

Existing Child Abuse Reporting Obligations for the Medical Profession

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Existing Child Abuse Reporting Obligations

General Medical Council

- Professional Body
- Quality assures medical training in the UK
- Registers newly qualified doctors with license to practice
- Revalidates all doctors to practice every 5 years

Existing Child Abuse Reporting Obligations

General Medical Council Ethical Guidance

- Good medical practice
- 0-18 years: guidance for all doctors
- Protecting children and young people: the responsibilities of all doctors

Protecting Children And Young People

Duty to report concerns of abuse and neglect

- All doctors have a duty to act on any concerns they have about the safety or welfare of a child, and must promptly tell an appropriate agency if there is concern that a child is at risk or, of suffering, abuse or neglect (Eg local authority children's services, NSPCC or the police)
- Concerns for a child not at risk of significant harm, but where abuse or neglect is possible, should be discussed with the named/designated professional or experienced colleague.

Protecting Children And Young People

Disclosure and information sharing

- Concerns can be shared even if risk of significant harm is not certain – there are possible consequences of not sharing
- Ask for consent to share unless there is a compelling reason not to – but do not delay disclosing information to obtain consent if it might put a child at risk of significant harm
- Information can be shared without consent if it is justified in the public interest or required by law
- Decisions to delay information sharing must be taken cautiously, and must be justified and recorded
- Concerns should be taken to the next level of authority if they are not acted on appropriately and the child is still at risk

Existing Child Abuse Reporting Obligations

National and Local guidance

- Working Together to Safeguard Children. July 2018
- Safeguarding children and young people – roles and competencies for healthcare staff. March 2014
- Local Safeguarding Children Boards Policies and Procedures
- Healthcare Provider Policy and Procedures

Existing Child Abuse Reporting Obligations

Female Genital Mutilation

- There is a mandatory reporting duty on doctors to report known cases of FGM to the Police (from 31.10.2015)
- The penalty for a doctor failing to comply is being reported to the General Medical Council 'fitness to practice' panel

Existing Child Abuse Reporting Obligations

Monitoring of Child Abuse Reporting

Internal Monitoring within organisations

- Annual report to Board and Standard indicators/outcomes to organisation
- Serious incident reporting / Complaints
- Patient Safety Reporting software systems
- Serious Case Reviews / Learning Events
- Safeguarding MDT (multi-disciplinary team)
- Allegations against staff meetings (LADO)
- Annual Appraisal Medical Staff

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Monitoring of Child Abuse Reporting

External monitoring of organisations

- Annual Report shared with commissioners
- Serious incidents reported to the Strategic Executive Information System (STEIS) overseen by NHS Improvement
- Serious Case Reviews to LSCBs / OFSTED / National Panel and published
- Section II Children Act 1989 challenge to LSCB partners
- CQC inspection of organisations with publication of outcome (CQC standards and Safeguarding Vulnerable People in the NHS: Accountability and Assurance Framework. July 2015)

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Restrictions/penalties when obligations to report are not met

- Disciplinary procedure by employer, ranging from re-training, to suspension and dismissal. Often if serious, external assessment of doctor's actions is taken to ensure impartiality.
- General Medical Council 'fitness to practice' procedures following referral from employer, another professional, member of the public. A number of different penalties imposed up to removal of license to practice as a doctor.
- Possible action by the police?

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Summary

- Ethical framework around reporting
- National and Local guidance around reporting
- Monitoring systems in place in health care organisations
- Child sexual abuse is treated in the same way as other forms of abuse (except possibly FGM)
- The issue can be the threshold of concern to report