

SPSO decision report

Case: 201202342, Highland NHS Board
Sector: health
Subject: clinical treatment; diagnosis
Outcome: not upheld, recommendations

Summary

Mr C's wife (Mrs C) was admitted to hospital for an operation to repair a hernia (a condition where an internal part of the body pushes through a weakness in the muscle or surrounding tissue wall).

After her operation Mrs C complained of pain. The surgeon examined her and found evidence of swelling. A CT scan (a special scan using a computer to produce an image of the body) was requested and the results suggested that Mrs C's bowel had been pierced. Mrs C was operated on and had the section of pierced bowel removed. She suffered pain and discomfort from this procedure and it took her eight weeks to recover from it. Mr C told us that he considered that the staff at the hospital had failed to provide appropriate treatment during the operation. He felt that this resulted in Mrs C's bowel being pierced.

We did not uphold Mr C's complaint. After taking independent advice from our medical adviser, we concluded that a pierced bowel was a recognised complication of this type of surgery. We found that Mrs C's treatment during the operation was reasonable, although we were critical of the board's consent policy. We felt that common and serious risks of surgery should be clearly explained to all patients and that these discussions should be recorded on the patients consent form or clinical records. This did not happen in Mrs C's case.

Recommendations

We recommended that the board:

- considers reviewing their consent policy to ensure that all common and serious risks are fully explained to patients when obtaining consent and that these are clearly recorded on the consent form or clinical records.