

SPSO decision report

Case: 201905833, A Dentist in the Lanarkshire NHS Board area
Sector: Health
Subject: Clinical treatment / Diagnosis
Decision: upheld, recommendations

Summary

C complained to us about the care and treatment that they and their two children had received from a dentist. They said that they were told by the dentist that they and the children did not have any cavities, but when they attended another dentist, they were told that they had cavities and needed fillings. One of the children also needed crowns and experienced an abscess.

We took independent advice from a dentist. We found that the dentist complained about had failed to take bitewing X-rays (detect decay between teeth and changes in the thickness of bone caused by gum disease) for C and their children, which was unreasonable. There were also failings in relation to documentation. Whilst it was reasonable that one of the children was told that they had no cavities, we found that based on the evidence available, C and the other child had cavities that needed treatment when they attended the dentist.

We also found that the abscess experienced by one of the children was not avoidable, however, the dentist did not follow the relevant guidance on treating the abscess and gave the child antibiotics with no justification for their prescription. There was also no evidence available to demonstrate that the dentist discussed and explained treatment plans to C on all occasions. Given these failings, we found that the dentist's practice fell below the expected standard and upheld complaints about the care and treatment provided to all three patients.

C also complained to us about the way in which their complaint had been handled. We found that the dentist had not responded to C's concerns regarding their own care and treatment, or that of one of the children. Consequently, we found that the dentist had not handled C's complaint in line with the NHS Complaint Handling Procedure and we also upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise 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

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

- Bitewing x-rays should be taken in line with the relevant guidance. (Selection Criteria for Dental Radiography, FGDP).
- Clinical notes should be recorded in line with the relevant standards (4.1, Standards for the Dental Team, GDC & Clinical and Examination & Record Keeping Standards (FGDP)).
- Communication with patients and/or their guardians, and conversations regarding consent, should be carried out and documented in line with the relevant standards (Principles 2 and 3, Standards for the Dental Team, GDC).
- Diagnosing and treating abscesses should be in line with the relevant guidance (Management of Acute

Dental Problems Guidance, SDCEP).

- Radiography reporting should comply with the relevant regulations.

In relation to complaints handling, we recommended:

- Complaints should be responded to in line with the NHS Complaints Handling Procedure.

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.