

SPSO decision report

Case: 201800108, Borders NHS Board
Sector: health
Subject: admission / discharge / transfer procedures
Decision: some upheld, recommendations

Summary

Mrs C complained about the board's handling of two extra contract referrals for out-of-area treatment for her ongoing health problems. Mrs C said that after her first referral to the extra contract referrals panel was granted, the board failed to offer any practical or financial assistance to make the trip to a hospital in England for treatment.

We found that there was no information on how the panel reached their decision on Mrs C's first extra contract referral, and key sections of the panel decision form were left blank or appeared to contain incorrect information. It was unclear what the panel took or did not take into account when making their decision not to support Mrs C with travel/accommodation costs, and there was some uncertainty in relation to the conditions of funding and whether the panel were approving an overnight stay as part of the request. We also found that there was no mention in the panel's decision letter of a patient's right of appeal regarding the extra contractual referral panel decision process. Therefore, we upheld this part of the complaint.

Mrs C also complained that the board unreasonably failed to deal with her complaint about the handling of the two extra contract referrals in accordance with their complaints procedure. We found that the board's handling of Mrs C's complaint was appropriate and we did not uphold this part of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for failing to handle her first Extra Contractual Referral appropriately. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- The board should consider any application received from Mrs C now for travel and an overnight stay, taking into account any relevant policies such as their Travel Expenses Protocol.

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

- Decisions by the Extra Contractual Referral panel should be appropriately documented and relevant sections of the Panel Decision Form completed, making it clear what was taken into account when reaching their decision, including any consideration of their Travel Protocol, where appropriate.
- Notification of the Extra Contractual Referral panel's decision should include the right of appeal regarding the panel's decision process, in accordance with the Protocol.