

SPSO decision report

Case: 201507570, A Medical Practice in the Grampian NHS Board area
Sector: health
Subject: appointments / admissions (delay / cancellation / waiting lists)
Outcome: upheld, recommendations

Summary

Mr C attended his medical practice with a recurrence of back pain and sciatica (back and leg pain caused by irritation or compression of the sciatic nerve) and it was agreed he would be referred to neurosurgery. Mr C complained about a subsequent delay in the referral being sent and about the practice's response to his complaint to them.

We took independent advice from a GP, who confirmed that routine referrals should normally be sent within one week. Mr C's referral was not sent for almost six weeks. We were critical of the practice for not having clearly explained the reason for the delay to Mr C. In their response to Mr C they had blamed general delays across the NHS system and had not accepted any specific fault on their part. However, the practice told us that the delay was caused by a delay in dictating and typing the referral letter. They informed us of the process they have in place to avoid a similar future occurrence.

The adviser also noted that Mr C attended the practice on a further three occasions in the interim period. They considered that his reported symptoms should have prompted the upgrading of the referral to urgent. They noted that urgent referrals should be sent within 24 hours. The adviser saw no evidence of Mr C having been asked questions to rule out further warning signs that may have necessitated an emergency hospital admission. We therefore found that there was an unreasonable delay in sending the routine referral and an unreasonable failure to upgrade this to urgent. We upheld this aspect of Mr C's complaint.

With regard to the practice's handling of Mr C's complaint, we noted in particular that Mr C did not receive a response to his initial complaint letter and that he was not referred to the SPSO at the end of the process. We were also critical of the practice for including details of Mr C's medical history in their correspondence to us that was not relevant to his complaint. We upheld this aspect of Mr C's complaint.

Recommendations

We recommended that the practice:

- confirm that the management of back pain, and red flag signs, will be included as a learning need in the annual performance appraisals of the doctors in the practice;
- apologise to Mr C for the failures identified in the handling of his referral to neurosurgery;
- review their complaints handling procedure to ensure that both staff and patient guidance are consistent with each other and with NHS 'Can I help you?' guidance. In particular, they should ensure that complaints are appropriately acknowledged, timescales for response are clearly communicated to complainants, complaints are responded to in full, with any learning points clearly identified, and complainants are appropriately signposted to the SPSO;
- advise complaint handling staff to ensure that they refrain from including confidential patient information in complaint correspondence, where it is not relevant to the complaint issues that have been raised; and
- apologise to Mr C for the failures identified in their handling of his complaint.