



The risks of leadership

PROTECTING YOUR REGISTRATION WHILE TEACHING, SUPERVISING OR ACTING AS A PRECEPTOR.

PREPARING THE NEXT GENERATION of nurses to enter the profession requires the dedication of experienced nurses to teach, supervise and act as preceptors. And yet, there are legal risks that educators need to consider in order to ensure the protection of their registration while providing leadership and guidance.

In the clinical setting: Be careful what tasks you assign

Whether providing guidance to a student, a new grad, or a nurse new to a specialty, RNs who act in a supervisory role are obligated to be aware of the competencies of those under their supervision. They must ensure assignments are appropriate for the person's knowledge, skill level and judgment. Supervisors must assign and re-assess workloads and duties accordingly, and provide ongoing communication and resources for support. If an experienced RN in a leadership role fails to do this, she/he may find themselves liable if something goes wrong.

In one Canadian legal case, an infant suffered oxygen deprivation during birth, which caused severe brain damage and resulted in numerous physical disabilities. A junior nurse was assigned to the obstetrical unit at the time. Her team leader put her in charge of fetal heart monitoring, even though she had low test scores, performance issues, and was struggling with

the number of patients she had to manage. The team leader ignored the junior nurse's requests for help.

In this case, the team leader did not appropriately supervise, and was liable. She was aware of the junior nurse's difficulties handling the workload, and did nothing to provide relief. She also was not physically present. Whether acting as a nurse

his responsibilities as outlined (e.g. learning plan, appropriate supervision) and if the nurse had no way of knowing that the error was going to occur."

I urge all RNs to read that sentence carefully. There are two key components: 1) the nurse must provide an appropriate learning plan and supervision, and 2) the nurse could not foresee the error.

that allows for the opportunity to discuss problems and concerns if they arise.

The duty to accommodate

Novice nurses or students who have a physical or mental health disability have the right to be accommodated if that accommodation does not jeopardize patient safety or disrupt service delivery. For nurse educators, the duty to accommodate can arise in the classroom setting. Students may receive special consideration around testing methodology and placements. In the clinical setting, there may need to be physical accommodations, such as modified working hours, provision of assistive devices/equipment, or limitations on lifting. Regardless of the setting, nurse educators and supervisors must consider all available options for accommodation, and base their decisions on facts, not assumptions, about an individual's abilities.

Ensuring those with disabilities are able to fully participate in their studies and practice through appropriate accommodation is an obligation set out in the *Ontario Human Rights Code*. **RN**

JANE LETTON IS A LAWYER AT RYDER WRIGHT BLAIR AND HOLMES IN TORONTO. SHE HAS BEEN REPRESENTING MEMBERS OF RNAO'S LEGAL ASSISTANCE PROGRAM (LAP) FOR FOUR YEARS.

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educator or supervising inexperienced nurses, the message to RNs is clear: the safety of the client comes first.

According to guidelines put out by the College of Nurses of Ontario (CNO), experienced nurses who are educators, supervisors or preceptors are “accountable both for sharing appropriate nursing knowledge and for maintaining safe, effective, and ethical client care within the standards.” Acknowledging novice nurses and students may make errors, CNO takes the context of each situation into account. The guidelines state that experienced RNs in these roles are not accountable for a novice nurse or student's actions “...if the nurse has fulfilled her/

As a preceptor: Ensure competency

When a nurse takes on the role of preceptor, it is essential that she/he is aware of the competence of their preceptee. While the preceptor may rely on information provided by educators or other managers, there remains an obligation to determine from a preceptee the limits of their knowledge and skills. Ongoing and clear communication of instructions, problems, concerns, policies and procedures is essential to the relationship, and to ensure safe practice.

In order to minimize the risk of legal liability, a preceptor must assign appropriate tasks that use current methods, and provide adequate supervision