

## SPSO decision report

**Case:** 201407896, Tayside NHS Board  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Outcome:** not upheld, no recommendations

### Summary

Ms C, an advice worker, complained on behalf of Miss A, who had had surgery to her jaw at Ninewells Hospital. Following this surgery, Miss A had been diagnosed with a serious injury to her neck, which had required a second operation to correct. Ms C suggested that the first operation had been inappropriate and that Miss A's injury had taken too long to diagnose.

We received independent advice from a consultant maxillofacial (mouth, jaws, face and neck) surgeon and a consultant orthopaedic (concerning the musculoskeletal system) surgeon. The advice said that the injury was extremely rare and that it was not clear when the injury had occurred, although it was highly probable that it occurred during the operation. There were no signs before the surgery that Miss A was at risk of suffering this type of injury and the operation was the appropriate one for her condition. The advice said that the time taken to diagnose the injury was reasonable in the circumstances.

We found that Miss A had suffered a very rare complication. Although this was highly unfortunate and understandably traumatic, it did not mean that the treatment she had received was unreasonable.