

SPSO decision report

Case: 201405563, Borders NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: some upheld, no recommendations

Summary

Mr and Mrs C complained that a consultant obstetrician and gynaecologist at Borders General Hospital unreasonably decided that Mrs C should undergo a caesarean section. Mrs C had previously given birth to two children by caesarean section, but was keen to have her third child by vaginal birth. When her waters broke, she was told that medical staff would allow 48 hours for the labour to progress before carrying out a caesarean section. However, she then saw the consultant who said that there would be high risks in waiting for another 48 hours and that a vaginal birth was unlikely anyway. He said that Mrs C should have the caesarean section as soon as possible.

We took independent advice on Mr and Mrs C's complaints from a medical adviser who is also a consultant obstetrician and gynaecologist. We found that it had been reasonable for her consultant to hold the view that Mrs C should undergo a caesarean section at that time, even if this conflicted with advice she had received from other medical staff who had been prepared to allow her to wait slightly longer. We did not uphold this aspect of Mr and Mrs C's complaint.

Mr and Mrs C also complained that the consultant had not communicated with them in a reasonable manner. We found that there was evidence, including a statement from a midwife, that the consultant's communication with the couple had not been reasonable and had lacked empathy. The consultant had also failed to acknowledge where his advice differed from others and the reasons for this. Whilst we upheld the complaint, we were satisfied that the board had apologised to Mr and Mrs C. They had also stated that this had been raised with the consultant and that the complaint would be included in his annual appraisal.