

SPSO decision report

Case: 201507907, Lanarkshire NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, no recommendations

Summary

Miss C, an advocacy and support worker, complained on behalf of her client (Miss A) that the board failed to provide Miss A with appropriate orthopaedic treatment based on the symptoms she presented with and that they inappropriately treated Miss A less favourably as Miss A has a disability.

Miss A suffered an injury to her shoulder. Miss C raised concerns about a decision by the board's orthopaedic surgeons not to operate on Miss A, including whether the surgeons took into account the views of Miss A's carers and managed her pain appropriately. Miss C also raised concerns about a second opinion provided by another orthopaedic surgeon, who also considered it would not be appropriate to treat the injury surgically.

The board said the care and treatment provided at Monklands Hospital and Hairmyres Hospital was based on the surgeons' assessment of the high risks of surgery and limited likely benefits. The board said this was based on the clinical situation at the time and that Miss A was not inappropriately treated less favourably by reason of disability.

After receiving independent advice from an orthopaedic surgeon, we did not uphold Miss C's complaint. We found it was reasonable of the board's surgeons to have considered there were high potential risks and a limited potential for improving the injury through surgery. We also found that the board appropriately involved Miss A's carers in the decision and managed Miss A's pain reasonably. We found that the board's surgeons were conscious of Miss A's disability in reaching their decision not to operate, but that this was appropriate given the significant impact potential complications would have on Miss A.