



Council

16 November 2022

National Council of Osteopathic Research Report: Types of concerns and complaints raised about osteopaths and osteopathic services in 2013 to 2021

Classification	Public
Purpose	For discussion
Issue	Consideration and reflection on the findings from the NCOR concerns and complaints report 2013 to 2021 to inform consideration by Council when the report has been finalised.
Recommendation	1. To consider the implications of the NCOR concerns and complaints report 2013-2021. 2. To agree to publish the NCOR concerns and complaints report 2013-2021.
Financial and resourcing implications	The cost of compiling the report is £1,100 and is covered within the budgets approved annually by Council.
Equality and diversity implications	The report provides information related to equality, diversity and inclusion matters.
Communications implications	The report will be published on the GOsC website. We communicate the findings and hints and tips to support osteopaths to avoid the concerns
Annex	Report: Types of concerns and complaints raised about osteopaths and osteopathic services in 2013 to 2021
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Key messages from paper:

- Every year the National Council for Osteopathic Research (NCOR) produce a report on the type of concerns and complaints made against osteopaths and osteopathic services. The report for 2013-2021 is annexed to this paper.
- The report brings together concerns and complaint data from the General Osteopathic Council (GOsC), the Institute of Osteopathy (iO) and three insurers of osteopaths.
- The updated data collection took place during January to December 2021, and therefore there are some features attributed potentially to the coronavirus pandemic restrictions. Key findings include:
 - Reduced number of concerns overall (compared to 7-year average)
 - There were no concerns and complaints raised about consent
 - There were slightly more than average complaints about communicating inappropriately (Figure 8a) and the numbers of concerns and complaints around sexual impropriety are around the 8-year average. This is despite the overall number of complaints being low. This indicates proportionally these figures are higher than might have been expected.
 - Professionalism and Safety and Quality in Practice are the dominant themes in relation to concerns.
- We continue to use this report to ensure we are focussing on practice in accordance with the Osteopathic Practice Standards with particular communications and policy priorities covering the areas of concern outlined in the report.
- We presented a draft report to the Policy and Education Committee to enable the committee to share insights and reflections ahead of the report being presented to Council.

Background

1. This cover paper highlights key findings in the NCOR report and our progress on these issues.

Discussion

NCOR Report 2013-2021: key findings

1. The draft NCOR Report - which is annexed to this paper as a private draft at this stage - sets out a number of key findings. These are provided below for ease of reference:

- The pandemic during 2020 and 2021 has had an impact on both the number and nature of concerns and complaints raised, during 2021 it was expected figures would return to pre-pandemic figures.
- Complaints in 2021 were made about 138 osteopaths compared to the 7 years' average of 153 osteopaths (2013 -2019). In 2020, the year most affected by the COVID-19 pandemic, 103 complaints were made.
- There were 150 concerns and complaints raised in 2021 (including false/misleading advertising complaints) compared with an 8 year mean of 254 (199 without the false/misleading advertising complaints). This is the second lowest number of complaints (2020 being the lowest) probably reflecting the recovery of clinical practices during 2021.
- Most complaints were reported about males, who are over 50 years old and who have been in practice more than 10 years. Male osteopaths are more likely to be complained about than female osteopaths: 48% of registered osteopaths are male but 64% of all complaints are about males. In terms of age, proportionately more male osteopaths are complained about if over 50 years old. However, the number of complaints does not appear to be associated with an osteopath's years of experience.
- The proportion of osteopaths complained about with 0-2 years, 3-5 years and 6-10 years and 10+ years of experience are roughly the same when we compare the number of complaints against the number of osteopaths in each group (range 1.5% to 2.2%).
- Notable areas of concerns and complaints for 2021 are:
 - No diagnosis / inadequate diagnosis (8-year mean 5.5 concerns, 2021 concerns raised n=11)
 - Failure to refer (8-year mean 2.5 concerns, 2021 n=9)
 - Failure to maintain professional indemnity (8-year mean 5.5 concerns, 2021 n=6)
 - Communicating inappropriately (8-year mean 12 concerns, 2021 n=15)
 - Sexual impropriety (8-year mean 12.5 concerns, 2021 n=12)
 - Complaints about 'conduct bringing the profession into disrepute' (8-year mean 9.7 concerns, 2021= 13).
- When the concerns and complaints are mapped against the Osteopathic Practice Standards (OPS) we can see that 'Safety and Quality' and 'Professionalism' remain the areas of most concerns.
- There is still room for improvement in professionalism, respecting patient rights, and clinical care.

