

## SPSO decision report



**Case:** 201903973, East Renfrewshire Health and Social Care Partnership  
**Sector:** Health and Social Care  
**Subject:** Communication / staff attitude / dignity / confidentiality  
**Decision:** some upheld, recommendations

### Summary

C complained about the actions of a consultant during an appointment to assess them for adult Attention Deficit Hyperactivity Disorder (ADHD, a behavioural disorder that includes symptoms such as inattentiveness, hyperactivity and impulsiveness). They also questioned the basis upon which the determination that C did not meet the criteria for ADHD had been made.

We took independent advice from a psychiatric adviser. We found that the clinical records were detailed and comprehensive and clearly showed that the consultant who assessed C had acted in accordance with relevant guidance. We found that the evidence demonstrated that the clinical records contained relevant information to provide a clear opinion as to whether or not C had ADHD which was informed by appropriate historical, clinical and questionnaire based information. We also found that the decision to discharge C back to their GP practice was appropriate and reasonable, particularly as the evidence demonstrated the consultation had been a second opinion appointment. We found no evidence that the consultant had acted unreasonably at the clinic consultation and we did not uphold this complaint.

C also complained about the response they received to their complaint. We found that the response from the partnership was unreasonable as it contained the personal views of a senior manager unrelated to the information in the case record. There was also a failure to address aspects of C's complaint regarding specific questions which had been asked during the consultation. As such, we upheld the complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for including personal opinions in the complaint response which were not relevant to the outcome of the investigation and for failing to address all aspects of C's complaint in their response. 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:

- Staff should be reminded of the partnership's complaints handling policy. In particular, in relation to the necessity for those dealing with complaints to remain objective, impartial and independent, and the requirement to address all the issues raised.

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.