

SPSO decision report

Case: 201405031, Greater Glasgow and Clyde NHS Board - Acute Services Division

Sector: health

Subject: clinical treatment / diagnosis

Outcome: some upheld, recommendations

Summary

Mrs C, who is an MSP, complained on behalf of Mr A about the board's failure to offer him robotic surgery to treat his prostate cancer. Mr A considered that there were clear benefits in having robotic rather than open or keyhole surgery. He complained that the board had failed to explore the options available to him, including the option of pursuing robotic surgery privately, after he was diagnosed with prostate cancer.

We took independent advice on the complaint from a medical adviser, who is a consultant urological surgeon with experience in the management of prostate cancer. We found that Mr A had received appropriate counselling regarding the treatment options available from the board for his prostate cancer. However, although the board did not offer robotic surgery for prostate cancer at that time, we found that for completeness, the option of having robotic surgery privately should also have been mentioned to Mr A. There was no evidence that this had been mentioned to him and he said that he had only found out about it through his own research. We upheld this aspect of Mrs C's complaint.

Mrs C also complained that the board had failed to offer Mr A robotic surgery and that they failed to refund the cost when he had the surgery privately abroad. We found that it was reasonable that the board did not offer robotic surgery to Mr A, as they had offered him alternative surgery. The board were investigating the feasibility of purchasing a robot system and there was no requirement to offer robotic surgery at that time. We also found that it had been reasonable for the board to decline funding the surgery elsewhere. We did not uphold these aspects of Mrs C's complaint.

Recommendations

We recommended that the board:

- issue a written apology to Mr A for the failure to mention the option of pursuing robot-assisted surgery privately, when advising him of his treatment options; and
- make the relevant staff aware of our decision on this matter.