hcpc health & care professions council

Report

EMBARGOED UNTIL 08.00 14th November 2024

Fitness to Practise concerns relating to sexual misconduct and criminal matters or conduct of a sexual nature

2023-24

Executive summary

This short report provides an assessment of concerns raised with us about the health and care professionals we regulate, which related to sexual misconduct[1] and criminal matters or conduct of a sexual nature[2]. It describes the Fitness to Practise (FTP) concerns received, and the HCPC registrants who were subject to those concerns in the financial year 2023/24.

Less than one percent of HCPC registrants have any type of FTP concern raised about them in any one year. However, a not insubstantial proportion (1 in 12) of those concerns in 2023/24 included sexual misconduct and/or criminal matters or conduct of a sexual nature. A small number of professions had a disproportionate share of those concerns and there was a stark difference between the higher incidence in male registrants and the lower incidence in female registrants. In males the risk generally increased with age.

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Background

The Professional Standards Authority commissioned report in 2019 put it succinctly when saying "*Sexual misconduct by a health professional is a relatively rare but devastating act*" [1]. Sexual misconduct by UK health professionals had been documented before then [2] and since [3]. Despite extensive coverage, and the resources made available by professional bodies and unions [4] and others, sexual misconduct by health professions continues to make headlines in the UK [5].

[1] Sexual misconduct includes sexual harassment, inappropriate physical contact, sexual statements or language, or inappropriate or sexual relationships

[2] Criminal matters and conduct of a sexual nature include sexual offences, indecency and those relating to indecent images or other sexual offences relating to children.

Methods

The aim of this report is to provide an up to date assessment of FTP concerns relating to sexual misconduct and criminal matters or conduct of a sexual nature received by HCPC. The FTP concerns analysed here all passed triage [6] in the financial year 2023/24 and included one or more relevant case classification (Table 1). The case classifications were assigned into four analytical groups:

- Sexual misconduct: related to a colleague.
- Sexual misconduct: related to a service user or carer.
- Sexual misconduct: related to others outside the workplace.
- Criminal matters or conduct of a sexual nature.

Concerns with multiple relevant case classifications that fall into different analytical groups are counted in each of those groups. Therefore the sum of the analytical groups is greater than the total number of concerns.

Table 1: Case classifications and analytical groups

HCPC FTP case classification			Analytical group
Tier 1	**Tier 2**	**Tier 3**	
Behaviour	Bullying and harassment	Sexual harassment of a colleague	Sexual misconduct: related to a colleague
		Sexual harassment of a service user or carer	Sexual misconduct: related to a service user or carer
		Sexual harassment of others outside the workplace	Sexual misconduct: related to others
	Touching or physical contact	Inappropriate physical contact with a colleague	Sexual misconduct: related to a colleague
		Inappropriate physical contact with a service user or carer	Sexual misconduct: related to a service user or carer
Communication and information sharing	Inappropriate written or verbal communications	Sexual statements or language towards a colleague	Sexual misconduct: related to a colleague
		Sexual statements or language towards a service users or carer	Sexual misconduct: not related to a colleague
Criminal matters or conduct	Indecent images / indecency	Accessing indecent images in the workplace	Criminal matters or conduct of a sexual nature
		Accessing, making or distributing indecent images of children	
		Other (Indecency)	
	Sexual offences	Grooming	
		Other (Sexual offences)	
		Rape (of an adult)	
		Rape (of a minor)	
		Sexual abuse of a minor - non-service user	
		Sexual abuse of a minor - service user	
		Sexual assault of an adult - non-service user	
		Sexual assault of an adult - service user	
Professional boundaries	Inappropriate relationships	Sexual relationship with a service user or carer	Sexual misconduct: related to a service user or carer

Results

There were 163 FTP concerns relating to sexual misconduct or criminal matters or conduct of a sexual nature. These accounted for 8% (or 1 in 12) of all FTP concerns passing triage in that period. The majority of these concerns contained only one relevant case classification:

- 57 concerns mentioned only Criminal matters or conduct of a sexual nature.
- 52 concerns mentioned only Sexual misconduct: related to a colleague.
- 43 concerns mentioned only Sexual misconduct: related to service user or carer.
- 1 concern mentioned only Sexual misconduct: related to others outside the workplace.

