

SPSO decision report

Case: 201508153, Forth Valley NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, no recommendations

Summary

Mr C complained that the board had failed to carry out the hernia surgery at Forth Valley Royal Hospital that he had consented to and that they had failed to provide him with appropriate treatment following the surgery. Mr C said as consequence he suffered from regular and severe pain, which impacted on his quality of life and ability to work.

We found Mr C underwent surgery in the summer of 2012 without incident, although he did then attend the A&E department at the hospital complaining of pain at the wound site. He was examined and discharged as no cause for alarm could be identified. Mr C was reviewed in late 2012 and early 2013, and although a further review appointment was made, Mr C did not attend. In the absence of contact from Mr C, no further appointments were offered.

Mr C was re-referred by his GP and seen in 2015. He was reviewed in clinic by the surgeon who had performed the operation and provided with a scan of the area, which confirmed that the hernia had not reoccurred. Mr C was unhappy with the outcome of this review and a second opinion was arranged.

We took independent advice from a consultant colorectal surgeon, who said that the treatment Mr C had received was appropriate. The relevant consent documents had been filled in and signed and the operation had been performed in accordance with normal surgical procedure. There was no evidence that the operation performed was not the one Mr C consented to. The adviser also said the reviews of Mr C had been carried out appropriately post-surgery and it was reasonable to have referred him for a second opinion when the relationship with medical staff broke down.

We found there was no evidence Mr C had not consented to the operation performed on him, or that he had received inadequate care following the second surgery and did not uphold the complaint.