

SPSO decision report

Case: 201701131, Highland NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Mr C complained on behalf of his neighbour (Mr A) about the care and treatment provided to Mr A for kidney stones at Raigmore Hospital. Mr A had a number of surgical procedures over the course of a year to remove his kidney stones, however none of these were successful and Mr A was referred to a different health board for further treatment.

We took independent advice from a consultant urologist. We found that both the medical and surgical management of Mr A's kidney stones had been reasonable, despite the procedures failing to be successful. Therefore, we did not uphold this aspect of Mr C's complaint. However, we did find that the referral to the other health board was not appropriately recorded in Mr A's medical records and we made a recommendation regarding this.

Mr C also complained about the board's communication with Mr A. He said that it had not been explained to Mr A what the treatment plans were, and that the surgeon failed to visit him after his most recent surgical procedure to explain the next steps. We found that, although communication throughout much of the time Mr A was receiving treatment was reasonable, it was not reasonable that the surgeon failed to make plans for post-operative discussions. We also found that there was a failure to make a note of a phone call the surgeon had with Mr A. Additionally, we found that the board's complaint response was poor as it failed to sufficiently cover the points complained about. We upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr A for the failure to communicate with him reasonably. 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:

- Referrals to other health care providers should form a part of a patient's record.
- In similar situations, surgeons should proactively make arrangements to meet with patients post-operatively in order to discuss the operation and further management plans. Where this is not possible this should be raised with the patient in advance and an agreement on how to do this should be reached.
- Phone consultations which are part of clinical care should be recorded in writing in the patient's medical records.

In relation to complaints handling, we recommended:

- Complaint responses should fully address all issues raised by the initial complaint.

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.