Nine concerns contained two relevant case classifications:

- 3 concerns mentioned both Sexual misconduct: related to a colleague and Sexual misconduct: related to service user or carer.
- 4 concerns mentioned both Criminal matters or conduct of a sexual nature and Sexual misconduct: related to service user or carer.
- 2 concerns mentioned both Criminal matters or conduct of a sexual nature and Sexual misconduct: related to a colleague.

One concern contained three relevant case classifications: Sexual misconduct: related to a colleague, Sexual misconduct: related to service user or carer, and Sexual misconduct: related to others outside the workplace.

In the following tables and figures the group Sexual misconduct: related to others outside the workplace is not shown separately as it contained only two concerns. These two are included in the total of all sexual misconduct or criminal matters or conduct of a sexual nature concerns.

FTP concerns relating to sexual misconduct or criminal matters or conduct of a sexual nature did not occur within professions in proportion to their profession sizes (Table 2).

Paramedics made up 11% of the HCPC register in 2023/24 but were involved in:

- 64% of concerns involving Sexual misconduct: related to a colleague.
- 28% of concerns involving Sexual misconduct: related to service user or carer.
- 35% of concerns involving Criminal matters or conduct of a sexual nature.
- 43% of all sexual misconduct or criminal matters or conduct of a sexual nature concerns.
- Both of the concerns involving Sexual misconduct: related to others outside the workplace.

Physiotherapists made up 22% of the HCPC register in 2023/24 but were involved in:

- 41% of concerns involving Sexual misconduct: related to service user or carer.

Operating department practitioners made up 5% of the HCPC register in 2023/24 but were involved in:

- 12% of concerns involving Sexual misconduct: related to a colleague.
- 13% of concerns involving Criminal matters or conduct of a sexual nature

Table 2: FTP concerns involving sexual misconduct or criminal matters or conduct of a sexual nature by profession

	Sexual misconduct: related to a colleague		Sexual misconduct: related to service user or carer		Criminal matters or conduct of a sexual nature		Any sexual misconduct or Criminal matter or conduct of a sexual nature		Percent of HCPC register
	n	%	n	%	n	%	n	%	%
Paramedics	37	*63.8*	14	*27.5*	22	*34.9*	70	*42.9*	*11.0*
Physiotherapists	4	*6.9*	21	*41.2*	13	*20.6*	36	*22.1*	*21.8*
Operating dept. practitioners	7	*12.1*	1	*2.0*	8	*12.7*	14	*8.6*	*4.9*
Radiographers	4	*6.9*	2	*3.9*	6	*9.5*	11	*6.8*	*13.5*
Practitioner psychologists	2	*3.5*	6	*11.8*	1	*1.6*	9	*5.5*	*8.4*
Chiropodists/podiatrists	0	-	4	*7.8*	4	*6.4*	7	*4.3*	*3.6*
Biomedical scientists	1	*1.7*	0	-	3	*4.8*	4	*2.5*	*8.2*
Occupational therapists	2	*3.5*	2	*3.9*	0	-	4	*2.5*	*13.2*
Dietitians	0	-	0	-	3	*4.8*	3	*1.8*	*3.6*
Hearing aid dispensers	0	-	1	*2.0*	1	*1.6*	2	*1.2*	*1.3*
Arts therapists	1	*1.7*	0	-	0	-	1	*0.6*	*1.7*
Prosthetists/orthotists	0	-	0	-	1	*1.6*	1	*0.6*	*0.4*
Speech & language therapists	0	-	0	-	1	*1.6*	1	*0.6*	*5.6*
Clinical scientists	0	-	0	-	0	-	0	-	*2.2*
Orthoptists	0	-	0	-	0	-	0	-	*0.5*
All professions	58	*100*	51	*100*	63	*100*	163	*100*	*100*

Analysis of FTP rates per 1,000 registrants reinforces the variation between professions (Figure 1). The rates also highlight that only a tiny minority of registrants have these concerns raised about them. Even the highest rate of just under 1 means 999 out of a 1000 do not have such a concern raised about them. The numbers in grey at end of the bars are the number of concerns.

There were stark differences between the age and sex rates with male rates being between 7 and 49 times higher than the equivalent age specific female rate (Figure 2). There was an age related gradient in the male rates with the rates increasing with age, particularly so for sexual misconduct.

