

SPSO decision report

Case: 201706827, A Dentist in the Ayrshire and Arran NHS Board area
Sector: health
Subject: clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

Ms C complained about the treatment she received from her dentist, particularly in relation to the fitting of a crown which fractured multiple times and required repairs, and areas of untreated decay.

We took independent advice from a dental adviser. We found that the treatment Ms C received from the dentist was unreasonable and we therefore upheld the complaint. The repair carried out to the crown was unreasonable, as was the failure to investigate the cause of the fracture. There were failings in the dentist's record-keeping, and we found that Ms C was incorrectly charged for the repair. There were also failings around the untreated decay, though the dentist had already acknowledged and reflected on this.

We noted that the dentist had already apologised for some failings. They had also already taken steps to improve their practice and ensure these issues did not arise again, including carrying out an audit on clinical record-keeping, and undertaking some further training. We asked for evidence of these actions and we also made some further recommendations.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for the shortcomings in treatment and record-keeping. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- Refund Ms C the money charged for the crown repair.
- Consider reimbursing Ms C for the cost of the crown itself, since it broke twice soon after being fitted and had to be replaced.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.