

## **PE1718/A**

Royal College of Nursing Scotland submission of 4 July 2019

Evidence shows that nurses and other health care staff are more likely to face violence and aggression at work than people in other professions. Body cameras can have a role to play in protecting staff and patients in certain frontline settings. However, so many of nurses' interactions with patients are intimate and confidential that it would probably not be appropriate to fit all frontline nurses with body cameras. The most important thing in the relationship between nurses and their patients is trust. Body cameras could potentially create a barrier in that relationship. They need to be used at the right time, in the right place and with the right group of staff. Every setting, including operating theatres, would need to be individually assessed with a proper policy and guidelines put in place.

When the use of body cameras was debated at RCN Congress in 2018 nurses clearly had anxiety about privacy issues and how it could impact on patient and nurse relationships. The debate at Congress focused largely on how the use of body cameras would impact on patient care. RCN supports measures to stop the violence and aggression nurses face in the workplace and following on from the Congress discussion is in the process of setting up a working group to develop an official position on the use of body cameras.

Members shared concerns about how the relationship between nurses and patients might be affected if body cameras were to be used in certain settings. The use of body cameras raises some serious ethical issues for nursing. There are also a range of UK and Scottish laws which need to be considered: particularly the Data Protection Act 1998 and, for public authorities, the Regulation of Investigatory Powers (Scotland) Act 2000. Using surveillance may also affect the legal and human rights of all of those being filmed – whether or not they are suspected of wrongdoing, and whether or not they are an employee of the person or body responsible for the surveillance. Storage and access to sensitive footage raises difficult questions about patient confidentiality. One member at Congress said: "Nurses are one of the most trusted professions so how would that change if we used cameras?" Members also raised concerns around confidentiality and capacity – particularly in mental health services – and also the financial impact of such initiatives.

RCN members also had wider concerns around body cameras being used to address shortages in nursing staff. A far more effective way to prevent care failings would be to staff hospitals properly, so that nurses can give patients the care they need and want to provide. The new Health and Care (Staffing) (Scotland) will help to ensure appropriate staffing levels for safe and effective care, and the RCN backs the same approach throughout the rest of the UK. It's also vital that staff have time for Continual Professional Development (CPD) and in terms of fitness to practice nursing staff should have a programme of supervision and revalidation.

The Scottish Parliament passed the Emergency Workers Act in 2005 (amended in 2008), which makes it an offence to assault, obstruct or hinder a registered nurse (among a list of professions) at any time they are acting in that capacity. For more serious attacks, other Scottish legislation can be invoked.

Violence against healthcare staff or patients is never acceptable and while there is some evidence that the presence of body-worn cameras can promote safety and reduce the incidence of attacks, there remains little research into this area and there are privacy and dignity issues to be considered.