

Date: 15/07/2026
Our Ref: 11617
Enquiries to loth.freedomofinformation@nhs.scot

Dear

FREEDOM OF INFORMATION – MATERNITY AND NEONATAL COMPLAINTS

I write in response to your request for information in relation to complaints received by NHS Lothian.

Question:

I am writing to request under the Freedom of Information (Scotland) Act 2002 that the health board disclose all information it holds detailing how many complaints it has received regarding its maternity and neonatal services and the care provided by its maternity and neonatal services over the course of 2023/24, 2024/25, and 2025/26

The disclosure should include, but not be limited to, details of how many of the complaints were fully upheld, partially upheld. It should also include, but not be limited to, a brief summary of the nature of the complaint, examples of which may include the likes of misdiagnosis, out of date medication, and anaesthesia procedures.

Answer:

The table below details the total number of complaints made to NHS Lothian which referred to Neonatal care:

Neonatal Care complaints, NHS Lothian			
Complaints	2023/24	2024/25	2025/26
Withdrawn	0	≤5	0
Upheld	0	≤5	≤5
Partly upheld	≤5	≤5	≤5
Not upheld	0	≤5	0
Total	≤5	8	≤5

I have not released numbers of 5 or fewer in the table, as this information could lead to the identification of the individuals involved. Since we do not have their consent to release their personal data, the information is exempt under section 38 of the Freedom of Information (Scotland) Act 2002 as to provide it would breach the principles of the Data Protection Act 2018.

Due to the small numbers, I am not able to provide a full breakdown of the nature of each complaint, but can advise that the complaints covered the categories listed below. Some individual complaints may have covered more than one of these categories.

Poor communication
Breach of patient confidentiality
Staff attitude
Staff behaviour
Clinical judgement
Staff incompetence / negligence
Inadequate / inappropriate treatment
Access to children's minor injuries services
Administration issues
Lack of communication
Amenities
Serious Adverse Event Review
Equipment Failure
Treatment – personal care
Visiting

The table below details the total number of complaints made to NHS Lothian which referred to Maternity care:

Maternity Care complaints, NHS Lothian			
Complaints	2023/24	2024/25	2025/26
Withdrawn	9	≤5	≤5
Upheld	28	43	59
Partly upheld	49	38	46
Not upheld	12	21	26
Total	98	107	135

The table below gives a breakdown of the nature of the complaints. Some individual complaints may have covered more than one of category.

Maternity Care complaints, by Category, NHS Lothian			
Complaint category	2023/24	2024/25	2025/26
Access - Admission/appointment issues	10	16	19
Access to Sexual Health Services within Lothian	≤5		
Adult Protection			≤5
Allegation of abuse		≤5	
Assessment	≤5	≤5	6
Assessment - Decision making	8	16	15

Assessment - Delay	≤5	≤5	≤5
Bureaucracy - Administration Issues	≤5		2
Bureaucracy – Policy Issues		≤5	≤5
Communication - Lack of communication	17	19	34
Communication - Language Problems	≤5	≤5	
Communication - Poor communication	36	42	72
Confidentiality - Breach of Patient Confidentiality	≤5		7
Consent - Problems in Consent	≤5	≤5	≤5
Death	≤5	≤5	≤5
Delays – Delay in Admission		≤5	≤5
Delays - Delay in Treatment	15	17	28
Delays - Waiting Time	≤5	≤5	9
Diagnosis - Delayed Diagnosis	≤5	≤5	6
Diagnosis - Misdiagnosis	≤5	≤5	≤5
Documentation (lack of/poor)			≤5
Environment - Amenities	≤5	≤5	≤5
Environment – Hygiene		≤5	≤5
Environment – Noise		≤5	≤5
Environment - Poor Environment	≤5	≤5	≤5
Equipment		≤5	≤5
Home Care	≤5		
Issues with discharge			≤5
Lost property			≤5
Medication - Medication Errors	4	≤5	≤5
Medication - Restriction of Drugs	8	7	≤5
Mental Health Support in Scotland	≤5		≤5
NHS Lothian support for families facing early birth bereavement	≤5		≤5
Significant Adverse Event Review		≤5	≤5
Safety – Equipment Failure		≤5	≤5
Safety - Surgical/medical Complication	≤5	7	≤5
Service Issue - Smoke Free Grounds	≤5		
Service Issues - Medical Records	≤5		≤5
SPSO Child Friendly Complaints			≤5
Staff - Attitude	44	41	35
Staff - Behaviour	42	53	45
Staff - Clinical Judgement	49	52	61
Staff - Incompetence/negligence	36	35	41
Staff - Insufficient staff	9	≤5	11

Subject Access Request (SAR)	≤5		
Treatment - Personal Care	15	16	21
Treatment - Inadequate/inappropriate treatment	59	55	75
Visiting	≤5		

I have not released numbers of 5 or fewer in these tables, as this information could lead to the identification of the individuals involved. Since we do not have their consent to release their personal data, the information is exempt under section 38 of the Freedom of Information (Scotland) Act 2002 as to provide it would breach the principles of the Data Protection Act 2018.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the reviewer at the address at the top of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhslothian.scot/FOI>

Yours sincerely

ALISON MACDONALD
Executive Director of Nursing Midwifery and AHPs
 Cc: Chief Executive