

SPSO decision report

Case: 201602038, Lothian NHS Board - Acute Division

Sector: health

Subject: clinical treatment / diagnosis

Outcome: not upheld, no recommendations

Summary

Mr C complained about the board's decision not to offer him surgical treatment for his condition. The board said that the decision to proceed with surgery was subject to the Adult Exceptional Aesthetic Referral Protocol, which details the limited criteria in which surgery can be provided for a range of conditions. The board said that because Mr C did not meet criteria within this protocol, he did not qualify for surgery for his condition.

We found that Mr C was assessed by a plastic surgery registrar and a clinical psychologist before a multi-disciplinary team made a decision on whether Mr C met the criteria. We took independent advice from a consultant plastic and reconstructive surgeon and a consultant psychiatrist. Based on the advice we received, we concluded that the assessments carried out prior to the decision-making were reasonable. Although we found that the board had not undertaken the assessments in the order specified within the protocol, the advisers did not consider that this would have prejudiced the subsequent decision of the multi-disciplinary team. We concluded that the board's decision not to offer Mr C surgery was reasonable, and for this reason we did not uphold this complaint.