

SPSO decision report



Case: 201906029, A Dental Practice in the Grampian NHS Board area
Sector: Health
Subject: Clinical treatment / Diagnosis
Decision: upheld, recommendations

Summary

C complained on behalf of their child (A) about the service received from the practice and the way in which their complaint was handled.

A commenced a course of treatment with the practice because due to a dental overjet (when the upper teeth protrude outward and sit over the bottom teeth), they qualified for NHS funding. A and C agreed to proceed with a functional appliance to correct the overjet. A wore the appliance some of the time, but they did not comply with the treatment in full. A was warned of the necessity to comply and given several reminders. A also missed an appointment.

C was sent a 'wish to continue' letter in which they were advised that they should get in touch within four weeks or A would be discharged back to the dentist. C contacted the practice within this period of time to discuss other options for A. As C did not receive a response, they raised a complaint. During this period A was discharged back to the dentist.

We took independent advice from an orthodontist. We found that, although it is accepted that the clinical decision may not have been different, we considered there should have been a further clinical discussion before A was discharged. We upheld this aspect of C's complaint.

In relation to the complaint handling, we upheld this complaint on the basis that there was a delay in responding to C's concerns in full and C was not signposted to this office.

Recommendations

What we asked the organisation to do in this case:

- Apologise to A and C for failing to have a clinical discussion with them, prior to discharging A, for a delay in responding to the complaint, for failing to provide a clinical explanation why A was discharged when C was trying to engage in discussions regarding A's future treatment and failing to signpost to this office. 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 practice should engage in clinical discussion before discharging the patient, when a patient or their representative asks to discuss clinical treatment within the timeframe set by the practice.

In relation to complaints handling, we recommended:

- To ensure a full explanation is provided to a complaint, with input from clinical staff, within a reasonable

time, and that a complainant is signposted to this office.

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.