

SPSO decision report

Case: 201407468, Tayside NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, recommendations

Summary

Mrs C and her husband were participants in an egg-sharing programme (as donor) in the Assisted Conception Unit at Ninewells Hospital. As part of the programme, after fertility treatment, Mrs C retained some of her eggs and some were donated to a recipient. Mrs C complained that the care and treatment given to her was unreasonable, and that staff were primarily concerned with the recipient. She said that communication with the staff was also unacceptable, and that she was given information despite saying that she did not want it. She believed she had been looked down upon.

We obtained independent advice from a consultant obstetrician and gynaecologist (a doctor specialising in pregnancy, childbirth and the female genital tract) who was a reproductive medicine specialist. We found that all of Mrs C's treatment had been conducted in terms of the Human Fertilisation and Embryology Act code of practice. While there had been a slight delay in providing part of the treatment, this had been because the recipient's and Mrs C's menstrual cycles had to be synchronised. The delay was unavoidable. Similarly, the code of practice had been followed with regard to communication with Mrs C, but it seemed that she had not fully understood. We noted that the board had since made changes to prevent a similar occurrence. Mrs C's complaint was not upheld.

Recommendations

We recommended that the board:

- apologise for the delay in responding to the formal complaint.