

SPSO decision report

Case: 201606239, Lothian NHS Board - Acute Division
Sector: health
Subject: clinical treatment / diagnosis
Decision: not upheld, no recommendations

Summary

Mr C sustained a burn to his lower left leg. He received treatment for his injury at the burns unit at St John's Hospital over a number of months. Mr C said that he did not have any feeling in his lower leg, had no movement in his left foot and that his lower leg was cold all the time. He said he was in constant pain and that the painkillers the board gave him did not work anymore. Mr C complained that when he asked the board to amputate his lower left leg, the board refused to do this. Mr C complained to us that the board's decision not to amputate his lower left leg was inappropriate.

We took independent advice from a consultant vascular surgeon. The adviser said that the treatment and advice given to Mr C was appropriate, that it adhered to Scottish and UK guidelines and that there was no indication for amputation of Mr C's left leg. The adviser explained that a patient could not, in law, dictate an operation to a surgeon, and if a reasonable body of medical opinion agreed that an operation was not in the best interests of the patient, such an operation should not be performed on the patient's instructions alone. We considered that the board's decision not to amputate Mr C's lower left leg was reasonable and we did not uphold the complaint.