

SPSO decision report



Case: 201904226, Western Isles NHS Board
Sector: Health
Subject: Clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

C's child (A) was born with a rare congenital condition where the urethra does not develop properly and underwent reconstructive surgery as a baby. A's doctors said that A had a 60% chance of being dry by the age of ten but would need further surgery when they are older. A had been potty trained, and no longer wore nappies, however they experienced incontinence leaks during some activities. A's health visitor referred A to the board's incontinence service to receive continence products.

The board's continence service said A did not meet the criteria for continence products as they had not reached the age of four, as per the guidance for the provision of continence containment products to children and young people. C complained that A was eligible under the guidance after two years of age, given A's disability. C also complained that the decision on A's eligibility was made against advice of the health professionals working with A.

We took independent advice from a paediatric nurse. We found that the guidance says children under four would not normally be given continence containment products, however this could be considered where continence issues are as a result of a child's disabilities. We also found that the board failed to complete a comprehensive paediatric continence assessment in A's case. We were also critical that the board did not take in to account the clinical opinion of the health professionals working with A. As a result, we found that the board did not reasonably assess A's eligibility for containment products and upheld this element of the complaint.

C also complained that the board's handling of their complaint was unreasonable. We found that the final complaint response was issued without taking into account the comments from A's GP. Additionally, we found that the board did not handle C's complaint in line with the NHS Model Complaints Handling Procedure (MCHP). As a result, we upheld this element of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apology to C for the failings identified. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- Assess A's eligibility for containment products in accordance with the guidance.

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

- Children and young people should be assessed for containment products in accordance with the guidance, including carrying out comprehensive paediatric continence assessments when indicated.

In relation to complaints handling, we recommended:

- Complaints should be handled in line with the NHS MCHP.

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.