

SPSO decision report



Case: 201709237, Lothian NHS Board - Acute Division
Sector: health
Subject: clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

Mr C complained that the board failed to provide reasonable care and treatment for his foot, and that the board did not respond to his complaint appropriately.

Mr C underwent surgery to address a bunion (a type of bony lump that forms on the side of the foot) at St John's Hospital. Mr C experienced problems after his operation, and had further surgery on the same area approximately four years later. At this time, Mr C was noted to have septic arthritis (inflammation of a joint caused by a bacterial infection) and a procedure was performed to wash out the joint and remove infected tissue. Mr C's problems continued to persist, and he required further surgery the following year.

We took independent advice from a consultant podiatric surgeon (a clinician who diagnoses and treats abnormalities of the foot). We noted that Mr C had presented with a foot that was difficult to correct surgically. While there was a lack of correction after the initial surgery, we did not conclude that this was an unreasonable failing by the board. Mr C also had concerns about the second procedure. We concluded that this had been performed reasonably. However, we noted that Mr C's foot wound had been slow to heal following the procedure and he had received extensive antibiotic treatment. In these circumstances, a post-operative x-ray should have been performed to determine whether there was evidence of spreading infection. An x-ray was not performed and we concluded that this was unreasonable. On balance, we upheld this aspect of the complaint.

Finally, Mr C raised concerns about the board's handling of his complaint, stating he had anticipated a more compassionate response. We found that the board's complaint response acknowledged the problems Mr C experienced appropriately. We also noted the board had not complied with the timescale under their Complaints Handling Procedure. Therefore, we upheld this aspect of the complaint. We noted that the board had acknowledged this failing and we made no further recommendations.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to perform an x-ray following the second surgical procedure. The apology should meet the standards set out in the SPSO guidelines on apology available at [HYPERLINK "http://www.spsso.org.uk/information-leaflets" www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets) .

What we said should change to put things right in future:

- Where a patient receives joint washout and debridement treatment, an x-ray should be considered to establish if the infection has spread.

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.