

SPSO decision report

Case: 201301158, A Dentist in the Borders NHS Board area
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, recommendations

Summary

Mrs C's daughter (Miss A) damaged her teeth in an accident on a Sunday evening. Mrs C took her to hospital where Miss A was assessed, and they were advised to visit their dentist as soon as possible for emergency treatment. Mrs C told us that she tried to leave a phone message with the dental practice that evening to let them know this, but was unable to do so. After they went there the next morning, Mrs C was unhappy about a number of issues, including that the practice was closed for staff training, meaning that they had to wait outside in the cold for a time. She was unhappy with the attitude of the staff and said that the dentist seemed angry that they were there and shouted at them; and she also felt that her daughter was treated inappropriately, including the way she was spoken to and the fact that the dentist felt that her mouth was too swollen to treat at that time.

We based our investigation on the available documentary evidence, which meant that, in the absence of entirely independent witnesses, we could not reach a robust conclusion on what was said and by whom. We took independent advice from a dental adviser, who explained that, generally speaking, he would have expected a dentist, exercising professional experience and judgment, to display a sympathetic attitude to try to put Mrs C and her daughter at ease as much as possible. However, he said there were no definitive instructions that a dentist would be expected to follow when treating a child in these circumstances, and that the available evidence appeared to indicate that Miss A was reasonably treated. On balance, in light of the advice received, we did not uphold Mrs C's complaint. However, we made a recommendation as a result of Mrs C's experience.

Recommendations

We recommended that the dentist:

- confirm that they will ensure that patients are able to leave out-of-hours messages and that their voicemail message reflects days where the practice may open later (for example for staff training).