

## SPSO decision report

**Case:** 201905460, Lanarkshire NHS Board  
**Sector:** Health  
**Subject:** Clinical treatment / diagnosis  
**Decision:** some upheld, recommendations

### Summary

C had power of attorney (POA) for their late spouse (A) and complained about the care and treatment provided to A when they were admitted to hospital from a care home. During their admission, A was detained under the Mental Health (Care and Treatment) (Scotland) Act 2003 due to the severity of their dementia. A's health deteriorated and they died in hospital. C complained about various aspects of A's medical care, nursing care and staff's communication with C.

We took independent advice from a consultant geriatrician (a doctor specialising in medical care for the elderly) and a registered nurse. In respect of C's concerns about the medical care provided, we found that while the treatment provided in the earlier part of A's admission was reasonable, staff should have sought C's views about the additional investigations undertaken immediately prior to A's death. We upheld the complaint on that basis.

We concluded that while the nursing notes could have been more explicit on some aspects of A's care, the nursing care overall was of a reasonable standard. We also concluded that the communication with C about A's detention and deterioration was reasonable. We did not uphold these complaints.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to provide a reasonable standard of medical treatment to A. 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).

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

- The board should ensure that carers are consulted when making decisions about medical treatment.

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.