

## SPSO decision report

**Case:** 201406444, Lothian NHS Board  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Outcome:** not upheld, recommendations

### Summary

Mrs C complained to us about some dental treatment she had at the practice that she had been referred to. She had a wisdom tooth removed, and during the process, a filling came out of the adjacent tooth, and part of the tooth broke off. The dentist advised Mrs C to see her own dentist to have the damaged tooth seen to. Mrs C complained that the treatment on her wisdom tooth must have been done badly, otherwise the neighbouring tooth would not have been damaged.

We took independent dental advice in relation to Mrs C's dental treatment. Our adviser noted that both Mrs C's dentist and the dentist carrying out the extraction had told her that she had tooth decay. He said that this made her teeth more vulnerable to damage during a dental procedure. He also noted that Mrs C had been told that the procedure of removing her wisdom tooth involved some risk of damage to adjacent teeth. However, there was no evidence that the tooth adjacent to the wisdom tooth was known to be decayed, and there was no record of Mrs C being warned of the risk to this tooth in particular, given its proximity to the wisdom tooth.

We concluded that there was no evidence that the dental treatment had been carried out inappropriately, so we did not uphold the complaint. However, we were critical that the records indicated that the dentist had not been clear during the consenting process of the risks to the adjacent tooth, or noted specifically whether there was any decay in that tooth.

### Recommendations

We recommended that the board:

- feed back the findings of this investigation to the staff involved, for reflection and learning, particularly in relation to ensuring patients are fully informed of the risks of a procedure, and that appropriate records are kept; and
- apologise to Mrs C that they failed to give clear information about the risks involved in the procedure when she was giving consent.