

SPSO decision report

Case: 201902732, Forth Valley NHS Board
Sector: Health
Subject: clinical treatment / diagnosis
Decision: not upheld, no recommendations

Summary

Mr C complained on behalf of his daughter (Ms A). Ms A was suspected to have gallstones (small stones that form in the gallbladder) and was referred for laparoscopic (keyhole) surgery. During the surgery Ms A's gallbladder could not be located and following further investigations, it was confirmed that Ms A had gallbladder agenesis (absent from birth). Mr C complained that Ms A's surgery could have been avoided had further investigations been performed when it was observed during the ultrasound that the gallbladder could not be definitively seen. Mr C also complained about the board's handling of his complaint. The board said that they considered the appropriate investigations were carried out and that further scans prior to surgery were not clinically indicated.

We took independent advice from a consultant surgeon. We found that the conclusion of Ms A's scan, which stated it was "suggestive of a contracted bladder" was reasonable on the basis that gallbladder agenesis is sufficiently rare. Further scans were not warranted in this case as Ms A did not meet the criteria. We also concluded that, while the board's final response to the complaint was somewhat delayed, the delay was reasonable in the circumstances. We did not uphold Mr C's complaints.