

SPSO decision report

Case: 201200930, A Dental Practice in the Greater Glasgow and Clyde NHS Board area
Sector: health
Subject: clinical treatment; diagnosis
Outcome: upheld, recommendations

Summary

Miss C attended the dental practice complaining of pain in her lower left five tooth. She said that she specifically pointed this out to her dentist. The dentist recorded in the notes that the lower left seven tooth was mobile with a discharge of pus coming from the buccal aspect (cheek side of the tooth). The dentist then extracted the lower left seven tooth.

After around 20 minutes, Miss C returned to the practice and complained that the wrong tooth had been extracted. The dentist recorded that the lower left five tooth was mobile and then removed it. The dentist also recorded that she had apologised to Miss C and explained that the lower left seven tooth was not treatable by any means other than extraction.

In her complaint to us, Miss C understood that the dentist said she would not charge her for this extraction. Our investigation found that the notes completed at the time said that the lower left seven tooth was to be extracted, so we could not say for sure whether the wrong tooth was extracted. However, Miss C clearly thought that it was the lower left five tooth that was to be extracted. We found that the dentist did not obtain consent appropriately and did not communicate with Miss C effectively.

In responding to Miss C's complaint, the dental practice said that the dentist was aware of the crucial importance of securing valid consent prior to any treatment and would not have proceeded with the removal of the lower left seven tooth unless she believed that Miss C understood and agreed to this treatment. We concluded, however, that this was not the case and upheld Miss C's complaint that the practice had provided incorrect explanations as to why the tooth had been removed.

Recommendations

We recommended that the practice:

- issue a written apology for the failure to obtain consent appropriately for the extraction of the tooth and for failing to communicate effectively with Miss C; and
- make the dentist aware of our finding on this matter.