2. The concluding observations of the report are particularly interesting. Some of these are included in the following table with comments against each:

Extract from Concerns and Complaints Report	Observations
'The number of concerns and complaints recorded for 2021 was higher than 2020 which was artificially low because of the COVID-19 pandemic and subsequent clinic closures and lockdowns. During 2020 the pandemic did have an impact on the concerns about the health of the osteopath to deliver treatment, controlling the spread of communicable disease, unclean/unsafe premises possibly indicating a heightened patient acknowledgement about the importance of these during 2020 but this 'trend' has not persisted in the figures seen for 2021 (n=2).'	It is encouraging to see that this trend did not continue, and may reflect the readiness with which the profession engaged with enhanced infection control guidance as a result of the pandemic.
'We were pleased to see that there were no concerns or complaints made about consent compared to a high of 20 complaints made in 2013.'	Again, this is encouraging, and may reflect a more mature and developed profession with an understanding of the significance of consent, and the implementation of standards in practice. The inclusion of consent and communication activities and a requirement to undertake development activities against the OPS themes within the updated CPD scheme may also have had an effect here.
'Communication, however, remains a frequent concern. A total of 22 complaints were recorded in 2021 about communicating inappropriately and/ or ineffectively. This compares with a high of 36 complaints in 2016 (communicating inappropriately: 8-year mean 12, failure to communicate effectively 8-year mean: 13.8).'	This shows however, that work in relation to communication needs to continue. Inappropriate communication may also lead to boundaries issues.

Extract from Concerns and Complaints Report	Observations
'The concerns about 'Bringing the profession into disrepute' remain above average in 2021 (n =13, the same as in 2020), these complaints were mainly centred on the COVID pandemic and related only to a few individuals. The social media posts were complained of by members of the public as well as other osteopaths in that the posts did not conform with government guidelines at the time and therefore brought the reputation of the profession into disrepute.'	As stated, these issues may have been more as a result of issues relating to the COVID-19 pandemic and focused on a few individuals, rather than being symptomatic of a wider issue in terms of the reputation of the profession.
'The data for 2021 show 12 complaints about sexual impropriety and having relations with a patient compared to highs of 19 in 2014, 2015, 2019 and 2020. Further analysis revealed that 10 of the osteopaths were male and 2 were female. Of these, 9 were under 50 years old and 2 were over 50. Of the osteopaths, 8 had more than 10 years' experience, and 3 under 10 years (1 missing data). The types of complaints recorded related to; sexual relationships with patients, inappropriate touching and comments made of a sexual nature made towards a patient, rubbing genitalia against the patient whilst providing treatment and sending inappropriate texts to patients that were sexual in nature.'	Boundaries continues to be an area of focus for us as reported separately. The Julie Stone research recently published in relation to professional boundaries will generate more learning opportunities as we disseminate this over coming months.

Conclusions

- As concluded in the report, the data evaluated gives us a unique insight into the care delivered by osteopaths. It is important to remember that the overall number of concerns and complaints are low as are the numbers of osteopaths who have concerns and complaints raised about them. There is room for improvement in relation to the Safety and Quality and Professionalism themes of

the OPS, and this will continue to be reflected in ongoing work planned over the next few months, including:

- Dissemination of boundaries research
 - Dissemination of the NCOR report
 - Quality assurance workshops with educators
 - Presentations to osteopathy students
 - Professional judgement workshops with osteopaths at iO Roadshows
 - Work to promote Graduate Outcomes and Standards for Education and Training (the outcomes align to the OPS themes and standards and these and the Standards for Education and Training provide expectations as to professionalism, role modelling and culture).
4. The draft report was considered by the Policy and Education Committee on 6 October 2022. Issues raised included:
- It was confirmed that only data relating to complaints that have been upheld are included in the report. It was also explained in compiling the data where two separate complaints are made against one osteopath it was considered as two complaints. If a complaint against one osteopath came from two or more sources; the GOsC, the Institute of Osteopathy and/or insurer, this would be represented as one complaint for the purposes of reporting.
 - It was explained there is currently no comparative data against which the NCOR data can be benchmarked although in a 2016 analysis of fitness to practise (ftp) data amongst the GOsC was positioned halfway amongst the group of nine health regulators. It was noted that the 2.6% figure shown in the NCOR report relates to the GOsC's first-point of contact for concerns and not ftp findings.
 - Members noted that 2021 was the second lowest in numbers of complaints but acknowledged that this may be a result of osteopathic clinics continuing recovery from the impact of the COVID-19 pandemic.
5. Council is presented with the NCOR Report and is asked to approve the report for publication. On the basis that Council provides that authority, the Executive intend to publish the report on website alongside a news article bringing it to the attention of the profession. We would also undertake social media activity which will feature a short video from Dr Dawn Carnes or Dr Jerry Draper Rodi who will present the key findings and headlines for the profession.

Recommendation:

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2. To agree to publish the NCOR concerns and complaints report 2013-2021.