

The RCPCH Child Protection (CP) Survey

Executive Summary

1. Of the 3879 practicing or recently retired paediatricians that have been involved in child protection, 13.8% (536) reported that they had been subject to complaints related to child protection. 533 of these 536 paediatricians reported a total of 786 child protection complaints of which 765 were detailed.
2. 79% of complaints were dealt with exclusively locally; 8% went for independent review and 11% were referred to the General Medical Council (GMC).
3. 406 doctors (605 complaints) were dealt with locally by trust.
 - a. Of those complaints where the outcome was known, 76% were dropped. Official enquiry found 21% complaints unproven, and only 3% complaints upheld. 8% of complaints are ongoing.
 - b. In 44 cases the complaints then went further to independent review or to the GMC.
 - c. Of the complaints dealt with locally by the trust, 9% (57/605) received publicity.
4. 59 doctors (59 complaints) were dealt with by independent review.
 - a. Of those complaints where the outcome was known, 29% were dropped. Official enquiry found 58% complaints unproven, and only 13% complaints were upheld. 18% complaints are ongoing.
 - b. In 7 cases the complaints then progressed to the GMC.
 - c. Of the complaints dealt with independently, 26% (15 out of 59) received publicity.
5. 71 doctors (86 complaints) were referred to the GMC.
 - a. Of those complaints where the outcome was known, 41% were dropped. 59% complaints were found unproven and none was upheld by an official enquiry. 20% of complaints are ongoing.
 - b. Of those complaints referred to the GMC, 51% (44/86) received publicity.
6. The number of complaints per year has increased dramatically, from less than 20 in 1995 to over 100 in 2003.
7. The majority of ongoing complaints, 61% (49/80), have only been ongoing since 2003. 11% (9/80) have been ongoing since 2002, and 18% (14/80) have been ongoing since before 2002.
8. 84% of complaints received no publicity. Of those that did however, the local press (9%) was the commonest form of publicity and local radio or TV was (3%) was the least common.

9. Whether or not a complaint receives publicity seems independent of the outcome. 10% of complaints receiving adverse publicity were later dropped by the complainant. In nearly a quarter of those cases where the complaint was found unproven, the doctor had previously received adverse publicity.
10. 47% of complaints were made about paediatricians whose involvement in child protection was infrequent or when they were not a member of a CP team. 50% of complaints were made when the paediatrician was a member of a CP team or when they were the named or designated CP doctor.
11. 29% doctors were affected in terms of their willingness to become involved in potential CP cases subsequently. Unwillingness to continue with child protection work was not related to
 - a. The level at which the complaint was investigated or
 - b. The outcome of the investigation
12. 62% of doctors are willing to participate in a detailed structured telephone interview about their experience.

Background

The RCPCH is increasingly alarmed by adverse publicity, sometimes amounting to savaging by the media, of their members involved in Child Protection (CP). In a large proportion of cases, the media and family are prepared to go public before a judgement is given and paediatricians in these instances have no way of defending themselves against the charges made. High profile cases have destroyed hard earned reputations based on years of experience. Though cases are rarely disproved, it is as if parents have never abused their children, and the diagnosis of factitious and induced illness is a product of a lively imagination. Paediatricians are all trying to act firstly in the best interests of the child and secondly for the family. We can dispute whether a parent who has possibly murdered their child should be dealt with in a criminal court and that if proven guilty should be locked up, but this is how our justice system currently works.

The publicity surrounding cases – whether low or high profile - is always depressing, and when combined with enforced leave – sometimes for years while the case is being examined, is damaging for the paediatrician involved, the specialty of paediatrics, and children. Our members are opting out of involvement in this important area.

The RCPCH felt it important to accurately determine the extent of the problem, both to support our members and also to investigate whether there are common features to cases where complaints are made. This report is the first stage giving the results of a questionnaire to determine the extent. A

second phase will use a structured interview to examine in detail a random sample of the complaints which progressed to various levels.

Methods

All 6072 UK RCPCH members received a questionnaire (Appendix 1) that enquired into whether they were practicing or recently retired, whether they had involvement with child protection (and the extent of this involvement), and whether they had been subject to complaints made against their practice because of their involvement. If they had been subject to such complaints, some brief details were requested.

