

SUMMARY REPORT

Case Reference Number: HSCOB/2023/103

Regulation 24(6) of the Complaints Regulations 2022 requires the HSCOB to publish reports of its reviews and investigations on its website. Regulation 24(7) also requires the Body to give due regard to data protection legislation and the general duty of care and confidence.

Reports are therefore presented in a format that summarises the nature of the complaint together with the relevant key findings, conclusions and recommendations. They do not however contain any personally identifiable data or information.

Complainants receive a copy of the original unredacted report prior to their publication in a summary format. Reports intended for publication must be posted on the HSCOB website within one month of the unredacted original version being sent to the complainant.

Summary reports are intended to inform the public about the work of the HSCOB and raise awareness of the Body's role in contributing to the transformation and improvement of health and care services on the Isle of Man.

Manx Care Service(s) Complained About

Noble's Hospital Endocrinology Service (Secondary Care)
Noble's Hospital Emergency Department (Secondary Care)
Ramsey Group Practice (Primary Care)

The Complaints

1. The quality of care and treatment provided to the complainant (patient) by the relevant services at Noble's Hospital, and in particular:
 - a) An erroneous diagnosis recorded by the Emergency Department.
 - b) A decision taken by the Endocrinology Service not to facilitate consultancy intervention with respect to the management of the complainant's condition.
2. A failure by the relevant General Practitioner at Ramsey Group Practice to furnish the Endocrinology Service at Noble's Hospital with comprehensive and contemporary information about the complainant's condition.

The Complainant's Desired Outcomes

1. Secure an agreed and published process for patients to seek a second opinion in both primary and secondary care, thereby achieving a positive outcome from their personal experience.
2. Receive an apology from the Chief Executive of Manx Care concerning their personal experience of interaction with the Emergency Department and Endocrinology Service.
3. Receive an apology from the relevant General Practitioner for the failure to share comprehensive and contemporary information about the complainant's condition with Endocrinology at Noble's Hospital.

Review Findings & Conclusions

The Review undertaken by HSCOB established the following findings:

- There was a comprehensive failure on the part of Manx Care to comply with their statutory obligations under Part 2 of the Complaints Regulations 2022 with respect to the complaints made about the Emergency Department and Endocrinology.
- There was no structured investigation of the issues raised by the complainant and a promised apology was never formally communicated to the complainant.
- Ramsey Group Practice did conduct an investigation of the complaint, but this lacked independence and took the form of a rebuttal of the complainant's concerns.
- The Practice also failed to comply with a number of statutory requirements in respect of the operation of the complaints procedure, including informing the complainant of their right to an independent review.
- The lack of a co-ordinated approach to complaint handling between primary and secondary care reflected a 'silo' mentality to addressing the complainant's concerns
- No corporate policy exists that addresses the circumstances under which second opinions can be sought by patients and the associated arrangements for doing so.
- There is an absence of any structured arrangement for the oversight of shared and integrated care that ensures continuity when a patient is referred off Island for specialist consultancy or care and treatment.
- Access to the relevant patient and complaint records revealed a culture of disrespect between colleagues and casual dismissal of the patient's concerns.
- The prevailing circumstances necessitated the complainant commissioning a private healthcare intervention in order to access the required medication solution.
- It was the dogged resilience of the complainant that ensured their complaint was referred for independent review.

Review Outcome

The substantive complainants made by the complainant have been comprehensively upheld by HSCOB on the basis of the available evidence accessed during the course of the review. This included material provided by the complainant, Manx Care (Noble's Hospital) and the Ramsey Group Practice.

Review Recommendations

The following recommendations have been made to Manx Care:

- The Chief Executive should make an apology to the complainant for the distress experienced due to the difficulties in accessing appropriate care and treatment (including misdiagnosis by the Emergency Department and consultancy support within Endocrinology) and the administrative failure to meet the statutory requirements of Part 2 of the Complaints Regulations 2022.
- The relevant General Practitioner at Ramsey Group Practice should apologise to the complainant for the failure to pass on relevant information to Noble's Hospital and acknowledge the impact this had upon the subsequent care and treatment.
- An agreed process for patients to seek a second opinion should be implemented and published, and ideally this should embrace both primary and secondary care.
- Consideration should be given to making appropriate arrangements for the care pathway of patients accessing care in the UK to be overseen on Island. This may be by means of identifying a lead clinician or pathway co-ordinator. The patient should be made aware of the contact details of the person fulfilling this role in each case.
- The investigation of complaints by Manx Care should reflect best practice advocated by the HSCOB, which itself is founded upon the internationally acknowledged framework endorsed by the Ombudsman Association.