

SPSO decision report



Case: 201801232, Grampian NHS Board
Sector: Health
Subject: communication / staff attitude / dignity / confidentiality
Decision: some upheld, recommendations

Summary

Mr C complained that the board failed to communicate reasonably with him and his wife (Mrs C) about his child's (Child A) care and treatment. Mr C raised concerns about the timeliness and accuracy of medical advice; the failure to engage with Mr and Mrs C in a meaningful way; and a failure to obtain proper consent on a number of occasions.

We took independent advice from a paediatrician, and a paediatric surgeon with an interest in gastroenterology (the branch of medicine that deals with disorders of the stomach and intestines). We found that many aspects of communication had been reasonable, however, there was a lack of documentation regarding information given to Mrs C both prior to and following a endoscopy procedure (a medical procedure where a tube-like instrument is put into the body to look inside) carried out on Child A. The documentation was not in line with General Medical Council guidance on consent and protecting children and young people. We therefore upheld this aspect of Mr C's complaint.

Mr C also complained about the care and treatment provided to Child A. We found that the care and treatment provided was reasonable and did not uphold this aspect of the complaint.

Finally, Mr C complained about the board's handling of his complaints. Whilst we acknowledged that there was a significant volume of correspondence for the board to consider and respond to, we considered it clear that there were multiple occasions on which Mr and Mrs C's complaints were not handled in line with the appropriate complaint handling procedures. We considered that the volume of complaints made by Mr and Mrs C was partially as a result of complaints not being managed and responded to in an effective and timely manner; and that the board's failure to address correspondence correctly contributed to the breakdown in the complaints procedure. We also noted that the board had agreed at one point to issue a formal written apology about Child A being removed from the hospital without consent, but this apology had never been sent. We upheld this aspect of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr and Mrs C for the lack of documentation regarding information given to Mrs C both prior to and following the endoscopy procedure; the failure to handle the complaints in a reasonable and timely manner; Child A being removed from the hospital without consent; and the failure to issue an apology for this at the time. The apology should meet the standards set out in the SPSO guidelines on apology available at [HYPERLINK "http://www.spsso.org.uk/information-leaflets"](http://www.spsso.org.uk/information-leaflets) www.spsso.org.uk/information-leaflets .

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

- Discussions with family members should be documented.

In relation to complaints handling, we recommended:

- Complaints should be handled in a reasonable and timely manner, and in line with the complaint handling procedure.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.