

SPSO decision report

Case: 201403920, Highland NHS Board
Sector: health
Subject: communication / staff attitude / dignity / confidentiality
Outcome: some upheld, recommendations

Summary

Miss C complained that the board had unreasonably removed her pet from her property and had also failed to gain her consent to search her property.

We took independent advice from one of our mental health advisers. Our investigation found that, in the circumstances, the action taken to arrange for Miss C's pet to go into foster care was reasonable, but that it had not been reasonable to ask her to make a decision about the long-term future of her pet without allowing sufficient time to consider this and give her informed consent.

Our investigation also found that, given the concern about Miss C's welfare and safety at that time, it had been reasonable to search Miss C's home and remove medication. However, the record-keeping was unreasonable.

Recommendations

We recommended that the board:

- apologise for the failings identified in this case;
- ensure that the relevant staff reflect on the adviser's comments on the advisability of seeking permission to remove a pet permanently without allowing time to adequately consider the long-term consequences of such a decision; and
- ensure that the staff involved in Miss C's care review the adviser's comments about the standard of record-keeping and advise us of any action plan arising from this. Also, that consideration be given to putting in place consent and search policies to support the consent form.