

SPSO decision report

Case: 201607005, Greater Glasgow and Clyde NHS Board - Acute Services Division
Sector: health
Subject: clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

Ms C, who works for an advocacy and support agency, complained on behalf of her client (Mr A). Mr A had been on a waiting list for a prostate operation for severe incontinence for a number of months and, despite several letters from the board saying that he would undergo the operation within weeks, he was still waiting when Ms C made the complaint to us, approximately nine months after Mr A was first put on the waiting list. Ms C said this was contrary to the treatment time guarantee (12 weeks) and did not take into account Mr A's clinical need. She also noted that Mr A was willing to travel to any hospital in the UK to undergo the operation. Ms C told us that Mr A's operation had been cancelled on three occasions at the very last minute and said that, as a result of the board's failings, his physical and mental health had deteriorated.

We took independent advice from an adviser who specialises in urology. We found that the board's failure to meet the treatment time guarantee or consider other healthcare providers meant that Mr A suffered severe lower urinary tract symptoms unnecessarily for an unreasonable number of months, with significant implications for his physical and emotional health as a result. In relation to communication, we also found it unreasonable that, at times, Mr A had to take the initiative to find out what was happening once the 12 weeks treatment time guarantee period had passed. We were not satisfied from the evidence available that the board had reasonably had regard to the legislation concerning the treatment time guarantee, and we upheld the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr A for failing to provide treatment within a reasonable time.

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

- Review their process and patient letters to ensure that they comply with the treatment time guidance, including considering alternative providers and communication with patients.
- Reflect on this case in relation to whether opportunities to reassess Mr A's clinical priority were missed and report back to us on the findings.

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.