

Case: 201103439, Tayside NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, no recommendations

Summary

Mr C went to a hospital accident and emergency unit after falling from height. He complained that the care and treatment he received there was inadequate. He said that there was a failure to x-ray and diagnose a fracture that caused him severe pain in the weeks after. Mr C said he was eventually x-rayed about two weeks after the fall and told about the fracture five days after that. He wanted to know why he was not x-rayed when he first went to hospital, considering the accident he had and the pain he was in. He also said that when he complained to the hospital about his care and treatment, they delayed in responding to his concerns.

We did not uphold Mr C's complaints. We took advice from our medical adviser, who said that the need for an x-ray was a matter of clinical judgement. He said that the assessing clinician should (and did) take into account Mr C's age and gender, how the injury happened, look for various external evidence of injury, as well as evidence of nerve or spinal damage, and assess Mr C's mobility. He commented that a spinal fracture from low impact injury is unusual in men of Mr C's age, and that an x-ray was not mandatory in his situation. He said that the judgement of the assessing clinician that an x-ray was not necessary was not unreasonable, even with the benefit of hindsight.

We also found that there were valid reasons for the delays in the board responding to Mr C's complaint. This included that a consultant whom Mr C wished to meet to discuss his concerns was abroad for several months. When the board told Mr C about this, he said he wished to wait for the consultant to return. We also noted that the board kept Mr C regularly updated about his complaint during this period and gave him the opportunity to contact us if he so wished.