Discussion

This analysis shows that these types of FTP concerns are not uncommon and are not evenly spread across professions, sexes or age groups. The higher rates observed here in certain HCPC professions, in males, and in older registrants has been reported elsewhere previously [1] [2].

This analysis can only describe reported concerns and therefore will not reflect the full extent of sexual misconduct amongst HCPC professions. In addition, many HCPC professionals work alongside unregulated colleagues and sexual misconduct involving them will not be reported to HCPC.

Figure 1: FTP concerns involving sexual misconduct or criminal matters or conduct of a sexual nature by profession

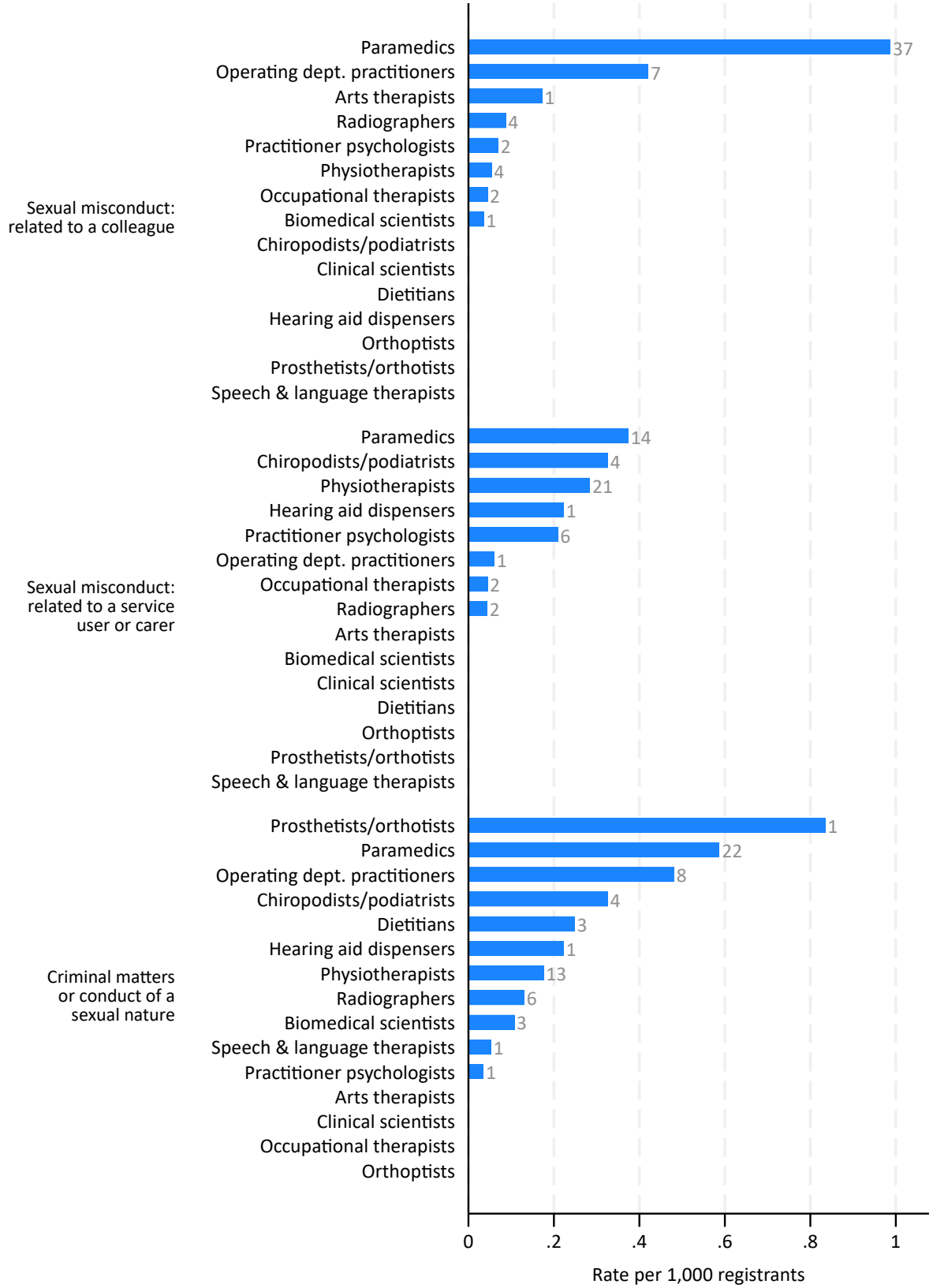
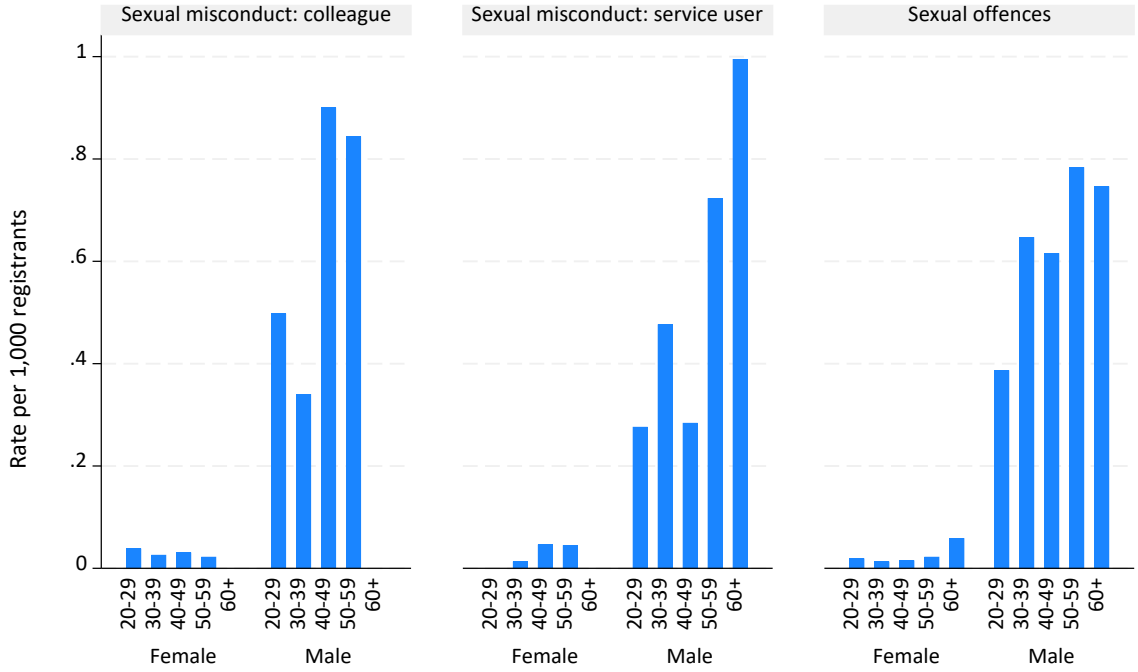


