

SPSO decision report

Case: 201804499, Tayside NHS Board
Sector: health
Subject: communication / staff attitude / dignity / confidentiality
Decision: not upheld, no recommendations

Summary

Mrs C complained on behalf of her late relative (Mrs A) about the information given to Mrs A by doctors prior to her death in hospital. Mrs C was unhappy that Mrs A was told that she was dying, and that she was asked where she wanted to be when she died. We found that on one occasion Mrs A asked for information about her prognosis and she was provided with an honest response. We also found there was evidence of a further discussion with Mrs A regarding her future care when it was disclosed to her that she was dying. The General Medical Council (GMC) guidance states that a doctor must answer patients' questions honestly. It also states that information necessary for making decisions should not be withheld even if another relative asks the doctor to do this, unless the doctor considers that this would cause the patient serious harm. It was recorded that Mrs A had capacity and that she required to be involved in discussions about her future care. We found that the doctors were required to make Mrs A aware of her situation in order to obtain her consent. We did not uphold this aspect of the complaint.

Mrs C also complained about a failure to address her complaint about an item of hers that went missing in the hospital. We did not uphold this complaint on the basis that the board had initially logged the complaint. Although the board delayed in addressing the complaint they proceeded to apologise for the fact that it had not it had been addressed sooner.