

## SPSO decision report

**Case:** 201305204, Greater Glasgow and Clyde NHS Board  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, was being prescribed medication to treat nerve pain. However, after an incident in which a nurse suspected Mr C was trying to conceal his medication, the decision was taken to change it to an alternative. Mr C complained about this and that there was an unreasonable delay in him being seen by a doctor.

We took independent advice on Mr C's case from our GP medical adviser. The adviser explained that because the nurse thought that Mr C had tried to conceal his medication, it was important for the prison health centre to act. The adviser confirmed that if there is evidence that a patient is not complying with their treatment regime, for example by concealing medication, then it is reasonable for medical staff to review this. In Mr C's case, our adviser said the prison health centre appeared to have properly assessed the situation. Our adviser said that because Mr C was previously on the alternative medication, with good benefit, and given there was no evidence of misuse of that medication, the prison doctor's decision was clinically correct. Our adviser said the decision was supported by Mr C's pain specialist's advice to rotate his type of medication. In light of the information available, and our adviser's advice, we did not uphold Mr C's complaint.

Mr C said that after the alleged incident, he was left without pain medication for nearly three weeks. The board told us that following the decision to withdraw the medication, Mr C asked to see a doctor. This was classed as a routine appointment and he was listed for the first available appointment after a public holiday period. On the day Mr C was to see the doctor, he did not attend. The board explained that the Scottish Prison Service were responsible for escorting prisoners from the main prison to the health centre. Sometimes, due to operational issues within the prison, prisoners did not attend scheduled appointments. The board said Mr C was then given a new appointment, which he attended. The board also confirmed that the prison health centre aimed to see prisoners with non-urgent referrals within seven to ten days. In Mr C's case, his appointment to see the doctor was classed as routine and he was seen eleven days after first asking to see a doctor. Because the time Mr C waited overlapped with public holidays, we did not think this was unreasonable and we did not uphold his complaint.