

Osteopathic practice standards

Professionalism

The *Osteopathic Practice Standards* state that 'osteopaths must deliver safe and ethical healthcare by interacting with professional colleagues and patients in a respectful and timely manner'. But what does this mean for your day-to-day practice? Here, and in the June/July issue of *The Osteopath*, we look at some of the practical elements of Theme D – Professionalism, which sets out the following standards:

- D1** You must consider the contributions of other healthcare professionals to ensure best patient care.
- D2** You must respond effectively to requirements for the production of high-quality written material and data.
- D3** You must be capable of retrieving, processing and analysing information as necessary.
- D4** Make sure your beliefs and values do not prejudice your patients' care.
- D5** You must comply with equality and anti-discrimination laws.
- D6** Respect your patients' rights to privacy and confidentiality.
- D7** Be open and honest when dealing with patients and colleagues and respond quickly to complaints.
- D8** Support colleagues and cooperate with them to enhance patient care.
- D9** Keep comments about colleagues or other healthcare professionals honest, accurate and valid.
- D10** Ensure that any problems with your own health do not affect your patients.
- D11** Be aware of your role as a healthcare provider to promote public health.
- D12** Take all necessary steps to control the spread of communicable diseases.
- D13** Comply with health and safety legislation.
- D14** Act with integrity in your professional practice.
- D15** Be honest and trustworthy in your financial dealings, whether personal or professional.
- D16** Do not abuse your professional standing.
- D17** Uphold the reputation of the profession through your conduct.
- D18** You must provide to the GOSc any important information about your conduct and competence.

Acting professionally – handling patient complaints

Standard D7 says that you should be 'open and honest when dealing with patients and colleagues and respond quickly to complaints'. Having established procedures in place will help you to deal with patient concerns quickly and efficiently, and could improve the way in which you manage your practice.

Complaints procedures should be readily accessible and simple to use. Make it easy for patients to tell you if they have concerns, so that you can deal with potential problems at an early stage. Adhering to very formal procedures or accepting only written complaints may put patients off and could even exacerbate the problem.

If a concern is raised or complaint made, acknowledge it quickly and say when you will respond to it. But be realistic about your timescale – it may be that you can respond immediately, within a few days or you may need a week or two. This will depend on the nature of the concern or complaint and how it has been raised with you. It is important to manage your patients' expectations.

Allow patients to express their concerns. Remain open-minded about the cause of their concern and what they would like as a solution. Hold back your opinion and listen, without interrupting. Ask questions for clarification and show that you understand what their concerns are.



Consider your options for resolving the complaint. These include explaining what has happened and why, explaining how you will try to ensure that it does not occur again, and what action you are taking to put things right. You should also offer an apology or refund, if appropriate. When responding to the complaint, be friendly and factual, use non-technical language and avoid emotion. Focus on what will be done to improve things. Keep a clear written record of the concerns raised and the response given.

Reflect on what you have learnt from the concerns raised and implement any improvements that you may have identified.

Who can help you when a complaint is made?

- > Professional indemnity insurers: it is very important that you inform your professional indemnity insurer at the earliest opportunity. You should provide them with full details and follow their advice on how best to manage the matter.
- > British Osteopathic Association (BOA): the BOA provides advice and guidance to its members on how to respond to patient complaints, as well as a mediation service.
- > Your colleagues: it is important that everyone who works in your practice has a good understanding of your procedures for responding to patient concerns and complaints. Practice staff need to know how to handle a complaint that is made to them and who to refer it to if they are unable to deal with it.
- > Other osteopaths: if you work alone your patient may not feel comfortable raising their concerns directly with you, so consider working with another osteopath to manage complaints.

Further information

We will soon be publishing supplementary guidance on how to respond to patient concerns and complaints, which will be available to download via the **o** zone. You may also like to refer to:

- > NCOR Adverse Events Project No. 3 – *Complaints and claims against osteopaths: a baseline study of the frequency of complaints 2004-2008 and a qualitative exploration of patients' complaints.*
- > *A guide to better customer care*, which is published by the Department of Health and available on their website at: www.dh.gov.uk.

What do patients complain about?

Recently published research looking at frequency and character of complaints made by patients about osteopathic care greatly helps our understanding of why patients complain, who they complain to and what causes their complaint to escalate. Keener awareness of these triggers will help practitioners avoid these circumstances or better manage problems when they arise.

Part of the GOSc-commissioned Adverse Events project looking at risk associated with osteopathic care, the 'CONDOR' study combined and analysed quantitative and qualitative data gathered from the GOSc, the professional indemnity insurers and the British Osteopathic Association to provide for the first time a comprehensive 'picture' of patient complaints. The findings are now available in full on the GOSc public website at: www.osteopathy.org.uk/resources/research/Adverse-events-studies.

Analysing the complaints made by patients between 2004 and 2008 (351 in total), the researchers found these fell into the broad categories of clinical care (68%) and conduct/ communication issues (21%).

