

SPSO decision report



Case: 202000742, A Medical Practice in the Ayrshire and Arran NHS Board area
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: not upheld, no recommendations

Summary

C complained that the practice failed to provide appropriate care and treatment to their late child (A). A had a lump removed from their eye lid which was subsequently diagnosed to be cancerous. A went to see their doctor with severe pain in their left arm, which moved to their right arm and neck. A was prescribed painkillers and referred to physiotherapy. A returned from a family holiday and, still suffering from severe pain which had worsened, saw another doctor. A's painkillers were changed and they were referred to physiotherapy.

After a further consultation, A was referred for an x-ray which identified that A's C6 vertebrae had collapsed and that there was a cancerous tumour. A died a few months later.

C complained that doctors at the practice failed to respond to A's symptoms in a reasonable manner given A's history of cancer. C complained that it took A to attend the practice on a number of occasions before appropriate treatment/investigations were undertaken. C believed that had doctors taken account of A's previous history, A would have received appropriate treatment sooner. A considered that the practice failed to investigate and respond to their complaint appropriately.

We took independent advice from a medical adviser. We found that the practice's consultations with C were reasonable. There was no unreasonable delay in the decision to refer C for an x-ray. We did not uphold this aspect of the complaint.

With respect to the complaints handling, we found that there was a misapprehension on the practice's part about the handling of the complaint which resulted in a failure to communicate with C in accordance with their complaints handling procedure. However, the practice had investigated the complaint and provided an accurate and detailed response within a reasonable timeframe and, on balance we did not uphold this aspect of the complaint. We provided feedback to the practice on their obligations with respect to complaints handling.