

SPSO decision report

Case: 201804933, Ayrshire and Arran NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: some upheld, recommendations

Summary

Mr C complained about the care and treatment he received at Ayr Hospital. Mr C attended the orthopaedic department (specialising in the treatment of disease and injury of the musculoskeletal system) in relation to knee pain. He had surgery but despite that he continued to experience pain. Mr C was unhappy because he was discharged by the consultant without his pain being fully investigated.

We took independent advice from an orthopaedic consultant. We found that the standard of care that Mr C received for his knee was reasonable and that post-operative follow-up was appropriate. Therefore, we did not uphold this aspect of the complaint.

In addition, Mr C became aware of comments written in his clinical record by the consultant which Mr C described as slanderous. We found that the language used was unreasonable, inappropriate and unfair. However, we noted that the consultant had apologised to Mr C and had reflected on the fact that the language used was open to misinterpretation. We upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for the inappropriate comment written by the consultant in the clinical letter. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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.