

SPSO decision report

Case: 201104802, Lothian NHS Board - University Hospitals Division
Sector: health
Subject: clinical treatment / diagnosis; complaints handling
Outcome: some upheld, recommendations

Summary

Ms C fell while away from home and fractured her wrist. At the time she was 70 years old with a history of osteoarthritis (a common form of arthritis causing chronic breakdown of cartilage in the joints). She had a cast applied to her wrist. On returning home, she was seen at a hospital. As the bones had not lined up properly, she had an operation to correct this using a fixator (a device to fix the position of fractured bones). Ms C was unhappy when the fixator was removed, as she was told that the bones were still out of alignment and she would not regain the full function of her wrist and fingers. She questioned whether the bones had been correctly aligned before the fixator was fitted. She further complained that the anaesthesia (pain relief) given to her failed to work and that she experienced a great deal of pain. She said that the operation had not been properly explained to her and that the board had taken too long to deal with her complaint.

We investigated the complaint taking into account all the relevant information, including the complaints correspondence, relevant clinical notes and x-rays. We also obtained advice from our medical adviser, who reviewed Ms C's notes and the care and treatment she received. He said that her treatment was entirely appropriate and satisfactory. He said that sometimes anaesthesia could be imperfect, but that this did not necessarily indicate any failure by the doctors. He said that her pain was managed in accordance with accepted practice. The adviser also took the view that the board's explanations to Ms C about her operation were appropriate and reasonable.

Taking all these factors into account, we did not uphold Ms C's complaints about her care and treatment. However, there was evidence to suggest that the board took too long to deal with her complaints on these matters.

Recommendations

We recommended that the board:

- apologise to Ms C for the delay in responding to her complaint; and
- remind their staff of the importance of adhering to their stated complaints handling timescales and process.