

SPSO decision report

Case: 201401426, Lothian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, no recommendations

Summary

Mr C complained that the operation on his foot performed by the board at St John's Hospital to help his dropped foot (a muscular weakness or paralysis that makes it difficult to lift the front part of the foot and toes) was not carried out to a reasonable standard. Mr C said that, prior to the operation, he had restricted up-and-down movement in his foot but full side-to-side movement, and he tripped and fell regularly because of his foot. Mr C said that after the operation, he had no movement either way in his foot, and he tripped and fell on almost a daily basis. Mr C also complained that there was an unreasonable delay in him receiving physiotherapy treatment.

We obtained independent medical advice on Mr C's complaint from a consultant orthopaedic and trauma surgeon, with special interest in foot and ankle surgery. Our adviser said that the procedure failed in Mr C's case, but the documentary evidence suggested that Mr C was advised that this could happen. Our adviser explained that a standard technique was used during Mr C's operation, and the treatment provided did not seem unreasonable.

The evidence showed that Mr C was referred for physiotherapy treatment six weeks after surgery. Our adviser said there was no significant avoidable delay in Mr C's physiotherapy treatment and that, given the failure in his surgery, the apparent delay in physiotherapy would not have made a significant difference to the outcome in his case.