

SPSO decision report

Case: 201403459, Grampian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: some upheld, recommendations

Summary

Miss C had an ovarian cyst. A referral was made for it to be drained and possibly removed. The surgeon reviewed Miss C's notes the day before the operation was due to be carried out. They determined the procedure was inappropriate in the circumstances and that removal of both ovaries was recommended in guidelines produced by the Royal College of Obstetricians and Gynaecologists. Miss C was unaware of this change until she arrived at Aberdeen Royal Infirmary the following morning. After discussion, the operation went ahead. Miss C subsequently complained that consent was not properly obtained and that inappropriate treatment had been provided in light of her existing conditions, particularly fibromyalgia (a long-term condition that causes pain all over the body).

After taking independent advice from one of our advisers, who is a consultant gynaecologist, we upheld Miss C's complaint about consent. We found that the guidelines recommended removal of both ovaries in most cases but said that this should be determined by the wishes of the patient. The adviser considered that as it had been clear that Miss C had concerns, removal of just the affected ovary should have been discussed as a compromise, but this did not happen. We considered that Miss C should have been offered this information as part of the consent process. The adviser also highlighted concerns about the consent procedure, although it was noted that some changes had taken place following Miss C's complaint.

In relation to Miss C's other complaint, the adviser explained that there is a large volume of literature on the effects of hormones on fibromyalgia, but that most of the findings are contradictory. It was therefore considered that it would have been impossible to assess if the removal of both ovaries would affect Miss C's existing conditions and we did not uphold this complaint.

Recommendations

We recommended that the board:

- issue Miss C with an apology for the failure to advise her of the option of removing the affected ovary only; and
- review the process for obtaining consent, taking the adviser's comments into account.