

SPSO decision report



Case: 201900740, Tayside NHS Board
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

C complained about the care and treatment they received at Ninewells Hospital. C was diagnosed with a small renal (kidney) cyst a number of years ago. This was treated at the time, but C complained that it was not subsequently monitored. They later developed a mass in their abdomen that weighed nearly three kilogrammes when it was removed several years later. C considered that the board delayed in operating when C was referred to the urology team (specialists in the male and female urinary tract, and the male reproductive organs) and that there were further delays in providing treatment when they were later diagnosed with cancer.

We took independent advice from a consultant urological surgeon and a consultant radiologist (a doctor who specialises in diagnosing and treating disease and injury through the use of medical imaging techniques such as x-rays and other scans). We found that C's renal cyst was incorrectly categorised as simple, when in fact it had the features of a complex cyst with a risk of malignancy. This should have required a referral to urology for active surveillance or surgical resection at that time. Therefore, we upheld this complaint.

In relation to the delay in operating following a referral to urology, we found that a discussion at a renal multi-disciplinary team meeting and then clinic review and a consent discussion were appropriate when C was subsequently diagnosed with a large left renal mass. We did not uphold C's complaint that the board's urology team had delayed in operating at that time.

Finally, we found that C had a very rare form of renal cancer and that the matter was complex because the final diagnosis was not clear. We did not identify any unreasonable delay in C's diagnosis and treatment of cancer. Therefore, we did not uphold this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failure to correctly categorise the cyst. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

What we said should change to put things right in future:

- Cysts of this nature should be categorised correctly.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.