

**From:** [McLeod DG \(Dave\)](#)  
**To:** [Mullett J \(John\)](#)  
**Cc:** [Finlay I \(Ian\)](#); [Millie V \(Val\)](#)  
**Subject:** FW: Staff in Confidence – Suspension of Neurosurgeon in NHS Tayside  
**Date:** 07 January 2014 15:12:06

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To see. I'm not clear when this Dr was suspended but we'd better add this to our list even if formal notice from Tayside hasn't yet arrived.

Dave

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**From:** Rogers S (Shirley)  
**Sent:** 07 January 2014 14:59  
**To:** McLeod DG (Dave)  
**Subject:** FW: Staff in Confidence – Suspension of Neurosurgeon in NHS Tayside

Latest

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Shirley Rogers  
 Acting Director of Workforce

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**From:** Connaghan J (John)  
**Sent:** 07 January 2014 14:58  
**To:** Keel A (Aileen)  
**Cc:** DG Health & Social Care; PS/CMO; Rogers S (Shirley); Copland R (Richard); Finlay I (Ian); Summers Y (Yvonne); Communications Healthier  
**Subject:** RE: Staff in Confidence – Suspension of Neurosurgeon in NHS Tayside

Aileen

Many thanks for flagging this up –the lines look fine to me-except we don't need to refer to the sharing of case notes with Scottish Government(there may be issues re Caldicott- and its an issue for the Board to resolve in the first instance ) So suggested rewording as follows

***'Scottish Government have been made aware of the suspension of a Neurosurgeon in Ninewells because of concerns about the outcomes of some spinal operations. The Board has commissioned an external assessment by the Royal College of Surgeons of Edinburgh and is in the process of completing a comprehensive local review .The results of which will be shared with Scottish Government once available.'***

John

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**From:** Travers B (Barbara-Anne) **On Behalf Of** Keel A (Aileen)  
**Sent:** 07 January 2014 14:27**To:** Connaghan J (John)  
**Cc:** DG Health & Social Care; PS/CMO; Rogers S (Shirley); Copland R (Richard); Finlay I (Ian); Summers Y (Yvonne); Communications Healthier  
**Subject:** Staff in Confidence – Suspension of Neurosurgeon in NHS Tayside

John

I have just taken a call from Andy Russell in Tayside about the suspension of a Neurosurgeon, Sam El Jamel, over mismanaged spinal surgery operations. I was aware of this issue through the Neurosurgery MSN, but the detail only emerged in this morning's conversation.

In October 2013 two patients (1 a GP) on whom Mr El Jamel had undertaken back surgery lodged a complaint. A Significant Clinical Event Analysis (SCEA) was undertaken jointly by the Medical Director and Director of Nursing, and was followed by an assessment by the Royal College of Surgeons of Edinburgh. This identified 6 cases of 'wrong level' surgery (i.e. the operation conducted at the wrong vertebral level), and Mr El Jamel was suspended.

There are additional potential probity issues relating to Mr El Jamel, and a background of neurosurgical team dysfunctionality. The RCSE report has gone to the GMC.

There are clearly wider implications from all of this not least the TTG for spinal surgery, which as you are aware has been extended to April 2014. In terms of more local management, the Board are in the process of undertaking a case note review of all relevant patients. Of 150 in total 100 have been reviewed to date and no additional 'wrong level' cases have emerged. They are therefore reasonably confident that this will be the final number. In terms of the 6 patients identified, 1 operation was undertaken in the private sector and Fernbrae are investigating. Another (elderly male) patient had revision surgery, developed bronchopneumonia and died as a result. The Board has been in close contact with the two original

complainants and the private sector patient for some months now. The remaining two are meeting with the Board this afternoon. Dr Russell feels that the story is unlikely to be put into the public domain at this stage, but clearly there must be some risk of that happening. The Board have developed reactive lines which they will share with Comms Healthier later today.

Given the long standing dysfunctionality in the neurosurgical team, I suggested to Dr Russell that concerns about Mr El Jamel might have been picked up earlier, e.g. through the appraisal/revalidation process. He agreed that this would need to be further investigated at Board level.

Suggest the following reactive line to take in the event of Media queries:

‘Scottish Government have been made aware of the suspension of a Neurosurgeon in Ninewells because of concerns about the outcomes of some spinal operations. The Board has commissioned an external assessment by the Royal College of Surgeons of Edinburgh and is in the process of completing a comprehensive local review of case notes which will be shared with Scottish Government once available.’

Happy to discuss.

*Aileen*

Dr Aileen Keel CBE

Deputy Chief Medical Officer