

SPSO decision report

Case: 201808400, Ayrshire and Arran NHS Board
Sector: Health
Subject: clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

Ms C complained to us about the care and treatment she received at University Hospital Ayr. Ms C underwent total hip replacement surgery (a surgical procedure where a damaged hip joint is replaced with an artificial one) on both hips. Ms C raised concerns that the risks of each surgery were not communicated appropriately to her; there were failings in carrying them out, which caused her to experience pain and mobility issues; and her post-surgical care was unreasonable.

We took independent advice from a medical adviser who is a consultant orthopaedic and trauma surgeon (a specialist in the treatment of diseases and injuries of the musculoskeletal system). For both surgeries, we found no evidence of failings in carrying them out. We found that Ms C experienced recognised complications of total hip replacement surgery. We also found that Ms C's post-surgical care was reasonable. However, we found that there was no evidence Ms C was appropriately informed of the risks involved in each surgery during the consent process. Therefore, we upheld Ms C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for the failings identified in the surgical consent process for both hip surgeries. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- The consent process should follow national guidelines. Consent should be taken, where possible, prior to the day of surgery. As part of the consent process, there should be a clear discussion of the risks and benefits (of having the surgery and not having the surgery) and of any alternative treatment options; and those discussions should be clearly documented

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.