

SPSO decision report



Case: 201802987, Lanarkshire NHS Board
Sector: Health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Mrs C complained about the care and treatment she received at University Hospital Monklands where she had surgery to remove her gallbladder. Mrs C said that she developed a number of unpleasant symptoms following the surgery and, despite seeking treatment for these from the board, including attendance at the hospital's emergency department, they remained unresolved.

We took independent medical advice on the complaint from a consultant general surgeon and a consultant in emergency medicine. In her complaint, Mrs C said that the consent process followed by the board did not include reasonable information about the consequences of gallbladder removal. We found that the symptoms Mrs C experienced were not recognised as complications directly related to her gallbladder surgery and were, therefore, not discussed with her prior to her surgery. We found that efforts were made to ensure that reasonable explanations were given to Mrs C on the risks and benefits of her surgery and her consent form listed the risks of the surgery. We did not uphold this aspect of the complaint.

Mrs C said that the care and treatment provided to her in the emergency department was unreasonable. We found that the treatment Mrs C received was reasonable and there was no reason to admit her to hospital at that time. While we note that the time that Mrs C waited to be seen was slightly outwith the triage timescales, we did not identify this as a failing or evidence of unreasonable care. Therefore, we did not uphold this aspect of the complaint.

Mrs C also complained that the follow-up surgical care and treatment was unreasonable. We found that once Mrs C made the board aware that she was experiencing significant symptoms following her surgery, and given her anxiety issues, they should have offered her an early out-patient appointment within a few weeks. It would also have been reasonable to have arranged to see her in clinic to discuss her endoscopy and biopsy results and options open to her at that time. Therefore, we upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for failing to offer her an early out-patient appointment after she reported she was experiencing significant symptoms following her surgery; and failing to arrange to see her in clinic to discuss her endoscopy and biopsy results and options open to her at that time. The apology should meet the standards set out in the SPSO guidelines on apology available at [HYPERLINK "http://www.spsso.org.uk/information-leaflets"](http://www.spsso.org.uk/information-leaflets) www.spsso.org.uk/information-leaflets .

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

- In cases such as this, the board should arrange to see patients in clinic to discuss their test results.
- In cases such as this, the board should offer patients out-patient appointments within a reasonable time.

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.