

SPSO decision report

Case: 201401116, Ayrshire and Arran NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: upheld, recommendations

Summary

Mrs C complained about the treatment her late father (Mr A) received from the board. Mr A had died soon after being diagnosed with cancer and Mrs C felt his treatment had been unreasonably delayed (she was aware that her father was very unwell but felt things could have been handled better, including providing end of life care sooner). Although the board had acknowledged certain delays to Mrs C and said they would recruit additional staff, she remained dissatisfied and brought her complaint to us.

We considered whether Mr A's treatment at University Hospital Ayr was reasonable in the circumstances at the time. We took independent medical advice which confirmed that Mr A's cancer had been a very rare and complex kind. Our adviser, having reviewed the records, also said that Mr A's initial treatment pathway had been reasonable and confirmed that Mr A had not fallen between the cracks of different clinical disciplines (Mrs C had been concerned about this). However, our adviser said the delay for a subsequent investigation that was needed for Mr A's diagnosis and treatment was unreasonable and also that end of life care should have been discussed sooner than it was.

We found the evidence indicated that Mr A's condition was complex and that his initial care was reasonable. However, we considered the delay to his subsequent investigation to have been unreasonable as was the delay in discussing end of life care. We upheld Mrs C's complaint and made three recommendations.

Recommendations

We recommended that the board:

- apologise to Mrs C for the failings we identified;
- confirm to us that they have taken steps to recruit the staff detailed in their correspondence with Mrs C; and
- ensure that our adviser's comments about Mr A's end of life care are fed back to the relevant staff.