

SPSO decision report

Case: 201602924, Lothian NHS Board
Sector: health
Subject: appointments / admissions (delay / cancellation / waiting lists)
Decision: some upheld, recommendations

Summary

Mr C complained that the time his son (child A) had to wait to have treatment by the child and adolescent mental health services (CAMHS) was unreasonable. Mr C also complained that the board failed to take into account all of child A's circumstances before reaching a decision to refuse a referral to CAMHS a number of years earlier. Mr C also raised concerns about the board's handling of his complaint.

During our investigation we took independent advice from a CAMHS nurse. We found that whilst waiting times for CAMHS are long nationally, the government's waiting time target is for treatment to begin within 18 weeks of referral. In this case, child A had waited eight months from referral to treatment. We found this to be unreasonable. The board told us that families are encouraged to go back to the referrer whilst they are waiting for treatment if they are worried about a deterioration in a child's condition. However, we found no evidence that this had been communicated to Mr C or child A and we were critical of this. We upheld this aspect of Mr C's complaint.

In relation to Mr C's complaint about the board refusing a referral for his son to CAMHS at an earlier date, we found that the referral letter did not mention any mental health concerns. We found the letter only mentioned issues such as family relations and behavioural problems, which would not normally be treated by CAMHS. We therefore found that it was reasonable for the board not to have accepted a CAMHS referral for child A at that time. We did not uphold this aspect of Mr C's complaint.

We found that the board's handling of Mr C's complaint had been unreasonable. Whilst we considered the board to have taken reasonable steps to ensure patients are aware of the complaints process, we found that the board had failed to meet the 20 working day target for the full response to Mr C's complaint as set out by the Scottish Government's 'Can I help you?' guidance. The board stated that they considered the 20 working days to start running from when they had received child A's consent to investigate. However, this contradicts the guidelines around complaints handling. We upheld this aspect of Mr C's complaint.

Recommendations

We recommended that the board:

- provide information on what steps they are taking to meet government waiting time targets for CAMHS;
- give consideration to how they can ensure families are aware that, if they have concerns about increased risk or deterioration of symptoms whilst a child is waiting for treatment from CAMHS, they can go back to the referrer;
- apologise to Mr C for the failings in complaints handling identified by this investigation; and
- feed back the findings on complaints handling to the relevant staff.