SPSO decision report

SPSO Scottish Public Services Ombudsman

Case:	**201301616, Borders NHS Board**
Sector:	health
Subject:	clinical treatment / diagnosis
Outcome:	not upheld, no recommendations

Summary

Mrs C complained on behalf of her partner (Mr A) about a procedure to remove his gallbladder at Borders General Hospital. Mrs C said they had originally been told that the procedure would be performed by keyhole surgery but that, if complications arose, it would be performed as open surgery, and Mr A would need to be kept in hospital for several days. Mrs C said that when she phoned the hospital on the day of the operation, she was told complications had arisen. When she visited Mr A after his surgery, he was in great pain, which she did not believe was being managed properly. When Mrs C visited the next day, she found Mr A being prepared for a scan. Mrs C said she had repeatedly asked nurses and medical staff about Mr A's wound and the frequency of his dressing changes. She believed that it was only as a result of her questioning that Mr A's wound was examined, leading to Mr A's transfer to a specialist unit.

We took independent advice from one of our medical advisers, a specialist in gallbladder surgery. He explained that Mr A's procedure had not been converted into open surgery, due to the complications that the surgeon had identified, and that this was an appropriate course of action. The notes of the operation showed that there were significant difficulties in performing the operation, due to existing damage to the gallbladder. The adviser said that the notes also showed that the care plan for Mr A was to perform a scan to identify the complications from the operation, and to consult with a specialist unit. The adviser said that the surgeon had acted appropriately and in Mr A's best interests when complications occurred. We found no evidence that Mr A had not been appropriately treated, and did not uphold Mrs C's complaint, as we found no evidence to support her claim that Mr A was only transferred due to her intervention.