

Scottish Parliament Region: North East Scotland

Case 200502545: A Dentist, Tayside NHS Board

Summary of Investigation

Category

Health: Dental

Overview

The complainant (Mrs C) raised concerns about a denture made by the dentist and about the dentist's attitude.

Specific complaint and conclusion

The complaint which has been investigated is about the fit of the denture (*not upheld*).

Redress and recommendations

The Ombudsman has no recommendations to make.

Main Investigation Report

Introduction

1. I shall refer to the complainant as Mrs C and the dentist about whom she complained as the Dentist. A reminder of the report's abbreviations is at Annex 1. On 12 December 2005 the Ombudsman received Mrs C's complaint about the poor fit of a denture.

2. The complaint from Mrs C which I have investigated is about the fit of the denture.

3. Mrs C also complained about the Dentist's attitude to her when she expressed dissatisfaction with the denture. She felt that the Dentist lost her temper and was rude. Experience has shown that in cases which involve one person's word against another's, with no independent witnesses, it is rare to be able to establish the facts. We did seek comments from the Dentist, who disputed Mrs C's account. It was clear that we were not going to be able to obtain proof about the facts, and I have, therefore, not pursued this aspect of the complaint.

Investigation

4. I was assisted in the investigation by one of the Ombudsman's advisers, a dentist, to whom I refer as the Adviser. His role was to explain to me, and comment on, some of the clinical aspects of the complaint. We examined the papers provided by Mrs C, the Practice's dental records and further comments obtained from the Dentist. I checked that the Adviser's advice did not contain any discrepancies and that, where appropriate, it followed logically from the dental records. Therefore, I am satisfied that his advice has been tested robustly and I accept that advice. In line with the practice of this office, the standard by which the events were judged was whether they were reasonable in the circumstances. By that, I mean whether the actions taken were within the boundaries of what would be considered to be acceptable practice by the dental profession in terms of knowledge and practice at the time.

5. I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. Mrs C and the Dentist were given an opportunity to comment on a draft of this report.

Complaint: The fit of the denture

6. Mrs C explained that she needed a denture of four teeth but was unhappy with the result, which she felt was ill fitting and cosmetically of poor appearance. The Dentist's view was that Mrs C was aware that, cosmetically, the denture was a compromise. For example, the Dentist said that there were gaps because the denture did not include back teeth and that this was because Mrs C had said she wanted as small a denture as possible. The Dentist also said she believed that the denture was as good as could be achieved in the circumstances of Mrs C's complex dental condition.

The Adviser's comments

7. This paragraph summarises the Adviser's professional opinion. When making a denture, there are standard procedures to follow, covering the process from taking an initial impression of the teeth which are to be replaced by a denture through to the final fitting. The records show the Dentist as having followed these steps in line with accepted clinical practice. For example, an initial impression was taken using an impression tray and a second impression was taken at a later visit. The records state that teeth set in wax were tried and that Mrs C was happy with their appearance. The records also state that Mrs C was happy when the final denture was fitted. On the other hand, however, it is noted that Mrs C said that she did not recall having had a chance to see the denture in place at the Practice. The Dentist did provide reasonable care and treatment in constructing the denture.

Conclusion

8. There has been much dispute between Mrs C and the Dentist about what had been said and about the standard of the denture. I have focused on what seem clearly to be the facts and on the essence of the issue – in other words, whether the Dentist's construction of the denture was clinically reasonable. The Adviser has, like me, examined the papers carefully, and his professional opinion is that it was reasonable. As explained at paragraph 4, I accept that advice. In all the circumstances, therefore, I do not uphold the complaint.

Recommendation

9. The Ombudsman has no recommendation to make.

30 January 2007

Explanation of abbreviations used

Mrs C	The complainant
The Dentist	Mrs C's dentist
The Adviser	The Ombudsman's clinical adviser, a dentist