- > Over 40% of the complaints were made because of an adverse event. This included complaints about a cause of injury, pain, increased pain or other adverse health effects following osteopathic treatment.
- > Around 10% of the complaints related to boundary issues. This included complaints about inappropriate comments made by osteopaths, inappropriate touching of patients, lack of privacy for patients, and circumstances where patients felt they had been financially exploited.
- > Over 8% of the complaints were about inappropriate diagnoses, which included a failure to diagnose or refer the patient, or a lack of examination or clinical testing of the patient.

What triggers a patient complaint?

The research identified circumstances that commonly trigger a patient complaint. These include:

- > Persistent pain or neurological symptoms following a manipulation or pain in another area of the body, caused by treatment.
- > Ineffective treatment or treatment that did not meet the patient's expectations.
- > Inappropriate comments or conduct – an osteopath using unprofessional or inappropriate language or displaying an unprofessional or inappropriate attitude.
- > Failure to maintain appropriate professional boundaries.

Who do patients complain to?

Patients will more often make complaints about clinical care to the osteopath. Complaints about conduct and communication issues were more likely to be made to the GOSc.

Why do complaints escalate?

The report explains that the way the osteopath reacts to any complaint made directly to them or their clinic is crucial. Prompt, polite and appropriate responses are likely to lead to a rapid resolution of the complaint. Angry or delayed responses are likely to escalate the complaint. The report recommends that osteopaths should consider training in handling complaints to equip themselves with the skills needed to respond well to patients who might complain.

D9: Keep comments about colleagues or other healthcare professionals honest, accurate and valid

So what do you *really* think of your colleagues?

How many times have you seen a patient that has been treated by another osteopath or healthcare professional and wondered, *What were they thinking?* You may even have said as much to the patient and warned them not to see the osteopath in the future. It's all too easy to justify this approach with the thought that you are acting in the best interests of the patient to protect them from harm – but is this always the case? There is a thin line between constructive criticism and inappropriate comments.

Osteopathy is a vibrant and diverse healthcare profession which offers a range of different treatment techniques tailored to the individual patient. It is only human nature to believe your own practice to be better than that of your peers or other healthcare professionals, but this can lead to conflict. This commonly occurs when professionals make inappropriate comments, verbally to colleagues or patients, or by publishing views on Internet blogs or in print.

By making disparaging, unsubstantiated remarks about colleagues in front of patients and peers, you are in reality destroying patient trust in the osteopathic profession. It can also leave you open to the risk of legal action for defamation.

So what should you do? Osteopaths should always feel they can question the performance of their colleagues. This is part of the role of the professional – to ensure that others, as well as the profession, continue to develop and improve the quality of care for the patient. But this should be achieved within the realms of appropriateness, professionalism and courteousness, and without malice or ill intent. It should also be conducted in the right setting.

As a guide, you should:

- > Critique actions and not people – one incident should not lead to a generalisation about a colleague and the way they practise or the views they hold.

- > Do things for the right reasons – comments should only be made if you genuinely have concerns or criticisms about the practice or views of another osteopath or healthcare professional that are fair and justified. You should always have respect for your peers, irrespective of whether you agree with their healthcare philosophy or practice.
- > Don't make it personal – as a professional, you should not use comments to settle a personal vendetta or redress a perceived slight.
- > Consider the appropriate forum for your feedback – public comments in earshot of patients and colleagues are most likely not the appropriate forum. Care should also be taken when posting criticism on public internet forums where it is accessible to all.
- > Are you the right person to be giving feedback? Minor comments or disagreements can be raised face to face with the individual (or possibly the practice manager if you work in a group or multidisciplinary practice). If you have serious concerns about an osteopath or other healthcare professional in terms of competence, health or ethical practice, you have a duty to report your concerns to the employer, the appropriate regulator or the police, depending on the severity or the immediacy of the concerns (this is explained further in the guidance for Standard C9).
- > If you are responding to postings on the Internet or articles in journals, your responses should be considered and constructive in their criticism. They should not be worded as an attack on an individual.

It is important for osteopaths to maintain public confidence in healthcare in general. Unsupported or unjustified comments about your own professional association, regulator or another healthcare profession can be equally as damaging when conducted in the public arena.



What concerns should be raised with the GOSc?

Standard C9: Act quickly to help patients and keep them from harm

While many of the concerns or complaints raised by patients can be managed without the involvement of the GOSc, there are some that will need to be referred to the GOSc straightaway. Patients should always be given the opportunity to raise their concern with the GOSc. You should also take steps to protect patients if you believe they are at risk of harm.

Allegations of the following nature should always be referred to the GOSc:

- > Acts of dishonest, indecency, violence, drunkenness or drug abuse.
- > Conducting a personal relationship with a patient.
- > Failing to obtain consent for examining or treating a patient.
- > Incompetence.

To raise your concerns with the GOSc, please contact the Regulation Department on 020 7357 6655 ext 224 or email: regulation@osteopathy.org.uk