

## SPSO decision report



**Case:** 201809966, Fife NHS Board  
**Sector:** Health  
**Subject:** communication / staff attitude / dignity / confidentiality  
**Decision:** some upheld, recommendations

### Summary

Mr C complained on behalf of his daughter (Ms A) in relation to charges for treatment provided to Ms A in Victoria Hospital. Ms A was visiting the UK from overseas and attended A&E with palpitations (noticeably rapid, strong or irregular heartbeat). Following assessment in A&E, Ms A was admitted to an acute medical ward before she was later discharged. Ms A reattended the hospital the following week for a check-up and at this time an interview to assess charges for overseas visitors was also performed. Ms A subsequently received an invoice for the admission. Ms A had extensive contact with the board's finance and patient feedback teams in relation to the invoice. She remained dissatisfied with the board's final response and Mr C brought the complaint to us.

Mr C firstly complained that the board failed to inform Ms A that she would be charged for treatment when she attended A&E. We found that, due to the timing of the attendance and discharge from the hospital, it was reasonable that Ms A was not informed she would be charged for treatment until the interview performed in the week following the admission. We did not uphold this complaint.

Mr C also complained that the board failed to charge and invoice Ms A appropriately for treatment provided. In response to Ms A's complaint, the board identified and apologised for issues with the invoicing process. We found that the board's documentation of the assessment of liability for charges was poor. We were unable to determine that the board had followed the correct process for establishing liability and fully established that no exemptions applied to Ms A's treatment. On this basis, we upheld the complaint.

Finally, we identified a number of failings in the board's handling of Ms A's complaint. We noted that there had been a delay in signposting Ms A to the complaints procedure; that the board's correspondence contained inaccurate information; and that the final response did not address all the points raised. We upheld this complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms A for the failings identified in assessment and complaint handling. 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).
- Seek further information from Ms A (as needed) and reassess her liability for charges using overseas visitors' liability to pay charges for NHS care and services: a guide for healthcare providers in Scotland – CEL 09 (April 2010). Inform Ms A if she is deemed exempt or liable for charges, and provide a reason for this.

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

- Patients from overseas should be assessed for liability for charges in accordance with the board's internal procedure and the Scottish Government guide. An assessment of liability should be recorded in line with

the board's procedure.

In relation to complaints handling, we recommended:

- Complaints should be handled in line with the requirements of the NHS Scotland Model Complaints Handling Procedure.

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.