



The Royal College of Emergency Medicine

Legal Learning Case

December 2018

ACCURATE WAITING TIME INFORMATION



Clinical case:

A patient with a head injury attended the ED and was told by reception staff of a long wait to be seen. Time to triage was not mentioned.

The patient left before being seen and suffered a serious brain injury.

Duty of care:

The Supreme Court found that the Trust was liable for the harm caused to the patient who chose to leave the ED as a result of the misleading information provided about waiting times, and that all staff (clinical and non-clinical) have a duty to provide information that is as accurate as possible, and to not provide misleading information.

"the provision of [...] misleading information by [any member of staff] as to the time within which the medical assistance might be available was negligent."

ED advice should include:

- Patients should wait for triage assessment.
- The patient/delegate should inform staff if concerns of deterioration.
- The patient/delegate should speak to staff if considering leaving.

Learning points:

- Do not provide misleading information regarding waiting times.
- Ensure that patients are told (by reception staff, any other staff, or by notice) when they will first be seen by a clinician for triage, and that waiting time thereafter will depend on that assessment.
- Provide information about estimated waiting times for non-urgent cases but make it clear that urgency will be determined at triage and that urgent cases will be seen sooner and that patients or their carers should report any deterioration before or after triage.

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