

## SPSO decision report

**Case:** 201803366, Grampian NHS Board  
**Sector:** health  
**Subject:** clinical treatment / diagnosis  
**Decision:** upheld, recommendations

### Summary

Mr C complained about the care and treatment he received at Woodend Hospital. Mr C had suffered knee problems for a number of years and had been refused surgery as his Body Mass Index (BMI - weight health calculation) was too high. Mr C lost a substantial amount of weight and reduced his BMI. Mr C was then reviewed by a consultant who said that they would not consider surgery unless he lost at least a further three and a half stone in weight.

We took independent advice from an orthopaedic consultant (a specialist in the treatment of diseases and injuries of the musculoskeletal system). We found that Mr C had previously been given a target BMI which he reached. However, when Mr C was reviewed by the consultant, they felt that Mr C needed to achieve an even lower BMI before they would consider surgery. We considered that Mr C had persevered with his weight loss attempts and that it was then unreasonable for the consultant to have decided that Mr C continue to lose a further substantial amount of weight. Therefore, we upheld Mr C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for asking him to lose a further three stones in weight before staff would consider surgery. 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:

- Staff should review the decision as Mr C had reached the target BMI for consideration of surgery.