**Midwifery Basics 4. Promoting professional behaviour in practice.**

In the fourth article in this series the issues of maintaining confidentiality, use of social media and veracity of students’ practice assessment documents are discussed to demonstrate the need to uphold the NMC Code (2015) in clinical practice.

**Confidentiality.**

Within healthcare, confidentiality is a relationship of trust between the doctor, midwife, nurse or other professional. It is anticipated that the patent will provide information about themselves and their condition so that they receive safe, evidence based care. The patient will need to understand that some sharing of information to others in the healthcare team is essential for their care. Patients need to be aware that information sharing is likely and that anonymised data may be collected about their condition for research, audit or monitoring/epidemiological purposes. Patients should not expect personal information to be shared inadvertently, with health carers not involved in their care or through social media either directly or indirectly with details that could lead to their identification.

The advantages of maintaining confidentiality are that patients are likely to seek care, be open about their condition and circumstances, therefore this may benefit themselves and potentially, society. For example in gaining treatment for infectious or communicable diseases, preventing their spread or furthering knowledge through epidemiology or research.

The NMC (2015:6) state:

‘As a nurse or midwife, you owe a duty of confidentiality to all those who are receiving care. This includes making sure that they are informed about their care and that information about them is shared appropriately’.

To achieve this, a practitioner must:

‘5.2 make sure that people are informed about how and why information is used and shared by those who will be providing care

5.3 respect that a person’s right to privacy and confidentiality continues after they have died’.

Students need to understand what confidentiality is, how it is maintained, that this confidentiality is not an absolute, there are occasions when the duty to maintain this can be overridden, the NMC express this as:

‘5.4 share necessary information with other healthcare professionals and agencies only when the interests of patient safety and public protection override the need for confidentiality’.

The instances of needing to breach confidentiality are rare – confidentiality is not an absolute obligation in all situations. The need to breach this may arise where it is required by law, or if this can be justified as in the public interest. Examples may be in relation to issues e,g, safeguarding, a client breaking the law, endangering others or where there is a danger to the public.

The GMC website is a useful resource with many case scenario’s that can be viewed in relation to how to manage these difficult situations. <http://www.gmc-uk.org/guidance/ethical_guidance/confidentiality_36_39_the_public_interest.asp>

**Practice activity:**

1. Jane is a new student midwife undertaking her first community placement with her mentor Susan. Susan teaches Jane how to undertake antenatal booking histories. Jane observes this three times. Susan then directly supervises Jane undertaking the booking of Zoe; a primigravida aged 19 years. Zoe is living with her boyfriend in a loving relationship. The pregnancy is unplanned but very welcome. Zoe’s Mum - Jasmine is a midwife on the birth centre where Zoe hopes to have her baby. Jane completes the booking history accurately and shows kindness and compassion towards Zoe. Jane goes home feeling excited as she has been praised by Susan.

The following morning Jane and Susan are visiting birth centre as one of Susan’s case load ladies’ is in early labour. Midwife Jasmine hands over the care to Susan and Jane. Jasmine then offers to make coffee for Susan and Jane. Susan suggests that Jane has her coffee first. Jane sits chatting with Jasmine. Jane then says to Jasmine ‘You must be very excited about Zoe’s baby and becoming a Grandma’.

Jasmine says, ‘I have no idea what you are talking about’. She storms off with her mobile phone in her hand.

The following day the link lecturer receives a very angry email demanding that Jane is taken to a Fitness to Practise panel for breaching Zoe’s confidentiality.

**Practice Activity:**

1. **What are the issues?**
2. **What do you think should happen next?**

In this instance this is a very junior student who has made an error, therefore it would be appropriate to consider this in the context of which the error was made in deciding the appropriate action to take.

This demonstrates the need to raise awareness of how errors can be made by accident and being caught unawares rather than by a deliberate breach of confidentiality.

**Practice Activity: Compare this to a second year student who, when using Facebook posts:**

‘its disgusting- today at Hyacinth Clinic I booked Rachel - a 16 year old who is HIV positive!! **’**

The Code (NMC 2015a 20.10) specifies:

“Use all forms of spoken, written and digital communication (including social media and networking sites) responsibly.”

