

SPSO decision report

Case: 201201771, Western Isles NHS Board
Sector: health
Subject: admission, discharge and transfer procedures
Outcome: upheld, recommendations

Summary

Ms C has a clinical need for a hysterectomy (surgery to remove the womb), and was to be referred to hospital for treatment. Her social and domestic circumstances meant that she did not wish to be treated at the local hospital. She discussed this with her GP and her GP requested she be referred outwith the board's area for her operation. The medical director reviewed the request, but declined it on the basis that the procedure could be carried out locally. Ms C appealed, and the chief executive reviewed the decision and also declined it as he agreed with the medical director's decision.

As part of our investigation, we asked to see the protocol that the board use to consider extra-contractual referral (ECR - where a person is referred for treatment elsewhere). We found that the protocol did not say that the medical director could decline an ECR - rather, an ECR panel should have considered and decided on Ms C's request. We upheld Ms C's complaint, as we found that her request had not been reasonably considered by the board in line with their protocol, which was that such requests should initially be considered by an ECR panel.

Recommendations

We recommended that the board:

- ensure that relevant staff clearly understand and follow the process for considering extra-contractual referrals; and
- consider Ms C's request at an extra-contractual referral panel, as a matter of urgency.
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