

SPSO decision report



Case: 202002684, A Medical Practice in the Fife NHS Board area
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

C complained that the practice refused to provide their late parent (A) with an in-person GP appointment. A had a history of lung cancer which had been treated with radiotherapy (a treatment of disease, especially cancer, using high-energy radiation) previously. A contacted the practice by phone to report pain in their right leg and buttock. A was not seen in-person due to COVID-19 guidance, however a telephone consultation was arranged. The consulting GP considered that A's symptoms likely resulted from sciatica (back and leg pain caused by irritation or compression of the sciatic nerve) and prescribed treatment for this. Further phone consultations followed with the GP and others at the practice on four other occasions. The consultations consisted of a mixture of planned contacts by the GP and unplanned contacts by A. C later contacted the practice and expressed concern that A's condition had not improved. C asked for A to be seen in person. A was seen by a GP that day. A's case was discussed with an oncology (cancer) nurse specialist. It was agreed that A's condition required further investigation. A was subsequently referred to an oncology clinic and was diagnosed with metastatic lung cancer. A died the following year.

We took independent advice from a GP. We found insufficient evidence to suggest that the practice had refused any request from A for an in-person appointment. However, we did find that there had been a unreasonable delay in providing A with an in-person appointment. On consideration of relevant guidance, the clinical record and specialist advice we found that A should have been seen in-person on the third contact they had with the practice. We considered that the delay in providing A with an in-person appointment was brief and were unable to conclude that the delay had a material impact on A's prognosis.

In the circumstances, we upheld the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C that there was an unreasonable delay in providing A with a face-to-face appointment. 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 findings of this investigation should be fed back to the staff involved, in a supportive manner, for reflection and learning.

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.