

Case 200502052: A Dentist, Lothian NHS Board

Summary of Investigation

Category

Health: Family Health Services; Policy/administration

Overview

The complainant (Mr C) raised concerns about a delayed referral for orthodontic treatment.

Specific complaint and conclusion

The complaint which has been investigated is that the Dentist delayed making an orthodontic referral (*upheld*).

Redress and recommendation

The Ombudsman has no recommendations to make.

Main Investigation Report

Introduction

1. On 24 October 2005 the Ombudsman received a complaint from Mr C about a delay by his dentist (the Dentist) in making a referral for orthodontic treatment in February 2004.
2. The complaint from Mr C which I have investigated is that the Dentist delayed making an orthodontic referral.
3. Mr C also complained to the Ombudsman about treatment and delays by the Edinburgh Dental Institute (EDI) and these are contained in a separate investigation (200502015).

Investigation

4. In writing this report I have had access to Mr C's dental records. Mr C pursued the complaint against the Dentist through Lothian NHS Board (the Board) and they have provided me with the complaints correspondence. I also made an enquiry of the Dentist. I have obtained and accepted advice from the Ombudsman's professional dental adviser (the Adviser). I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. An explanation of the abbreviations used in this report can be found at Annex 1. Mr C and the Dentist have had the opportunity to comment on the draft of this report.

Dental History

5. A locum dentist (the Locum Dentist) at Mr C's dental practice referred him to the Department of Oral Surgery (the DOS) at the Edinburgh Dental Institute (EDI) on 19 May 2003 for an opinion on whether his wisdom teeth should be extracted. Mr C was seen by a consultant (Consultant 1) in the DOS on 19 February 2004. Consultant 1 wrote to the Locum Dentist that day and explained that Mr C was not keen on surgery at that time. Consultant 1 suggested that an orthodontic opinion might be appropriate in the meantime and that the Locum Dentist should make a referral. Consultant 1 confirmed he would wait for the outcome before considering further action. (Note: Mr C's dental practice records have been annotated on 2 April 2004 'FOR ORTHODONTIC REF.')

6. Mr C attended a review appointment at the DOS on 15 November 2004, where he was examined by Consultant 2. Consultant 2 wrote to the Dentist that day and explained that Mr C was reviewed regarding his lower third molars. He had reported continued intermittent symptoms, particularly on the right side, which had become more acute and were disturbing his sleep. Other than the acute pain there were no other symptoms relating to the third molar, such as bad taste/discharge or significant swelling. Mr C was also concerned about crowding in the lower anterior region, for which Consultant 2 thought there had been a request for an orthodontic referral in the past. Consultant 2 felt Mr C's symptoms appeared more muscular related and had responded to treatment which would be reviewed. It was possible that his lower third molars would need to be removed in due course, however, at present it would seem inappropriate. Regarding Mr C's lower anterior crowding, Consultant 2 was happy for Mr C to be referred to an orthodontist and requested that the Dentist send the referral letter in due course. The Dentist wrote a referral letter to the Orthodontic Department (OD) at the EDI on 17 November 2004.

7. Mr C was admitted to the DOS on 9 February 2005, where two teeth were removed under sedation and local anaesthetic. Mr C was reviewed at the OD on 13 April 2005. Consultant 3 wrote to the Dentist that day and explained that Mr C would require both upper and lower fixed appliances to correct his condition and that he would be placed on the waiting list for treatment.

Complaint: The Dentist delayed making a referral for orthodontic treatment

8. Mr C complained that Consultant 1 had advised him on 19 February 2004 that an orthodontic opinion was required and that he would ask the Dentist to make an appropriate referral. Mr C attended the Dentist in March 2004 and it was agreed the Dentist would arrange the orthodontic referral. Mr C had further appointments with the Dentist in April, May, August and October 2004 and he told him he was still waiting to hear about an orthodontic appointment. Mr C contacted the OD in October 2004 to ask when he would receive an appointment and they said they had no note of a referral. In November 2004, the DOS wrote to the Dentist and asked again for an orthodontic referral to be made. The Dentist finally made the referral. Mr C's complaint was that the Dentist failed to make the orthodontic referral, despite promises to do so, and this led to treatment delays.

9. The Dentist responded to the Board that the records showed that he agreed to refer Mr C to the OD in April 2004. There is no record of whether the referral letter was actually sent. When the Dentist received a letter from DOS dated 15 November 2004, he immediately made an appropriate referral letter to OD. The Dentist was sorry that Mr C was unhappy with the way he had been treated and offered his sincere apologies for the obvious trauma which was felt.

10. In response to my enquiry the Dentist said that, in April 2004, the Practice did not have a system which alerted them if a response regarding a referral letter was overdue. In light of the complaint, the Practice has changed their referral system with the Practice Manager, ensuring that referral letters have been sent and that they had been received by the intended recipient.

11. The Adviser said that, clearly, there was a problem with the delayed orthodontic referral and that the Dentist had offered appropriate apologies.

Conclusion

12. It is clear that the Dentist failed to send a referral letter to the OD in April 2004 and this delayed Mr C's orthodontic treatment. I uphold this complaint. I am pleased to report that, following the complaint to this office and my enquiry, the Dentist confirmed he has revised his system for the recording of referrals, which should prevent a similar occurrence in future. The Dentist also offered appropriate apologies for the distress which has been caused when the complainant raised the matter with him.

Recommendation

The Ombudsman has no recommendations in this regard.

30 January 2007

Explanation of abbreviations used

Mr C	The complainant
The Dentist	Mr C's dentist
Locum Dentist	Dentist temporarily employed at the Practice
The Adviser	The Ombudsman's professional dental adviser
The Board	Lothian NHS Board, who have corporate responsibility for the EDI
EDI	Edinburgh Dental Institute
DOS	Department of Oral Surgery at EDI
OD	Orthodontic Department at EDI
Consultant 1	Consultant in Oral Surgery
Consultant 2	Specialist in Surgical Dentistry
Consultant 3	Consultant in Orthodontics