

SPSO decision report

Case: 201707376, Fife NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Mr C underwent a hip replacement at Victoria Hospital. Mr C complained that the board failed to ensure they had obtained informed consent from him and that they failed to provide him with a reasonable standard of care and treatment.

We took independent advice from a consultant orthopaedic surgeon (a specialist in the treatment of diseases and injuries of the musculoskeletal system). We found that the consent process was reasonably documented and that Mr C did provide informed consent. Therefore, we did not uphold this aspect of Mr C's complaint.

We found, however, that Mr C had not received proper post-operative care, with delays in his review appointments. There was a failure to discuss in full the nature of the nerve injury he had suffered, as well as the possible treatment options. We upheld this aspect of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to provide a reasonable standard of care and treatment. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- Review the x-rays taken and document their findings in detail, as well as providing Mr C the opportunity to discuss the findings should he wish to.

In relation to complaints handling, we recommended:

- The surgeon should reflect on the case as part of their appraisal process, in particular the delays in post-operative contact and the failure to review Mr C's x-rays timeously.

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