The questionnaires were in bright purple to catch the eye. They were accompanied by a covering letter which exhorted their completion whether or not the recipient was involved in CP or had had a complaint made against them. They were sent out in October 2003, together with a reply-paid envelope for their return and a prize draw was offered (a free copy of the RCPCH and NPPG publication – *Medicines for Children*) on all completed questionnaires returned (positive and negative) by 14th November. After the deadline a reminder (questionnaire and covering letter) was sent to those who had not returned the questionnaire from the first occasion. Although occasional questionnaires are still being returned, on 29th February 2004 we called a halt to the project.

Results

- **The Questionnaire had a 78.7% response rate**

4776 paediatricians (78.7%) responded but 548 have not been practicing during the last 5 years. 4228 practising or recently retired paediatricians participated in the survey (88.5% of respondents). Of these, 375 (8.9%) have never been involved in child protection. Of the 3853 that have been involved in child protection, 26.8% (1032) reported that their practice had been the subject of non-CP complaints, and 13.8% (536) reported that they had indeed been subject to a complaint about child protection. 533 of these 536 paediatricians detailed a total of 786 child protection complaints.

- **Total number of paediatricians giving details of complaints made against them = 533**
- **Total number of CP complaints made against paediatricians = 786**
- **Total number of CP complaints detailed = 765**

- **Range of numbers of complaints made per paediatrician = 1 – 20**
- **Mean number of complaints per paediatrician = 1.44 (765/533)**



Table 1 shows the number of complaints and the settings in which the doctors work.

No. of complaints	No. of doctors	Acute/community	Mainly acute	Mainly community
1	385	56	210	103
2	96	15	51	26
3	33	5	17	10
4	9	3	4	1
5	5	2	1	2
6	2	1	1	0
8	1	0	1	0
9	1	0	1	0
20	1	0	0	0
Total no. of doctors	533	82	285	142

Table 2

Highest level of complaint reached	No. of complaints	% of total no. of complaints reported
A) Dealt with Locally	605	79.0% (605/765)
B) Independent review or Ombudsman	59	7.6% (59/765)
C) Referred to GMC	86	11.3% (86/765)
Not specified	15	2.0% (15/765)

Table 3

Outcome of complaint	No. of complaints	% of total no. of complaints reported
A) Complaint dropped	447	58.5% (447/765)
B) Official enquiry found complaint unproven	182	23.9% (182/765)
C) Official enquiry upheld complaint	22	2.8% (21/765)
D) Ongoing	81	10.6% (81/765)
Not specified	33	4.3% (33/765)

Table 4

Publicity around the complaint	No. of complaints	% of total no. of complaints reported
A) None	638	83.5% (638/765)
B) Local press	73	9.6% (73/765)
C) Local radio or local TV station	26	3.4% (26/765)
D) National press	47	6.1% (47/765)
E) National radio/TV	35	4.3% (35/765)
F) Internet site	37	4.8% (37/765)

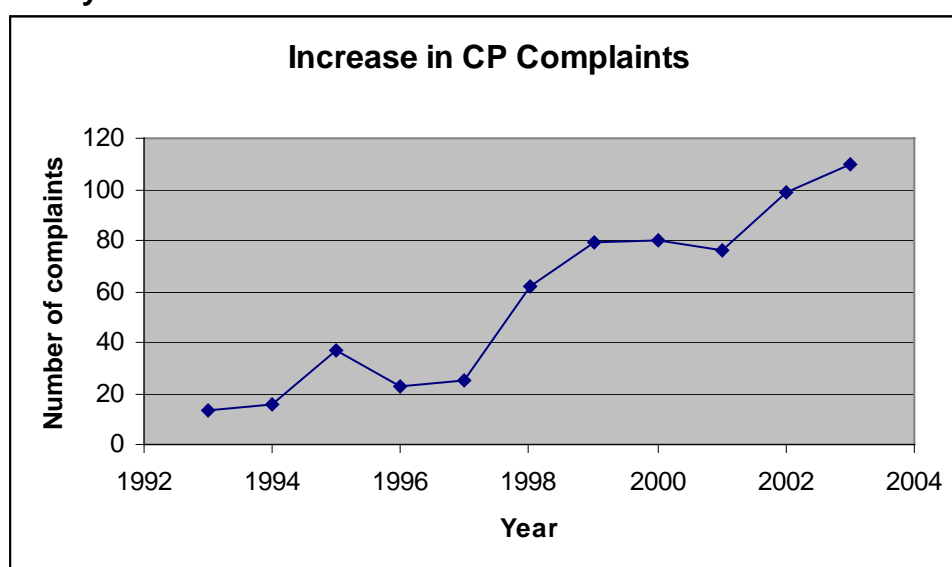
Table 5 shows the level of involvement in child protection work by the doctor at the time of the complaint.

