I laid eight investigation reports before the Scottish Parliament today. One relates to higher education, three to the health sector, three to the local government sector and one to the Scottish Government.

case summaries

The reports are summarised below and the full reports are available on the SPSO website at http://www.spso.org.uk/reports/index.php

Further and Higher Education

Higher Education, Assessment, record-keeping
University of Edinburgh (200700040)
Mr C raised concerns about the way in which the University assessed his resubmitted dissertation for his masters degree. He also complained that the University did not properly update their records when he told them of his new address. I did not uphold his complaint that the University failed to independently mark the resubmitted dissertation or that he had previously made a complaint against one of the examiners who marked it. I did, however, recommend that in future the Appeals Sub-Committee use clear language in their reports; and that the University consider whether it would be appropriate to clarify in their Code of Practice that dissertations resubmitted after minor changes will not be independently marked. I upheld Mr C’s complaint about failure to update records, and recommended that the University apologise to him for that failing.

Health

Removal from Practice list
A Medical Practice, Fife NHS Board (200801411)
Ms C raised concerns that when her partner was removed from a medical practice’s list because of abusive behaviour she and her two children were also inappropriately removed. I upheld the complaint as I found that the Practice failed to consider other options or to warn Ms C that she was at risk of removal. I recommended that the Practice ensure that their policy on the removal of patients from their list complies with the NHS (General Medical Services Contracts) (Scotland) Regulations 2004 and is within the spirit of the guidance available; that in future they have followed the Regulations and considered and followed alternative courses of action before removing a patient from their list; and that they apologise to Ms C for inappropriately removing her and her children from their list.

Neurology, clinical treatment, staff attitude, complaint handling
Western Isles NHS Board (200703044)
Mrs C was being investigated for symptoms that suggested a possible diagnosis of multiple sclerosis. Her husband raised a number of concerns about the level of treatment she received from a consultant neurologist at Western Isles Hospital. Mr C also complained that the consultant behaved inappropriately after the complaint was made, and about the handling of the complaint. I did not uphold the complaint about the level of treatment, but I did uphold the complaints about the consultant’s behaviour and the Board’s complaint handling. I recommended that the consultant apologise to Mrs C (for his comments about her in a letter to her GP) and that the Board share my investigation report with the consultant’s appraiser for discussion at his annual appraisal. I also recommended that the Board carry out an audit to ensure that complaints are being dealt with in accordance with the timescales stated in the NHS complaints procedure; remind staff who deal with complaints or are subject to complaints of their obligations to act in accordance with the guidance in the NHS complaints procedure; and apologise to Mr and Mrs C for the failings identified in my report.
Health

Clinical treatment, referral
Greater Glasgow and Clyde NHS Board (200603262)
Mr C alleged that his prescription of Pramipexole medication was inappropriate in his care and treatment for Parkinson’s disease. He also complained that there was a failure in the follow-up care provided for him. I did not uphold the complaint about inappropriate prescribing of medication, but partially upheld the complaint that there was a failure of appropriate support and monitoring of Mr C’s condition (to the extent that it is possible alternative support services could have been considered as part of Mr C’s care). I recommended that the Board ensure that clear agreements, in writing if possible, are made between patients, clinicians and, where appropriate, family members about the plan of care and a patient’s responsibility regarding the information expected from them during treatment. I also recommended that they remind clinical colleagues of the potential referral opportunities which may be available to augment aspects of patient care and discuss these with colleagues and patients as appropriate.

Related complaints against two Councils
Ms C, who has a neurological condition, requires assistance at home for certain personal tasks and household chores. When she relocated from Renfrewshire to North Lanarkshire she experienced difficulties with the transfer of information and with her care package during and after her relocation, and complained to the Councils about the following:

Social work, policy/administration
Renfrewshire Council (200701327)
Ms C complained that Renfrewshire Council failed to follow their procedures when transferring her social work case file to North Lanarkshire Council. She felt that they delayed the transfer process unnecessarily and failed to provide complete information to North Lanarkshire Council, disrupting her transition into her new area. I upheld both complaints and recommended that Renfrewshire Council formally apologise to Ms C for the anxiety and disruption caused by their handling of her social work case transfer and introduce procedures to ensure that any requests for action on a service user’s case file are proactively pursued to completion.

Local Government

Planning, guidance, complaint handling
Fife Council (200601009)
Mr C raised a number of concerns about Fife Council’s decision to approve his neighbour’s planning application to build an extension and the way in which they responded to his enquiries. I did not uphold complaints that the Council breached their own planning guidelines for extensions or failed in their duty to protect Mr C. I did, however, uphold Mr C’s complaint that the Council failed to give him timely responses and recommended that they write to him apologising for that failure.

Scottish Government and Devolved Administration

Handling of application, policy/administration
Scottish Government Environment Directorate (formerly Scottish Executive Environment and Rural Affairs Department) (200502842)
Mr C complained on behalf of his wife that the Scottish Executive Environment and Rural Affairs Department mislaid a form relating to an application under the Single Farm Payment Scheme – National Reserve 2005 and mishandled the application. I partially upheld the complaint because although I found that they had not directly caused her any loss of subsidy I found some shortcomings in the way in which the Directorate handled the application. I recommended that the Directorate remind staff of the importance of both apologising for mistakes and ensuring they provide consistent responses to correspondence; apologise to Mrs C for losing an application; and ensure that advice on agricultural scheme requirements is explicit in all literature.
Compliance & Follow-up
In line with SPSO practice, my Office will follow up with the organisations to ensure that they implement the actions to which they have agreed.

Professor Alice Brown, Ombudsman 21 January 2009

The compendium of reports can be found on our website, www.spso.org.uk

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