

SPSO decision report

Case: 202001363, Forth Valley NHS Board
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

C complained on behalf of their spouse (A). A was urgently referred to a consultant obstetrician and gynaecologist (specialist in pregnancy, childbirth and the female reproductive system) at Forth Valley NHS Board. Following further investigations, A's case was discussed at a multidisciplinary team meeting (MDT) which included specialists from health boards in the west of Scotland. A different health board took the lead in determining A's treatment plan. A was diagnosed with probable ovarian cancer and was treated with chemotherapy and surgery.

C complained about a delay in starting A's treatment, about the decision not to offer chemotherapy first and about how the board responded to their contacts during this time.

We took independent advice from a consultant gynaecological oncologist (cancer specialist). Scottish Government guidance, NHS Scotland performance against Local Delivery Plan standards, says 95% of those referred urgently with a suspicion of cancer to begin treatment within 62 days of receipt of referral. From A's urgent referral to the start of treatment was 63 days, one day more than the guidance. As Forth Valley NHS Board was responsible for meeting this target but did not meet it, we upheld this complaint.

We found that while some clinicians would have treated with chemotherapy first, it was also completely acceptable practice, and indeed encouraged by relevant clinical guidelines, to provide surgery first. We accepted this advice and did not uphold this complaint.

We considered the communication between C, A and the board. We found that while not every contact was responded to as quickly as the board said it would, and some communication was passed on without acknowledgement, the board did respond to the substantive questions C and A raised. We did not uphold this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to A for failing to meet the Local Delivery Plan standard. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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.