

SPSO decision report

Case: 201708611, Greater Glasgow and Clyde NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Ms C raised concern about a number of issues in relation to the Child and Adolescent Mental Health Service (the service) provided to her child (Child A) by the board. We took independent advice from a consultant child and adolescent psychiatrist (medical practitioner who specialises in the diagnosis and treatment of mental illness) and a registered mental nurse in a child and adolescent mental health service.

Ms C complained about the assessment and care provided to Child A and the way staff behaved to them both. We did not find evidence that staff within the service behaved inappropriately towards Ms C or Child A. We concluded that the assessment and intervention provided to Child A by the service was reasonable. We did not uphold this complaint.

Ms C also complained that the service failed to manage the sharing of confidential information appropriately. The board apologised to Ms C for failings in taking and recording consent for information sharing with the local authority and agreed to take action for learning and improvement. We identified a further instance where information was shared with the local authority without consent. We upheld this complaint and made recommendations in light of our findings.

Ms C was unhappy with the way that the board investigated her complaints and she raised concern that the investigating officer was not sufficiently independent. We did not find evidence that might indicate bias or partiality on the part of the investigating officer. However, we noted that the board reported inconsistent findings between two complaint responses. We felt that the board's failure to 'get it right first time' prolonged the complaints process. We upheld this complaint

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C and Child A for sharing information with the Social Work Service without appropriate consent; and reporting inconsistent findings between the complaint responses. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.

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

- Patient confidentiality should be maintained in line with Data Protection legislation. Where information is shared, this should be documented.

In relation to complaints handling, we recommended:

- An investigation should establish all the facts relevant to the points made in the complaint and to give the

person making the complaint a full, objective and proportionate response that represents your final position. The investigation should 'get it right first time'.