

Your reference

Our reference 2002/0779

7 November 2002

**Special Delivery**

Mrs M Bulbeck

**Code A**

Attention of  
Claire Amos

**GENERAL  
MEDICAL  
COUNCIL**

*Protecting patients,  
guiding doctors*

Dear Mrs Bulbeck

**Dr Althea Lord** **Code A**

I am writing further to your previous correspondence with my colleague, Helen Morran, concerning your complaint about Dr Lord. Please accept my apologies for the delay in updating you on our consideration of this matter.

Your complaint, together with Dr Lord's comments, has now been reviewed by both a medical and non-medical member of the Council responsible for considering complaints and information about doctors' conduct and performance. In order to assist the members in considering your complaint we requested copies of your mother's hospital records from Fareham and Gosport Primary Care Trust and I enclose a copy set of these records with this letter as you had requested. Both members were sorry to learn of your mother's death and have asked me to pass on their condolences.

I should explain that The Medical Act 1983 (as amended) gives the GMC powers to take formal action in response to a complaint or information about individual doctors' conduct or performance only where there is evidence that the doctors' behaviour is so serious that it could justify restricting or removing the doctors' registration. The Act describes behaviour of this sort as "serious professional misconduct" or "seriously deficient performance". Whilst not specifically defined in the Act, a generally accepted definition of these terms is conduct or performance which is so seriously below the standard expected of a doctor that it calls into question that doctor's right to registration.

Whilst acknowledging your complaint that the overall level of care afforded to your mother whilst a patient at Gosport War Memorial Hospital (GWMH) was substandard, the members noted that a significant proportion of your complaint would appear to relate to the standard of nursing care and supervision your mother received. The members do not consider that Dr Lord can be held directly accountable for the actions of nursing staff or standard of care provided by nurses. In reaching their decision and have therefore restricted their consideration to

Dr Lord's medical management of the case.

Although consultant in overall charge, the members noted that Dr Lord was only one member of a multi-disciplinary team comprising of both medical and nursing staff and auxilliary professionals such dieticians, speech therapists and physiotherapists involved in Mrs Middleton's day-to-day care. The hospital records appear to show that Dr Lord reviewed her condition on what was, approximately, a weekly basis.

The members noted your specific concerns about fluid balance and prescribing and acknowledge that your mother received an overload of fluid which must have been very distressing for you. However, the members consider the situation was managed appropriately by Dr Lord and would not, in isolation, raise any issue of serious professional misconduct or seriously deficient performance on her part. The members also looked at the prescription charts as requested. Again, the members consider the drugs prescribed to have been appropriate in the circumstances.

Having carefully studied all the available information, the members do not consider that the actions of Dr Lord raise any issue which could be regarded so serious as to justify formal proceedings which may result in the restriction or removal of her registration.

I am sorry to send what may understandably be for you a disappointing response to your complaint but, for the reasons given above, we are unable to take this matter further.

Yours sincerely

**Code A**

**Michael Hudspith**  
**Fitness to Practise Directorate**

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