

SPSO decision report



Case: 202201952, Tayside NHS Board
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: not upheld, no recommendations

Summary

C complained about the standard of medical care and treatment provided to their spouse (A). A was diagnosed with, and treated for, advanced breast cancer. A's condition deteriorated and they later died. C complained that clinicians failed to, amongst other things, act upon A's worsening symptoms or their concerns that their cancer may be spreading. C also raised concerns about the end of life care A had received from the board.

The board, in responding to C's concerns, did not consider that there had been a failure to act on A's worsening symptoms. However, they acknowledged incidences where A had not been given the opportunity to bring support to out-patient appointments where clinicians reported a deterioration in their symptoms. They apologised to C for A's poor experiences and agreed to take a number of improvement actions in response. They acknowledged A's end of life care had been highly distressing for C and their family but did not consider that this had fallen below a reasonable standard.

We took independent advice from a consultation clinical oncologist. We found that the communication surrounding A's diagnosis and progressive disease could have been better. We also noted a lack of documented Clinical Nurse Specialist support, but overall felt A's treatment following metastatic (when cancer cells spread to other parts of the body) diagnosis had been appropriate. We did not uphold this aspect of the complaint.

With regards to A's end of life care, we found that although the board's handling of A's DNACPR (Do Not Attempt Cardiopulmonary Resuscitation) and discussions around their deterioration were appropriately documented, the communication around this did not meet C's own expectations or needs. However, we found no evidence to support that decisions taken in respect of A's end of life treatment, including their nursing care, had been unreasonable. For these reasons, we did not uphold this aspect of the complaint.

We did, however, provide feedback to the board on complaint handling matters, specifically in relation to adhering to response timescales and updates to the complainant during a complaint investigation.