

SPSO decision report

Case: 201403143, Lothian NHS Board - Acute Division
Sector: health
Subject: clinical treatment / diagnosis
Outcome: some upheld, recommendations

Summary

Mrs C complained that the board failed to properly execute her sterilisation procedure following caesarean section – she became pregnant some months later. She said the board also failed to inform her of the risks involved in the sterilisation procedure and the alternative procedures for contraception.

We obtained independent medical advice on the complaint from one of our advisers, a consultant obstetrician and gynaecologist.

Our adviser explained that sterilisation at caesarean section had a known failure rate, even when properly performed. She said that the method of sterilisation used in Mrs C's case – the filschle clip method (where clips were applied to both fallopian tubes) - was widely used and there was no evidence that Mrs C's sterilisation was not properly performed.

Based on the documentary evidence contained in Mrs C's medical records, our adviser concluded that the board did not unreasonably fail to advise Mrs C of the risks involved in the sterilisation procedure. However, we were concerned that there appeared to be limited evidence of the counselling Mrs C received prior to her operation and that there was no evidence that she was provided with written information on the procedure and its risks, in accordance with the guidelines.

Although it was noted on the consent form for Mrs C's operation that the alternative procedures for contraception were discussed with her, there was nothing in her medical records to detail what alternatives might have been discussed. The guidelines in this area stated 'counselling and advice on sterilisation procedures should be provided'. We considered it would have been reasonable for this to have taken place prior to making Mrs C making her decision on the type of contraceptive procedure she wished to receive, but there was nothing in her records to say this happened.

Recommendations

We recommended that the board:

- feed back our decision on the complaint about the failure to advise Mrs C about contraceptive options to the staff involved;
- consider how best to demonstrate the full range of verbal and written information provided to women undergoing sterilisation and advise this office of their conclusions; and
- provide Mrs C with a written apology for failing to properly advise her of her options with regards to contraceptive methods.