

SPSO decision report

Case: 201305409, Lothian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: upheld, recommendations

Summary

Miss C complained that the care and treatment she received for her hand after a cycling injury were unreasonable. She raised a number of issues, including that the consultant orthopaedic surgeon, who she saw nearly four weeks after her injury, failed to operate and refer her to physiotherapy at that time. Miss C also complained that the physiotherapy she received after the board did decide to operate, two and a half months after her injury, was unreasonable. She said the physiotherapist only checked her progress and explained what exercises she should do.

We obtained independent advice on this case from two of our medical advisers, a consultant trauma and orthopaedic surgeon (adviser 1) and a consultant physiotherapist (adviser 2). Adviser 1 explained there were different ways to treat hand fractures and that professional opinions on how best to do this could vary. He said that the extent of Miss C's injury was such that, on balance, surgery should have been considered when she initially presented with her injury. Because of this, we upheld the complaint and were critical of the board. However, adviser 1 said that by the time Miss C saw the consultant, the advantages of early surgery had been lost and it was then not unreasonable to see if conservative treatment was successful. Although early surgery would have shortened the time from injury to recovery for Miss C, it was unlikely to have affected the final result. Adviser 1 also explained that a referral to physiotherapy nearly four weeks after injury would not have achieved anything, and had no adverse impact in Miss C's case. Adviser 2 noted that when Miss C did receive physiotherapy treatment, she had good assessment, a comprehensive exercise programme, sensible advice on self-management between treatments and regular reviews on progress.

Recommendations

We recommended that the board:

- feed back our decision on this complaint to the staff involved; and
- provide Miss C with a written apology for the failings identified.