

## SPSO decision report

**Case:** 201401821, Dumfries and Galloway NHS Board  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Outcome:** some upheld, recommendations

### Summary

Mrs C complained that her physiotherapist had not referred her for an MRI scan (a scan used to diagnose conditions that affect organs, tissue and bone). As the physiotherapist had not done this, Mrs C arranged one privately, which did not reveal any abnormalities. Mrs C then sought to recover the cost of her private MRI scan from the board.

As part of our investigation we took independent advice from one of our medical advisers. She said the physiotherapist's decision to refer Mrs C to the pain clinic and not for an MRI scan was reasonable. This was because the notes did not indicate that Mrs C's condition required a referral for an MRI scan, in line with the relevant guidance. Although we took Mrs C's concerns into account, our role was to determine the reasonableness of the care and treatment she received. In light of the clear advice we received that the board had acted reasonably and in line with the appropriate guidance, we did not uphold Mrs C's first complaint.

Mrs C was also unhappy at the time the board took to respond to her complaint. Mrs C had contacted them over a period of months and the paperwork showed they had failed to meet their timescales or keep her updated. We upheld this complaint and made two recommendations.

### Recommendations

We recommended that the board:

- apologise to Mrs C for the delay in responding to her complaint; and
- review their handling of Mrs C's complaint and feed back to relevant staff to prevent this from happening in future.