

SPSO decision report

Case: 201406033, Grampian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, recommendations

Summary

Mrs C complained on behalf of her brother (Mr B) about the care and treatment his late partner (Ms A) received following a diagnosis of colorectal cancer.

Ms A's family said that had she received treatment sooner, the progression of the cancer could have been slowed. They also questioned whether shrinking her tumour with radiotherapy and concurrent chemotherapy was the best course of action, or whether the tumour should have been removed upon its discovery.

Ms A's family also complained there had been a failure to reasonably communicate her condition and prognosis throughout her care. In particular, they said that Ms A's consultant said she would be free of cancer by a certain date only later to be told her cancer had spread.

We took independent advice from a colorectal surgeon who said Ms A's treatment, based on her symptoms and condition at the time, was timely and had also been carried out within the appropriate national cancer treatment guidelines. The adviser also said the scans taken of Ms A were appropriate and the decision to use chemo-radiotherapy to shrink the tumour was the most reasonable treatment option and in line with the applicable guidance.

We accepted that Mr B and Ms A believed that when they met with the consultant they were told she would be free of the cancer by a certain date. The board, however, said that the consultant would not have given Ms A this information. We consider that it is essential that communication at an important consultation when there is discussion about a patient's prognosis is clear and the patient clearly understands what is being said. It was unsatisfactory this did not appear to have happened in this case. Given the different accounts and in the absence of further evidence, we were unable to conclude that the consultant miscommunicated Ms A's diagnosis during the consultation, but we made a recommendation about communication.

However, taking account of the evidence overall, on balance we did not find there was a failure by the board to reasonably communicate Ms A's condition and prognosis throughout her care, so we did not uphold Mrs C and Mr B's complaints.

Recommendations

We recommended that the board:

- ensure this case is discussed with the consultant as a learning point and consideration is given by them to undertaking communication training as part of their continuing professional development.