‘Making inappropriate posts where pictures are posted, comments made about patients, staff or organisations or confidentiality is breached even within closed groups should occur. Naiveté or inexperience is not a defence and inappropriate use of social networking sites may lead to consequences’.

Registrants and students may find The NMC guidance on using social networking sites responsibly helpful. [http://www.nmc.org.uk/globalassets/sitedocuments/nmc-publications/social-media-guidance-30march-2015-final.pdf](http://www.nmc.org.uk/globalassets/sitedocuments/nmc-publications/social-media-guidance-30-march-2015-final.pdf)

**Practice Activity:** **Using the NMC Code (2015), your University Student Code of Conduct and the NMC (2015a) Guidance on using social media responsibly:**

1. **Identify the issues that arise in making a post of this nature,**
2. **Consider the action that may arise in your university,**
3. **Review the sanctions that could be applied,**
4. **Make a decision on what you consider the appropriate sanction using your University and the NMC Code of conduct.**

Students need to be aware from course commencement that the NMC do not seek to stop all use of social media as it is recognised that this media may assist in communication with clients and support students and midwives development when used responsibly. Midwifery students who are Royal College of Midwives members may find the ilearn electronic package helpful in understanding how social media can be used to enhance practice and avoid the pitfalls that can befall the unwary. <http://www.ilearn.rcm.org.uk/>

**Record keeping**

Another form of communication is record keeping, this can be completion of client notes and records or completion of course. Students are required to complete their Practice Assessment Document (PAD) and to have each midwifery competency signed and graded by their Sign off Mentor. Students need to pass each competency and the mark is counted towards their degree (NMC 2009:17). There is an expectation of accuracy and honesty in the standard of record keeping that upholds section 10 of the NMC Code (2015) in completion of course documentation.

**Practice Activity - Consider the following situation using the NMC Code (2015) and your University Student Code of Conduct.**

Bea is completing her second year, she meets her Sign off Mentor Angela to have her competencies completed for year two. Bea worked with Angela on birth centre in year one and labour ward in year two. Angela reviews her documentation and looks back to see her comments in year one. She realises that although it is her name; it is not her signature on a number of the signed competencies. She notes the date beside the signatures. She comments to Bea that this does not look like her signature. Bea brushes off this concernsaying ‘Oh you were rushing’. Following the meeting Angela contacts the link lecturer who suggests checking the off duty for the date that the competencies in year one were signed. This reveals that Angela was on a night duty on the labour ward and that Bea was on a community placement 25 miles away. The link teacher and Angela meet with Bea and explain this situation. Bea is given the opportunity to explain the anomalies but she insists that the signatures are the mentors. The link lecturer asks her to consider this situation as she will now need to investigate this with a view to taking this to a Fitness to Practise hearing.

The student and the midwife are asked to meet formally with the link lecturer, both are advised of the process and asked to write a factual statement of events. After an investigation, a review of the statements, the off duty and a comparison of the signatures, a decision is made to proceed to a Fitness to Practise hearing.

Bea continues to maintain in her statement that the signatures in the PAD are genuine.

Angela’s statement say’s that this is not her signature and that as she was not on duty that day; she could not have signed the PAD.

As per the university policy all the documentation is sent to the student 10 working days before the FtP hearing is scheduled. 48hours before the hearing, Angela receives an email from Bea acknowledging that the signatures are falsified. Angela forwards the email to the link lecturer. As new information has come to light, both Angela and Bea are requested to amend their statements and the hearing is rescheduled.

Bea’s revised statement now says that she had some personal problem’s, that she ran out of time to meet the PAD submission date and admits to the falsification of Angela’s signature.

**Practice Activity** - **You are part of the panel hearing the case. Using your university Student Code of Conduct, Fitness to Practice policy, the NMC Code (2015) and the statements of Angela and Bea:**

1. **Will you uphold the allegation of falsification of signatures by Bea in her PAD?**
2. **Using your University Fitness to Practise policy consider the possible sanctions.**
3. **Which sanction will you apply and why?**
4. **How will your decision protect the public?**

The issues of maintaining confidentiality, appropriate use of social media and falsification of clinical practice records have been discussed to demonstrate how students need to aspire to and attain professional behaviour that meets the requirement of the NMC Code (2015).

The next article will consider issues practice issues in relation to perineal suturing and medicine administration.

**References**

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