

SPSO decision report

Case: 201507446, Tayside NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, no recommendations

Summary

Mr C complained on behalf of his wife (Mrs A) about aspects of the care and treatment she received at Ninewells Hospital and Perth Royal Infirmary following an injury to her shoulder. He complained that surgery was not carried out when the injury was first diagnosed and that when surgery was carried out, Mrs A was given inaccurate information about the reduction in her pain. Mr C also complained that Mrs A was not warned that general anaesthetic could cause memory loss.

We took independent advice from a consultant orthopaedic surgeon and found that the decision to initially manage Mrs A conservatively (without surgery) was reasonable practice. There was evidence to show that Mrs A had consented to surgery after she was informed of the appropriate risks.

We also obtained independent advice from a consultant anaesthetist in relation to Mrs A's concerns about not being warned about the potential risk of memory loss following general anaesthetic. They noted that it is not standard practice to discuss this with patients prior to surgery because it is not considered to be the type of risk that falls into either of the two categories set out in the General Medical Council's guidance on consent. We therefore did not uphold Mr C's complaint.