

Toxic Shock Syndrome

A guide to compensation

Expert advice

Toxic shock syndrome (TSS) is a rare but very serious illness that can quickly develop if it's not diagnosed and treated early on. If untreated, it can potentially be life threatening.

TSS is a bacterial infection caused by staphylococcus aureus and streptococcus pyogenes bacteria. These bacteria may live harmlessly on the skin, but if they invade the body's bloodstream they can release poisonous toxins which damage tissue, including skin and organs, and affect the functions of vital organs.

Slater and Gordon's medical negligence team have many years' experience in dealing with misdiagnosed and untreated cases of TSS. If you've been affected, and need legal advice, please contact one of our medical negligence specialists.



Who's at risk of developing toxic shock syndrome?

Men, women and children are at risk of TSS, but young children in particular are at risk as they may not yet have developed sufficient antibodies to defend the spread of infection.

What are the common causes of toxic shock syndrome?

Common causes of TSS include:

- cuts or burns to the skin
- nasal packing to treat a nose bleed
- an infected wound following surgery
- female contraceptives, such as a contraceptive diaphragm
- child birth
- female's period – more so if a tampon is left in for a long time

What are the symptoms of toxic shock syndrome?

Symptoms of TSS include:

- a sudden high fever
- flu-like symptoms, including headaches, muscle aches, sore throat and cough
- nausea and vomiting
- dizziness
- fainting
- diarrhoea
- a skin rash, resembling sunburn, which can cause the skin to shed one or two weeks after the rash first appears.
- lips and tongue are more red than usual

Can toxic shock syndrome be treated?

TSS must be diagnosed early and treated immediately. TSS is usually treated in an intensive care unit, which includes treating the infection with IV antibiotics and supporting any functions of the body that may have been affected; this may include oxygen to support breathing, a drip, fluids to replenish hydration and dialysis in the event the kidneys stop functioning.

How can you prevent toxic shock syndrome?

Effectively treating any skin wounds, including cuts and burns, as quickly as possible can help prevent TSS.

For females, taking care with contraceptives and tampons is advised. The link between TSS and tampons is unclear, but research suggests that absorbency is a factor. The NHS advises that you should always:

- use a tampon with the lowest absorbency suitable for your period flow
- alternate tampons with a sanitary towels or panty liners during your period

What should you do if you think you have toxic shock syndrome?

TSS is considered a medical emergency, so if you fear that you have any of the symptoms you should attend your GP or A&E Department as soon as possible.

If they think that you have TSS, you'll be referred for emergency treatment.

Advice on making a claim for compensation

For those who don't have experience of the legal process, contacting a lawyer and making a claim for compensation can be a daunting prospect. However, we're with our clients every step of the way, ensuring they understand the claims process, and relieving the burden of having to deal with a variety of practical issues, at what can be a difficult time.



What should you do if you think you have a claim?

Contact us. Our team of specialists have a vast amount of experience in dealing with cases of medical negligence. Many of our lawyers are classed as leaders in their field by independent legal guides.

Once we've taken details, we'll confirm whether or not you have a claim. If you're entitled to compensation, we can start work on your case straightaway and begin gathering evidence.

Time limits apply when making a claim for compensation, so don't delay in contacting us.

What is the cost of making a claim?

We understand that the cost of legal advice can be a worry, but there are options available to fund medical negligence claims.

You may have legal expenses insurance under an existing insurance policy which entitles you to free representation. If legal expenses insurance is not in place, we may be able to conduct your case under a Conditional Fee Agreement, also known as a 'No Win, No Fee' Agreement. This means if the case fails, no payment is due. There are certain medical negligence cases where Legal Aid may be available.

Once we know the circumstances of your claim, we'll be able to discuss your funding options in more detail.

What is the amount of compensation likely to be?

Compensation will be based on the severity of the injury, and also on the personal circumstances of the injured person. For example, if they are unable to work as a result of the injury, loss of earnings may be accounted for. If they were responsible for household chores or caring for a dependent and are no longer able to, the cost of assistance will be taken into account.

If rehabilitation, treatment, aids, equipment or adaptations are required, we will also seek to recover these costs.

How long is the case likely to take?

Every case is different so it's difficult to estimate how long a case is likely to take without first reviewing the circumstances. However, the case will be dealt with by an expert in medical negligence who will deal with the case as quickly and efficiently as possible.

Frequently asked questions

Will I have to go to court?

It's very rare that a medical negligence case will actually go to trial. A large majority of cases settle before a trial takes place. However, if the case doesn't settle before trial, attendance at court may be necessary.

What if the injured person died as a result of the medical negligence?

In the event that you lost a loved one as a result of medical negligence, a claim can still be made by the estate's executor (the person named in the will if there is one) or otherwise by a family member.

What if I live outside the UK?

If you live outside the UK, or if the medical negligence occurred whilst outside the UK, it may still be possible to claim for compensation.

We have a team of experts who deal with claims for injuries which occurred outside the UK. They understand the laws which apply and the complex procedure involved.

What if I need assistance in other areas?

We have expert lawyers in many areas of law such as family, employment, welfare benefits, trusts, Court of Protection and disability rights and work closely with those departments to ensure that you get the best possible outcome.