

## SPSO decision report

**Case:** 201300369, Lanarkshire NHS Board  
**Sector:** health  
**Subject:** communication, staff attitude, dignity, confidentiality  
**Outcome:** not upheld, no recommendations

### Summary

Ms C, who is an advocacy worker representing her client (Miss A), complained that the board unreasonably told Miss A in writing about a decision to refer her to cancer services rather than in a face-to-face meeting, and unreasonably failed to discuss the diagnosis and treatment options with Miss A before making this referral.

Miss A had suffered for a number of years with a condition that caused pain and discomfort in her joints. In 2011, she also reported a swelling in her groin, which she felt was increasing in size. Her doctor referred her for physiotherapy and then to orthopaedic (involving the musculoskeletal system) services, and she was seen by a consultant orthopaedic surgeon for the first time in April 2012. After several investigations, including x-rays and a scan, the diagnosis remained inconclusive. The surgeon consulted with a colleague in a specialist cancer team by phone, and followed this up with a formal written referral. The specialist team took over Miss A's management, and diagnosed a non-cancerous lump, which was treated.

During our investigation we took independent advice from a physiotherapist and an orthopaedic surgeon. We found that the investigations and referral to the specialist team were reasonable, appropriate and timely. We found that it was reasonable that the surgeon did not tell Miss A in person that he was referring her there, as to have arranged an appointment for this purpose would have delayed the final diagnosis and treatment. Similarly, we considered it reasonable that the surgeon did not give a firm diagnosis or discuss treatment options with Miss A, because at the time of the referral and before the team took over her treatment, no such diagnosis had been made.