

## SPSO decision report



**Case:** 201707213, A Medical Practice in the Forth Valley NHS Board area  
**Sector:** health  
**Subject:** policy / administration  
**Decision:** some upheld, recommendations

### Summary

Ms C complained that her prescribed medications had been mismanaged by the practice. She said that her medications were rarely available to collect from her local pharmacy after she had ordered them through the practice. Ms C said that she had been without key medication due to these access problems.

We took independent advice from a GP. We found that the practice prescribed Ms C's blood pressure medication regularly, however, we could not say whether this was provided within a reasonable time of Ms C's requests because there was insufficient evidence available. We also found that the practice was not unreasonable in failing to prescribe an updated contraception medication because they were not notified of the change prior to the medication being issued. Therefore, we did not uphold this aspect of Ms C's complaint.

Ms C also complained that the practice refused to take complaints by phone and did not respond to complaints made in writing. Ms C submitted two complaints. We found that the tone used by the practice in their response was confrontational, did not recognise the inconvenience Ms C had experienced, and did not reflect on whether there was learning to be taken from the complaint. We also found that Ms C was given no information about the complaints process and was not told whether she could escalate her complaint, either to stage two of the complaints process or to our office. In responding to the second complaint, there was no acknowledgement that Ms C had not received the previous response, despite it being clearly mentioned to them. We considered that the practice's responses to Ms C's complaints were unreasonable. Therefore, we upheld this aspect of Ms C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for the failure to provide reasonable responses to her complaint and for the inappropriate tone and content of their letters responding to her complaints. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/leaflets-and-guidance](http://www.spsso.org.uk/leaflets-and-guidance).

In relation to complaints handling, we recommended:

- The practice must have a complaints procedure in place which meets the requirements of the NHS model complaints handling procedure and the Patient Rights (Scotland) Act 2011.
- The practice must ensure that staff respond to complaints fully, in a timely manner and any responses should remain respectful at all times.