contents of the NHS Scotland 'Can I Help You?' guidance and use this to review their own procedure; and
- share the outcome of this investigation with all relevant complaints handling staff.