

SPSO decision report

Case: 201508857, A Dentist in the Lothian NHS Board area
Sector: health
Subject: clinical treatment / diagnosis
Outcome: upheld, recommendations

Summary

Miss C complained that her dentist failed to provide her with appropriate dental treatment. Miss C was advised by her dentist that she needed a crown on one of her teeth. She subsequently suffered problems with her tooth and had to receive further treatment. She questioned the advice to place the crown. Miss C also complained about subsequent treatment and the management of her pain during this time as well as the dentist's handling of her complaint.

After receiving independent advice from a dentist, we upheld Miss C's complaints. We found that the dentist failed to provide Miss C with appropriate options, including risks and benefits, and therefore failed to get informed consent. We also found that placing the crown was not the best option, given Miss C's periodontal (gum) disease. Finally, we found that the dentist failed to respond to Miss C's formal complaint in line with the NHS complaints procedure.

Recommendations

We recommended that the dentist:

- review their consent process regarding treatment options, risks and benefits in line with General Dental Council (GDC) standards;
- apologise for the clinical failings identified by this investigation;
- refund the cost of either root canal treatment and a new crown or, if necessary, replacement by means of a denture or bridge on receipt of an appropriate invoice when treatment has been completed;
- refund Miss C the cost of treatments for the crown and x-rays;
- review the complaints handling requirements under the Scottish Government's 'Can I Help You?' guidance; and
- apologise for the failings in complaints handling identified by this investigation.