

SPSO decision report

Case: 201508866, Highland NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Mrs C complained about the level and type of support her adult son (Mr A) was receiving from community support services to help him manage his mental health. Mrs C was especially concerned that there was no proper regime for cover when the regular support worker was on planned or unexpected leave. Our investigation showed that the board's investigation had not properly considered this matter and could not demonstrate that the proper level and type of support had been in place. Whilst Mrs C told us that the arrangements had improved since she complained, we upheld this complaint and made recommendations to ensure future investigations were appropriately robust and that the improved support arrangement was sustained for the future.

Mrs C was also concerned that on one occasion her son had been assessed by the community mental health team because his mental health had been deteriorating, but a decision was taken not to admit him to hospital. Mr A's condition worsened and he later became aggressive and violent towards Mrs C's property, causing her considerable anxiety and distress. The police also became involved and Mr A was admitted to hospital for compulsory treatment. Mrs C considered that Mr A met the criteria for admission when first assessed and that a psychiatrist should have been involved and should have made the decision to admit Mr A at that time. We obtained independent advice from a mental health specialist who concluded that it was not necessary to have a psychiatrist involved in the assessment and that the initial decision not to admit Mr A was reasonable. We did not uphold this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for failing to adequately or appropriately investigate her concerns about the level of support Mr A was receiving. This apology should comply with SPSO guidelines on making an apology, found at www.spsso.org.uk/leaflets-and-guidance.

In relation to complaints handling, we recommended:

- All complaints submitted and accepted by the board should be thoroughly investigated and final responses should include details of investigations undertaken and the outcomes of such investigations. Guidance and standards for good investigations are set out in the SPSO Investigations Toolkit, available at www.valuingcomplaints.org.uk/learning-and-improvement/best-practice-resources/decision-making-tool.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.