

SPSO decision report

Case: 201902203, Fife NHS Board
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

C complained about the care and treatment they received at Victoria Hospital for their broken wrist. C had surgery on their wrist but developed swelling and pain two months later. C's GP referred them back to the board but C felt that they could not wait for 12 or more weeks to see an orthopaedic doctor (a specialist in the treatment of diseases and injuries of the musculoskeletal system) on the NHS, so obtained private treatment.

We took independent advice on this complaint from a consultant in emergency medicine and a consultant orthopaedic surgeon.

C said that they were not given adequate pain relief when they first attended the hospital. We found that the timing and type of pain relief given to C appeared reasonable, but the board failed to record pain scores for C and this was unreasonable. As there was no record of C's level of pain, we were unable to conclude with certainty that C's pain was adequately controlled.

C complained that the board failed to contact them about surgery after they were sent home and advised to wait to be contacted. We found that the board failed to contact C in a timely way to advise them when their surgery would take place.

C also complained that there was a delay in the surgery taking place. We concluded that the ten day delay in C's surgery taking place was unreasonable. However, whilst acknowledging the significant pain and uncertainty experienced by patients in such cases, we found no evidence that the delay had been ultimately detrimental to C's clinical outcome.

C said that they felt they could not wait for 12 or more weeks to see an orthopaedic doctor on the NHS, so had to obtain private treatment. We did not conclude that C had no choice but to obtain private treatment, as it could not be assumed that C would have been back to driving and other manual tasks more quickly, if they had been seen sooner. However, we noted that C's GP referral should have resulted in C being reviewed within four weeks at the fracture clinic or its equivalent, with contact being made with the patient by approximately 12 days of receipt of the referral to advise them of the review.

We also found that in their stage 2 complaint response, the board failed to address the issues C raised in their complaint regarding communication about the surgery, delay in the surgery taking place and C considering they had to obtain private healthcare.

We upheld C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to record a pain score for them; contact them in a timely way to advise them when their surgery would take place; carry out C's surgery within a reasonable time; evidence that C's GP referral was assessed appropriately; and address all the issues C raised in their complaint. 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:

- The board should carry out surgery in cases such as this within a reasonable time.
- The board should have a reliable mechanism in place whereby out-patient trauma is queued appropriately and patients informed of their status timeously, particularly as some of them might be fasting.
- The board should have appropriate systems in place to assess GP referrals in cases such as this and ensure the action taken is appropriately documented in the medical records.
- The board should record pain scores for patients when they present at the emergency department.

In relation to complaints handling, we recommended:

- The board's stage 2 responses to complainants should address all the issues raised and demonstrate that each element has been fully and fairly investigated, in accordance with the NHS Model Complaints Handling Procedure.

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.