

SPSO decision report

Case: 201606971, Shetland NHS Board
Sector: health
Subject: appointments / admissions (delay / cancellation / waiting lists)
Decision: some upheld, recommendations

Summary

Miss C complained that the board unreasonably removed her from a waiting list for orthodontic treatment. She also complained that they had failed to tell her that she had been removed from the waiting list and had not provided her with a reasonable explanation of why she had been removed.

We took independent advice from a dental surgeon. The adviser explained that there are two different types of orthodontic referral, one for consultation and the other for actual treatment. The advice we received was that Miss C's initial appointment was to assess whether she met the criteria for orthodontic treatment. The adviser said that Miss C had not met the required criteria and, therefore, she had not been placed a waiting list for orthodontic treatment. The adviser said that this decision was reasonable. The adviser also said that the board's decision not to provide Miss C with orthodontic treatment in subsequent years was reasonable and was in keeping with relevant guidance. We found that, as a result, Miss C had not been put on a waiting list for orthodontic treatment, which we found was reasonable. As she had not been put on a waiting list, she could not have been told that she had been removed from such a list. Therefore, we did not uphold those aspects of Miss C's complaint.

However, we found it concerning that, over a period of several years, Miss C appeared to be under the impression that she had been placed on a waiting list for orthodontic treatment. The adviser commented that Miss C may not have understood that there were two different types of waiting lists and that she did not appear to have been informed about the option of private orthodontic treatment until she complained to the board. We considered that it is essential that a patient understands their treatment plan and that this did not appear to have happened in Miss C's case. For this reason, we upheld Miss C's complaint that the board had not provided her with a reasonable explanation of why she had been removed from the list.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Miss C for failing to appropriately communicate with her about her treatment and for failing to ensure that she fully understood her treatment plan, the different types of orthodontic waiting lists and the option of private orthodontic treatment. The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.

What we said should change to put things right in future:

- Dental staff should explain to patients and ensure that they understand:
 - their treatment plan
 - the different types of orthodontic waiting lists
 - the option of private orthodontic treatment when they are not entitled to NHS orthodontic treatment.

We have asked the organisation to provide us with evidence that they have implemented the recommendations

we have made on this case by the deadline we set.