Figure 2: FTP concerns involving sexual misconduct or criminal matters or conduct of a sexual nature by age and sex



References

[1] R. Searle, “Sexual Misconduct In Health And Social Care: Understanding Types of Abuse and Perptetrators' Moral Mindsets,” Professional Standards Authority, 2019.

[2] R. Searle, C. Rice, A. McConnell and J. Dawson, “Bad apples? Bad barrels? Or bad cellars? Antecedents and processes of professional misconduct in UK Health and Social Care: Insights into sexual misconduct and dishonesty,” Professional Standards Authority, 2017.

[3] B. Cox, C. Jewitt and E. MacIver, “Surviving Healthcare: Sexism and sexual violence in the healthcare workforce,” Surviving in Scrubs, 2023.

[4] UNISON, “Sexual harassment is a workplace issue: Guidance and model policy,” UNISON, London, 2020.

[5] Sky News, “Paramedic sexual abuse allegations: 'We want people to feel safe',” 25 July 2024. [Online]. Available: https://news.sky.com/video/paramedic-sexual-abuse-allegations-we-want-people-to-feel-safe-13184462.

[6] Health & Care Professions Council, “What happens when you receive my concern,” 14 01 2019. [Online]. Available: https://www.hcpc-uk.org/concerns/how-we-investigate/if-you-have-raised-a-concern/what-happens-when-you-receive-my-concern/. [Accessed 26 09 2024].