Level of involvement in CP work at the time of the complaint	No. of complaints	% of total no. of complaints reported
A) Infrequent	131	17.0% (131/765)
B) Not as a member of CP team	231	30.1% (231/765)
C) Member of CP team	217	28.4% (217/765)
D) Named or designated CP doctor	175	22.0% (175/765)
Not specified	11	1.4 (11/765)

Table 6 shows the years that complaints that are still ongoing arose.

Year of complaint	No. of ongoing complaints for each year that complaint was made
1994	1
1997	2
1998	1
1999	2
2000	2
2001	6
2002	9
2003	49
2004	1
Not stated	7

Figure 1 Plot showing trend in the number of complaints being made each year



More detailed analysis of outcome of complaints at varying levels and the level of the doctors involvement in CP work:

Complaints referred to GMC:

- 71 doctors were referred to the GMC on at least one occasion. In 61 the outcome of their complaint is known and in 12 (2 of whom have had previous complaints unproven), the case is still under consideration. In no case has the complaint against a doctor been upheld by the GMC. 25 doctors had their complaints dropped and 36 doctors had their complaints found unproven by official enquiry.
- 86 complaints referred to GMC.
- 44 complaints referred to GMC (31 doctors) received publicity.

Table 7

Of the 86 complaints referred to GMC:		
Outcome of complaint	% of each type of complaint outcome	% of each type of complaint outcome receiving publicity
A) Complaint dropped	32.5% (28/86)	35.7% (10/28)
B) Official enquiry found complaint unproven	47.7% (41/86)	53.7% (22/41)
C) Official enquiry upheld complaint	0	0
D) Ongoing	19.8% (17/86)	64.7% (11/17)

Table 8

Of the 86 complaints referred to GMC:	
Level of involvement in CP work	% of each type of level of involvement
A) Infrequent	12.8% (11/86)
B) Not as a member of CP team	39.5% (34/86)
C) Member of child protection team	24.4% (21/86)
D) Named or designated CP doctor	22.1% (19/86)
Not specified	2.3% (2/86)

Complaints dealt with locally by trust:

- 406 doctors were dealt with only locally by the trust; 309 doctors had the complaints against them dropped, 84 doctors had their complaints found unproven by official enquiry, 13 doctors had their complaints upheld by official enquiry, and 52 doctors have complaints which are ongoing.
- 465 includes doctors where complaints also proceeded to independent or GMC. 401 complaints dealt with only locally
- 605 complaints dealt with locally by trust.
- 57 complaints dealt with locally (47 doctors) received publicity.

Table 9

Of the 605 complaints dealt with locally by trust:		
Outcome of complaint	% of each type of complaint outcome	% of each type of complaint outcome receiving publicity
A) Complaint dropped	66.7% (403/605)	7.7% (31/403)
B) Official enquiry found complaint unproven	18.5% (112/605)	9.0% (10/112)
C) Official enquiry upheld complaint	2.3% (14/605)	0% (0/14)
D) Ongoing	8.4% (51/605)	11.8% (6/51)
Not specified	4.0% (24/605)	-

Table 10

Of the 605 complaints dealt with locally:	
Level of involvement in CP work	% of each type of level of involvement
A) Infrequent	17.7% (107/605)
B) Not as a member of CP team	29.1% (176/605)
C) Member of child protection team	29.0% (175/605)
D) Named or designated CP doctor	23.0% (139/605)
Not specified	1.2% (7/605)

Complaints dealt with by independent review or ombudsman:

- 59 doctors were dealt with by independent review; 13 doctors had their complaints dropped, 26 doctors had their complaints found unproven by official enquiry, 7 doctors had their complaints upheld by official enquiry, and 10 doctors have complaints which are ongoing.
- 59 complaints dealt with by independent review.
- 59 includes complaints going further to the GMC. 51 complaints stopped at this stage.
- 15 complaints (15 doctors) received publicity.

