

## SPSO decision report

**Case:** 201708065, Lothian NHS Board  
**Sector:** health  
**Subject:** communication / staff attitude / dignity / confidentiality  
**Decision:** upheld, recommendations

### Summary

Ms C complained about the way her son (Mr A)'s psychiatrist dealt with communication from Mr A's father (Mr B). Mr A is estranged from Mr B, and the psychiatrist had been in contact with Mr B regarding some communication from Mr A to Mr B's work. Ms C and Mr A subsequently met the psychiatrist whose contact with Mr B was discussed. Ms C said that the psychiatrist failed to deal with the matter in a reasonable way.

We took independent advice from a medical adviser. We found that the quality of record-keeping in relation to clinical decisions made and the rationale for these in relation to the communication was poor. We also found that the relevant guidelines in relation to consent was not followed. Therefore, we upheld Ms C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for how communication with Mr B was handled. The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.

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

- Relevant staff should follow the General Medical Council guidance in relation to consent.
- Clinical records should be audited regularly.