

SPSO decision report

Case: 201404281, Forth Valley NHS Board
Sector: health
Subject: communication / staff attitude / dignity / confidentiality
Outcome: not upheld, no recommendations

Summary

Mr C complained that prison healthcare staff behaved unreasonably towards him, after he complained about another matter regarding one of the staff. Mr C told us that he had a meeting with two nurses - one of them the person about whom he had complained - during which the nurses were confrontational and threatened him.

In general terms, it is not unusual for prison healthcare staff to visit complainants to discuss their complaint face-to-face at an early stage, to see if they can resolve the matter quickly. However, even at such an early stage, it is important to ensure that the complaint is dealt with impartially. This is in keeping with the NHS' Can I Help You? Guidance, and we agreed with the board's comment in their response to Mr C's complaint that the nurse he previously complained about should not have attended the meeting.

Where there are differing accounts of what was said or what happened in a particular situation, however, it can be difficult to prove what actually happened. In such cases, we primarily base our findings on written records. There was no audio recording of the meeting and, therefore, there was no way to determine what was said, or how people behaved. We could not resolve Mr C's complaint given these differing accounts. However, that did not mean we believed one account over another. As there was insufficient evidence to ascertain what was said, we did not uphold the complaint.