Strictly Professional: The Importance of Maintaining Professional Boundaries

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"Nurse suspended over claims of inappropriate relationships with patients…"

"Nurse suspended for sexual contact with patient"

"Kidney patient had relationship with dialysis nurse then killed her…"

These are just some of the headlines that have hit the press in recent times, where inappropriate relationships between nurses and patients have become public. The headlines often involve sexual relations, but the need to maintain professional boundaries goes much further than avoiding physical intimacy with patients.

The Importance of Maintaining Professional Boundaries in Healthcare

The relationship between a healthcare professional and a patient is grounded in the principles of professional boundaries in healthcare. As a nurse, you are in a position of power and you have a duty not to abuse that position by overstepping these boundaries.

Maintaining professional boundaries is an integral part of being a nurse. The boundaries may be breached if you develop an emotional relationship, express personal beliefs in an inappropriate way or if you offer money to a patient. Professional boundaries must also be maintained with families and colleagues.

The NMC Code of Conduct states:

"You uphold the reputation of your profession at all times…you should be a model of integrity and leadership for others to aspire to. This should lead to trust and confidence in the profession from patients, people receiving care, other health and care professionals and the public."

Consequences of Boundary Breaches

A failure to declare and maintain proper standards may lead to disciplinary action by your employer and/or the

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NMC. Abusing your position of trust is a serious issue and we have seen many examples of NMC fitness to practise investigations arising from situations where nurses have crossed the boundaries of professional practice. You are ultimately risking you PIN if you breach the boundaries.

The following are examples, taken from real cases, where actions of nurses under investigation crossed the boundaries of professional practice:

- Accepting an invitation on social media from a patient;
- Showing a patient personal photos on your phone;
- Offering to take a patient home or see them out of working hours;
- Developing a personal relationship with a patient's family member;
- Offering your personal mobile number to a patient;
- Telling a patient about your personal relationships.

In a recent fitness to practise case, the NMC struck off a nurse from the register due to their behaviour. Allegations included telling a patient they were attractive, giving the patient their personal phone number, and cuddling and kissing the patient on more than one occasion. A fitness to practise panel of the NMC determined that the actions amounted to serious misconduct and that the behaviour was fundamentally incompatible with remaining on the register. This brings home the serious consequences of failing to uphold proper professional boundaries. It is important to remember that no matter what, in a nurse and patient professional relationship, the patient will always be deemed to be vulnerable.

Awareness and Prevention

You may think it will never happen to you, but with the pressures of modern life, such as increased workloads and many other lifestyle factors, the reality is that it could happen to any of us. Breaching boundaries may not be an intentional or deliberate act, but an awareness of how to reduce the risk of crossing professional boundaries can help you avoid difficult situations. Below are some tips for dealing with some issues that may arise in general practice. This is not an exhaustive list and it is important to be fully aware of relevant policies and guidance.

Personal details and beliefs

You should not share personal details with patients about you or other colleagues. NMC cases have involved

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nurses sharing information about their personal lives. For example, a recent NMC decision involved a nurse receiving a caution for showing a patient photos/ videos on their phone.

It is important to have an awareness that your own beliefs and values might affect the way you interact with others. Your personal beliefs and values should not influence the care you provide to patients. It is good practice to reflect on how your personal views may influence your decision making.

Maintaining Professional Boundaries during Intimate Care

Whilst a hug or a reassuring touch can have a positive impact on a patient, before you act, you should think about whether the patient wants you to touch them? Is it appropriate for you to touch them? Will touching the patient serve a good purpose?

If you need to carry out an intimate examination, you should ask the patient if they would like a chaperone. The presence of a chaperone can offer reassurance to both the patient and the professional, particularly where the patient is the opposite sex.

Sexual and emotional relationships

On any view, it is clearly unacceptable to have sex with one (or more) of your patients, but you should also think about the language and body language you use and how this may make patients feel. Importantly, your behaviour may open you up to the risk of allegations and it is good practice to reflect on this.

Social media and professional boundaries

Nurses should also think about their presence on social media. In today's society, most of us have some form of social media account, but you should remember that you have a duty to uphold public trust and confidence in the profession. Inappropriate language or contact with patients online can lead to disciplinary action. Review your privacy settings to limit access to your social media account.

Gifts

You should not accept gifts from patients as this could blur the line between a professional and personal relationship. If it is difficult to refuse the gift, you should discuss this with your senior colleagues. Equally, you should not buy gifts for your patients.

What to do if you have concerns

Sometimes patients just want someone to listen to them, someone to acknowledge their loneliness, their life

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stresses, their mental illness. Whatever the complaint, part of a nurse's role is to help the patient through that particular moment in their life. It is a caring profession and nurses are naturally empathetic and kind. However, patients may easily misinterpret that kindness as something more than a therapeutic relationship. If you believe a patient has feelings for you that go beyond the usual professional relationship, raise your concerns with a colleague and document them. You will also need to raise the issue with the patient, so the issue does not escalate. This should be done with a gentle but firm approach.

If you have developed feelings for a patient or have already crossed the boundaries, the sooner you deal with the issue, the better. Warning signs may include being attracted to a patient, thinking about them outside of work or changing your behaviour during consultations. You must raise your concerns with senior colleagues and reflect on your behaviours.

A culture of preventative action, rather than responsive action, is the best approach when dealing with professional boundaries. It is important to take prompt action and ensure the patient's best interests are not at risk.

If you have concerns about a colleague's behaviour, you are also under a duty to take action to ensure the patient is not at risk of harm. A failure to take action may amount to professional misconduct on your part. Depending on the seriousness of your concerns, you may need to refer the matter to the police, the relevant regulator, or the local authority safeguarding team.

If you would like more information, please get in touch with our healthcare solicitors by emailing online.enquiries@la-law.com or calling 01202 786171.

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