

SPSO decision report



Case: 201706761, Lothian NHS Board - Acute Division
Sector: health
Subject: clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

Mr C complained that the board had failed to provide a reasonable standard of psychiatric (the branch of medicine that deals with mental illness) care and treatment to his wife (Mrs A) before her death. Mrs A had been diagnosed with a brain tumour. The psychiatrist responsible for her care considered that she had a depressive illness, but Mrs A's family disagreed with this. Mr C also complained about the comments the psychiatrist made at a consultation.

We took independent advice from a consultant psychiatrist. We found that the psychiatric care and treatment provided to Mrs A had been reasonable. However, we considered that some of the language the psychiatrist used was unhelpful and left the family feeling criticised. We considered this had been unreasonable and upheld this aspect of Mr C's complaint.

Mr C also complained that the board failed to handle his complaint reasonably. We found that although Mr C had clearly expressed dissatisfaction in an email, the board had failed to record this as a complaint or to contact Mr C for clarification. When Mr C subsequently made a further complaint, the board then delayed in responding to this. Therefore, we also upheld this aspect of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C and his family for the shortcomings in the psychiatrist's approach to the assessment. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsos.org.uk/leaflets-and-guidance.

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

- Medical staff should communicate with patients and their families appropriately. They should use appropriate language and ensure that families have adequate support where difficult discussions are necessary.

In relation to complaints handling, we recommended:

- Complaints should be dealt with promptly and in line with the board's complaints handling procedure.