

SPSO decision report

Case: 201203148, Scottish Ambulance Service

Sector: health

Subject: clinical treatment / diagnosis

Outcome: not upheld, no recommendations

Summary

Mrs C said that her husband (Mr C) experienced a seizure while driving his taxi, and an ambulance was called. After Mr C was assisted out of the taxi and into the ambulance, Mrs C alleged that the ambulance staff used unreasonable restraint, which resulted in a compression fracture (when the bones of the spine become compressed due to trauma). She said that her husband could no longer work or enjoy the quality of life he had enjoyed previously. When Mrs C complained about what had happened, the paramedics involved denied that any unreasonable restraint had been used and the Scottish Ambulance Service said that his back injury was likely to have occurred as a result of his seizure. They said that this was not unusual.

As part of our investigation of the complaint, we took independent advice from one of our medical advisers. We took all the available information into account, including complaints correspondence, staff statements and patient report forms. Our investigation found that Mr C had had a tonic-clonic seizure (a seizure which affects all of the brain) and, as such, the adviser said that Mr C was likely to have been confused and disorientated. They said that a person suffering such events was not likely to remember what happened. This was confirmed by Mr C, who said that his recollection of events, in part, was unclear. The adviser also said that Mr C had suffered a compression fracture but that this was not, in his view, consistent with pressure exerted in a downward direction when a patient was lying on his back. The adviser confirmed that it was most unlikely that Mr C's injury had been caused in the way Mrs C alleged, and that it had likely occurred during his seizure.