

SPSO decision report

Case: 201609501, Greater Glasgow and Clyde NHS Board - Acute Services Division
Sector: health
Subject: communication / staff attitude / dignity / confidentiality
Decision: some upheld, recommendations

Summary

Ms C, who is an advocacy and support worker, complained on behalf of her client (Mr A) who underwent knee replacement surgery at Royal Alexandra Hospital. Following the operation, Mr A experienced a number of complications and continued to feel pain and discomfort.

Ms C complained that Mr A was not informed about the risks and complications of the procedure, including the possible outcomes. The board said that there were four interactions with Mr A prior to the surgery and that these interactions focussed on the need for, undertaking of and preparation for surgery. The board considered that this would have afforded the space and time to offer information and to answer any concerns that Mr A had. We took independent advice from a consultant orthopaedic surgeon. Whilst we noted that a consent form for surgery had been signed by Mr A, the adviser did not find evidence that the benefits and risks of surgery had been explained to Mr A. We were unable to conclude that Mr A was given the information he needed to understand the procedure and its risks in order to make an informed decision to consent to the treatment offered. We upheld this complaint and recommended that the board apologise for this failing. However, we noted that the board had since updated their consent form and consent procedure and we were satisfied that appropriate steps had been taken to try and prevent the same failing from happening again. Therefore, we did not make any further recommendations in connection to this.

Ms C also complained that the surgery provided to Mr A was not reasonable. The adviser explained that the complications Mr A experienced following the surgery were recognised complications of the procedure. The adviser did not find evidence of failings in the surgery performed on Mr A and we did not uphold this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr A for failing to obtain informed consent for the procedure. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.

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.