

PATIENT RIGHTS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Patient rights

17. Subsection (1) sets out the right for every patient that the health care they receive is to be provided in a certain way, as described in subsection (2).
18. Subsection (2) describes the way in which that health care should be provided. It should be patient focused, which means regard must be had to the patient's needs; to the importance of providing the optimum benefit to the patient's health and wellbeing; and the patient should be encouraged to play an active part in decisions relating to their treatment and health care, and they should be provided with appropriate information and support, in a format that is appropriate for their needs, to be able to participate in such decisions. In practice, this might mean:
 - A healthcare professional listening to a patient's experience of coping with a long-term condition, and taking this into account when considering the best treatment options.
 - A patient being encouraged to take their medication regularly or to become more active in order to lose weight and improve their health.
 - A deaf patient being provided with a British Sign Language interpreter so that they can discuss their illness and treatment with their doctor, and make an informed decision as to their preferred treatment.
19. Subsection (3) gives patients a right to give feedback or comments, or raise concerns or complaints about the health care they have received.
20. Subsection (4) enables the Scottish Ministers to modify subsection (2), following appropriate consultation. For example, bodies that might be consulted could include Health Boards, healthcare workers professional bodies, and members of the public.