Table 11

Of the 59 complaints dealt with by independent review or ombudsman:		
Outcome of complaint	% of each type of complaint outcome	% of each type of complaint outcome receiving publicity
A) Complaint dropped	22.4 % (13/59)	30.8% (4/13)
B) Official enquiry found complaint unproven	44.8% (26/59)	26.9% (7/26)
C) Official enquiry upheld complaint	10.3% (6/59)	16.7% (1/6)
D) Ongoing	17.2% (10/59)	20.0% (2/10)
Not specified	3.54% (2/59)	

Table 12

Of the 58 complaints dealt with by independent review or ombudsman:	
Level of involvement in CP work	% of each type of level of involvement
A) Infrequent	17.5% (10/59)
B) Not as a member of CP team	24.6% (14/59)
C) Member of child protection team	31.6% (18/59)
D) Named or designated CP doctor	24.6% (14/59)
Not specified	1.8% (1/59)

Outcome of complaint relating to publicity:

Table 13

Of the 126 complaints that did receive publicity:		
Outcome of complaint	No. of complaints of each type of outcome receiving publicity	
A) Complaint dropped	46 out of 446	
B) Official enquiry found complaint unproven	40 out of 182	
C) Official enquiry upheld complaint	2 out of 22	
D) Ongoing	21 out of 80	
Not specified	17	

Whether or not a complaint receives publicity seems independent of the outcome. 10% of complaints that received adverse publicity were later dropped by the complainant. In nearly a quarter of those cases where the complaint was found unproven, the doctor had previously received adverse publicity.

Current level of involvement in child protection:

Table 14

Current level of involvement in CP	% of doctors in each type of level of involvement
A) None	7.3% (39/531)
B) None in my current practice	3.0% (16/531)
C) Very infrequent	7.5% (40/531)
D) Occasionally, but not a member of a CP team	38.4% (204/531)
E) Member of a CP team	23.2% (123/531)
F) Named or designated doctor for CP	21.1% (112/531)

90% of paediatricians in this survey are actively involved in child protection, yet 46% are not part of child protection teams. This reflects the nature of the problem, presenting to generalists and specialists alike. It also reinforces the College's belief that all junior paediatricians should have specific training in child protection.

Willingness to become involved in potential CP cases:

- 29.0% (154 out of 533) doctors were affected in terms of their willingness to become involved in potential CP cases subsequently.
- Neither the level at which the complaint was investigated, nor the outcome of the complaint had a marked effect on the doctor's willingness to continue with child protection
- 62.0% (329 out of 533) doctors are interested in participating in structured telephone interview. 33.5% (178/533) are not.

Table 15

Highest level of complaint reached	No. of doctors reaching each level of complaint	No. of these doctors whose willingness was affected	% of doctors whose willingness has been affected for each level of complaint
A) Dealt with Locally	401	107	26.7% (107/401)
B) Independent review or Ombudsman	51	15	29.4% (15/51)
C) Referred to GMC	71	28	39.4% (28/71)

Note: 107 + 15 + 28 = 150 do not add up to 154. 4 doctors who said their willingness was affected, did not say to what level their complaint had reached.

Table 16

B. Outcome of complaint reached	No. of doctors with each type of complaint outcome	No. of these doctors whose willingness was affected	% doctors whose willingness has been affected for each type of complaint outcome
A) Complaint dropped	338	98	29.0% (98/338)
B) complaint unproven	141	47	33.3% (47/141)
C) complaint upheld	21	7	33.3% (7/21)
D) Ongoing	73	24	32.9% (24/73)
Total	573	176	

Note – Totals above – 573 complaints in 533 doctors as there was more than 1 complaint for some doctors. Similarly 176 complaints affected unwillingness in 154 doctors as some unwillingness counted more than once as a result of more than 1 complaint.

RCPCH Research Division March 2003