

SPSO decision report

Case: 201604310, Dumfries and Galloway NHS Board
Sector: health
Subject: communication / staff attitude / dignity / confidentiality
Decision: some upheld, recommendations

Summary

Ms C complained about an appointment she had attended with a psychiatrist to explore her possible learning difficulties. In particular, she complained that she had not properly consented to discussing the matters raised with her, that the questions asked of her were unreasonable given the stated purpose of the meeting, and that her privacy was ignored as these questions were asked in front of others.

We took independent advice from a mental health adviser and found that while the psychiatrist had acted reasonably in the matter of consent, they should have enquired further about Ms C's understanding of the appointment. We found that the questions asked were not unreasonable, but it should have been made clear to Ms C that she could decline to answer. We did not uphold these aspects of the complaint, but made a recommendation to address this.

In relation to Ms C's privacy concerns, we found that she should not have been asked any personal questions in the presence of others. We, therefore, upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- The board should send Ms C a written apology.

What we said should change to put things right in future:

- It should be made clear to patients that if they are unhappy with a line of questioning, they can ask for it to be stopped.
- Records of appointments should show, as far as is possible, an assessment of whether or not a patient has understood consent issues.

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.