

SPSO decision report



Case: 202005987, A Medical Practice in the Greater Glasgow and Clyde NHS Board area
Sector: Health
Subject: Lists (incl difficulty registering and removal from lists)
Decision: not upheld, no recommendations

Summary

C complained that they had been unreasonably removed from the practice list without prior warning due to alleged verbal abuse.

We reviewed the guidance provided by the General Medical Council (GMC), British Medical Association (BMA) and the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018. We took independent advice from a GP. While we appreciated that C disagreed that their behaviour was inappropriate, this is how the staff at the practice perceived the behaviour. This was also supported by extracts from the contemporaneous records detailing that the practice found C's behaviour to be abusive and upsetting.

The Regulations and the guidance from the GMC and the BMA indicate that a warning should be given to the patient, giving the reasons for the possibility of removal from the practice list. The only exceptions to the requirement to give a warning appear to be on the grounds of violence where the police and/or the procurator fiscal are involved, or where the practice believes that issuing the warning would put the safety of members of the practice or those on the premises at risk or it is, in the GP's opinion, not otherwise reasonable or practical for a warning to be given.

The practice decided that a warning letter did not apply due to how upset a staff member was. We found that the practice appeared to have taken the view that issuing a warning to C would not be appropriate due to the impact of this incident on the member of staff. We found that the practice acted reasonably (by requesting C's immediate removal from the practice list) and within established rules for removing a patient from the list.

We did not uphold C's complaint.