

## SPSO decision report

**Case:** 201810152, Tayside NHS Board  
**Sector:** Health  
**Subject:** Appointments / Admissions (delay / cancellation / waiting lists)  
**Decision:** upheld, recommendations

### Summary

C was referred to the board's urology service (specialists in the male and female urinary tract, and the male reproductive organs) via an urgent referral due to suspected cancer. C was diagnosed with transitional cell carcinoma (a type of cancer that typically occurs in the urinary system). C underwent laparoscopic (keyhole surgery) nephroureterectomy (a surgical procedure to remove the renal pelvis, kidney and entire ureter, along with the bladder cuff). C then had follow-up appointments and treatment. C complained about delays in diagnosis, in surgery, in follow-up appointments and treatment, along with poor communication from the board.

We took independent advice from a consultant clinical oncologist with specialised urology oncology practice. We found that the board failed to meet the Cancer Waiting Time (CWT) standards with regards to the 62-day timescale from referral to treatment, and the 31-day timescale from decision to treat to treatment. Since C's complaint, the board have taken a number of actions to improve waiting times within the urology service and their communication about waiting times. We considered that the actions the board had already taken were comprehensive and we did not make further recommendations to the board to improve the way they do things. However, we recommended that the board apologise for the failure to meet the CWT standards. As a result, we upheld this aspect of C's complaint.

C also complained that the board's handling of their complaint was unreasonable. We found that the board did not acknowledge C's complaint within the timescales set out in the Model Complaints Handling Procedure, and did not always update C with revised timescales as to when C could expect a response to their complaint. In addition, the board did not reply to two letters from C, sent in reply to the board's response to C's complaint. As a result, we upheld this aspect of C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to meet the Scottish Cancer Waiting Time (CWT) standards regarding the timescale for C to begin treatment, failing to acknowledge C's complaint within three working days, failing to provide C with a revised timescale for when they could expect to receive a response to their complaint and for failing to acknowledge or respond to two of C's letters. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://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.