

## SPSO decision report



**Case:** 201806642, Highland NHS Board  
**Sector:** Health  
**Subject:** clinical treatment / diagnosis  
**Decision:** not upheld, recommendations

### Summary

Mrs C complained about the care and treatment provided to her child (Child A). Mrs C felt that Child A was denied access to NHS doctors with experience in paediatric autoimmune neuropsychiatric disorder associated with streptococcus (PANDAS - a neurological and psychiatric condition in which symptoms are brought on or worsened by infection). She also felt that the board had unreasonably refused to treat Child A with antibiotics and had instead suggested mental health treatment as an alternative. Mrs C had requested that Child A be referred to specialist clinicians in England and felt that the board had unreasonably denied this request.

We took independent advice from a paediatrician. We found that there was evidence that the board were engaged with the medical literature on PANDAS and used this to inform their decision not to offer antibiotic treatment. We considered this to be a reasonable position and concluded that the board provided appropriate care and treatment in this respect. We also considered that the board's approach to obtaining second opinions and referring Child A to alternative clinicians was reasonable. We did not uphold this aspect of Mrs C's complaint.

Mrs C also complained about the board's communication with her. We found that there was evidence in the records of timely and appropriate communication, and there was no evidence of unfair treatment. We did not uphold this aspect of Mrs C's complaint. However, we did identify that there were issues with the board's handling of Mrs C's complaint, as there was a delay in issuing a response and the response did not address all the issues Mrs C had raised. Therefore we made a recommendation under section 16G of the SPSO Act 2002, which requires the Ombudsman to monitor and promote best practice in relation to complaints handling.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for the delay in issuing the formal response to her complaint, and for the failure to address the issues she had raised in the formal response to her complaint. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).

In relation to complaints handling, we recommended:

- Complaint responses should be full and timely.

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.