

SPSO decision report

Case: 201705314, Tayside NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Mr C complained that the board delayed in providing his late wife (Mrs A) with a diagnosis of pancreatic cancer. He said that, had Mrs A been diagnosed sooner, her care and treatment may have been different and she could have had a better quality of life. In their response to Mr C's complaint, the board acknowledged a delay in diagnosis and apologised, but they said that Mrs A's illness had been difficult to detect and that her symptoms had been vague. They said that their delay had not affected Mrs C's outcome.

We took independent advice from consultants in radiology (a doctor who uses medical imaging such as x-rays, ultrasounds and scans) and oncology (a specialist in the study and treatment of tumours). We found that, while Mrs A had three scans, it was not until after the third scan that her diagnosis was made. However, we confirmed that her symptoms had been subtle and that there could be up to a 20 percent failure rate in detection. We did not uphold the complaint. However, we made a recommendation as the delay had not been without consequences. Had Mrs A's illness been picked up earlier, then she would have had earlier access to palliative care (end of life care) which may have made her final months easier to bear. We considered that there had been an insufficient recognition of this.

Mr C also complained that the board delayed unreasonably in responding to his complaint. We found that the board had taken too long to respond to Mr C's complaint, and so we upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to recognise the consequences of the delay in Mrs A's diagnosis. The apology should meet the standards set out in SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- Apologise to Mr C for failing to reply to the complaint in a timely manner. The apology should meet the standards set out in SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.

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

- The board should follow their stated complaints procedures.