

**Case:** 201103416, Tayside NHS Board  
**Sector:** health  
**Subject:** appointments/admissions (delay, cancellation, waiting lists)  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained on behalf of his wife (Mrs C) about delay in getting a hospital appointment, treatment at the pain clinic, and poor complaints handling. Mrs C had had pain in her back and leg for ten months and pain in her neck and arm for eight months, and Mr C thought she should have been seen at the hospital more urgently. Her GP referred her to the neurosurgery department in July 2011, and followed this up with a further referral two months later, including a request that she should have a scan on her neck before attending her scheduled appointment. No scan was taken, however, even though Mr C also wrote to the board. Mrs C was seen in neurosurgery as scheduled in November and was referred to the pain clinic, where she was eventually seen in December. Mr C complained that although the GP made an urgent request for Mrs C to be seen at the pain clinic, because the referral from the department of neurosurgery was classed as routine she was not prioritised.

We did not uphold the complaints about delay and treatment. Our investigation, which included taking advice from our medical adviser, found that it was reasonable for the GP to refer Mrs C on a routine basis as she had no 'red flag' symptoms that would have triggered an urgent referral. Mrs C was seen by a specialist within 17 weeks. This was just within the national target of 18 weeks and there was no evidence of avoidable delay. The reclassification of the referral to the pain clinic was also reasonable. Our adviser said that although Mrs C had been in pain for some time, she was not displaying the sort of symptoms that would have needed an urgent referral. It is also the responsibility of hospital specialists to fully assess and categorise referrals. In Mrs C's case, this was done appropriately by the on-call pain consultant.

We found, however, that there were unreasonable delays in providing a response to Mr C's complaint. The board did not respond for two months and provided no acknowledgement, explanation or apology for this. We found that the delay was partly due to the board calculating response times wrongly - not

from the original date Mr C complained, but from the date of a later email that he had sent. We upheld the complaint and made a recommendation about this.

### **Recommendation**

We recommended that the board:

- apologise to Mr C for the complaints handling failings we identified.