

SPSO decision report

Case: 201204024, Grampian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: some upheld, recommendations

Summary

Mrs C was due to have gynaecological surgery in hospital. When she arrived before the operation, she was seen by her consultant, who discussed changing the planned procedure to a more extensive operation. Mrs C was not given extra time to consider the implications of this, but consented to it. She complained that she did not receive adequate care after the surgery and that symptoms of complications arising from it were overlooked. Mrs C said that as a result of these complications, she lost the function in her left kidney. She also complained that there was an unreasonable delay before the board provided a response to her complaint.

After taking independent advice from two of our medical advisers, we did not uphold the complaint about Mrs C's care, as we found that the board had done all that could be reasonably expected in arranging care after surgery. The advisers said that the medical records showed that there had been no obvious symptoms of the complications, and staff had acted appropriately in discharging her. While considering that complaint, however, we noted that Mrs C was not given enough time to reflect on the changes to her surgery, which had serious implications for her ability to start a family, and we made a recommendation about this. We upheld the complaint about complaints handling, although the board had already acknowledged that their complaints handling procedure was inadequate and had taken steps to rectify this, including restructuring the complaints team and reviewing the procedure itself. Although we found that the delay in responding was unreasonable, we considered that the board had already taken enough action to prevent this happening again.

Recommendations

We recommended that the board:

- apologise in writing for the delay in providing a full response to the complaint; and
- review their procedures to ensure that for complex gynaecology patients, sufficient time is allowed for discussion of the full potential complications and implications with the patient, during the consent process, should the planned operation change.