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About the College

The Nova Scotia College of Nursing is legislated to serve and protect the public interest through the regulation of individual licensed practical nurses (LPNs), registered nurses (RNs), and nurse practitioners (NPs). Only LPNs, RNs and NPs or students of a nursing program can use the term nurse; therefore, in this document, the term nurses(s) will refer to all three classes.

Introduction

This document has been developed to guide employers¹ supporting nurses with professional practice issues (PPIs). Support of an individual with a PPI can come in many forms. The depth and breadth of support will depend on the nature of the PPI. For instance, nurses with a minor practice concern may be successfully supported with a coaching conversation, mentorship, simple just-in-time remediation or correction and minimal follow up. Other PPIs are complex and multi-faceted. Support for nurses with this type of PPI is best provided with a comprehensive development plan².

Professional Practice Issue

Nurses practice in a variety of practice settings and may experience a PPI at any point in their career. PPIs are not limited to clinical practice. Nurses practicing in administration, education, research or non-traditional roles may experience a PPI as it relates to their practice context.

A PPI is an issue or situation that places client(s) at risk and/or affects a nurse's ability to provide care or services consistent with the Standards of Practice, Code of Ethics, agency policies or procedures.

The standards of practice are foundational to self-regulated professionals such as nurses (LPN, RN, NP). They represent safe and competent practice and the criteria against which members of the public, clients, employers, colleagues and nurses themselves, measure their practice. Nurses are obligated to practice in a manner consistent with their standards. Employers should ensure sufficient supports are available in the practice setting so the nurse (and others) can meet their standards, code of ethics and employment obligations.

Professional Practice Issues and Just Culture

A Just Culture is one which recognizes the actions of individuals are not isolated and occur within systems. Each PPI should be approached using a Just Culture lens and viewed in context of the nurse, the environment or system and the client. Employers should consider mitigating factors contributing to the presence of a PPI. This does not negate the nurse's individual accountability for their practice but provides an opportunity to look at the PPI from a broader systems perspective.

The Role of the College

While practice issues are being managed by the employer, NSCN can serve as a consultant to the nurse and/or the employer. As the regulator, the College may suggest resources for an employer to include in the development plan to address a practice issue. The College may also provide guidance to the nurse while the plan is being implemented. However, the College does not develop, implement or evaluate a development

1 In this document, the term 'employer' is a catch-all term, meant to be inclusive of the team members responsible for the practice environments where nurses practice and for nurse's performance. This may include a manager, supervisor, charge nurse, educator, mentor or others designated by the organization.

2 In this document 'development plan' means a formalized documented process designed to support nurses in addressing a PPI so they may continue to provide safe, competent, ethical and compassionate nursing services. Terminology varies from employer to employer.

plan for or on behalf of any employer nor does it advocate on behalf of the nurse.

The Role of the Nurse

Nurses are accountable for their own practice at all times. As accountable self-regulated professionals, nurses are obligated to take the steps necessary to address their practice once they become aware of an issue. Additionally, nurses are accountable to take action (LPN Duty to Report and RN Duty to Report) if they know or suspect the practice of a colleague (of any designation) is unsafe or unethical. Taking the necessary steps to ensure that they and others provide safe care, is part of meeting their Standards of Practice and Code of Ethics.

The Role of the Employer

PPIs can reach beyond the nurse involved and affect the delivery of safe client care, teamwork and the overall morale of the workplace. Regardless of the issue, every PPI requires the attention of the employer. Once aware of a PPI, the employer should promote safe practice by implementing a development plan to address the issue. Employers are accountable to manage serious PPIs within their employment policies.

The Nature of the Practice Issue

Before the plan to address the practice issue is created, it is important to understand the exact nature of the issue. Once a practice issue has been identified employers should communicate the issue with the nurse to work towards a solution. This will require reviewing the practice and the context in which it occurs, what standards of practice may not have been met, obtaining more information about the issue, and having a discussion with the nurse involved. Once the details are understood, realistic goals can be set, and the correct interventions can be put in place to help the nurse improve their practice and provide safe care.

The Development Plan

There is no one way to create a development plan for a nurse with practice issues. Plans can come in a variety of formats and can be presented in a variety of ways. The College recommends the most effective development plans are created in collaboration with the nurse and have the following elements:

- A defined start and end (or anticipated end) date;
- A clear explanation of the PPI(s);
- Identification of specific standards of practice or elements of the code of ethics related to the PPI;
- A description of the impact, or potential impact on safety (client, team, organizational or public);
- A clear explanation of the expected practice change;
- A list of organizational support and resources to be provided to the nurse;
- A list of learning activities;
- A description of how practice change will be measured; and
- An evaluation plan with timelines.

These elements are simply a guide and employers should rely on the tools that are supported by their organizational policy. Regardless of the tool, the goal is to create a plan which supports practice change so the nurse may continue to provide safe, competent, ethical and compassionate care to clients.

Evaluating the Outcomes

The evaluation of the development plan is one of the most critical aspects of the process. Resolution of a practice issue or assessing the depth of practice change is not possible without a comprehensive evaluation of the outcomes. When considering if the practice issue has been successfully resolved, it is important to evaluate the change in practice for the nurse, the outcome of the issue and how it was managed. If the practice issue has not been resolved, it will require further in-depth review and action to ensure clients are not at risk.

Notifying the College of a Professional Practice Issue

There is no automatic requirement for the employer to notify the College if they are required to implement a development plan for a nurse.

If the development plan is not effective, such as if the nurse is unwilling to or unable to successfully make and/or sustain the changes to their practice to resolve the issue, the employer should contact the College to discuss the next potential steps. This may include submitting a letter of complaint to initiate the professional conduct process. For information about the College's professional conduct process visit www.nscn.ca.

For additional guidance on when to contact the College, see Appendix A: Employment Issue or Complaint?

The employer has the legal duty³ to report to the College if a nurse is terminated, resigns or retires rather than engage in a development plan, before the results of the development plan can be fully assessed or before the PPI has been successfully resolved.

Letter of Complaint

Employers should submit a signed letter of complaint addressed to the CEO to initiate the College professional conduct process. For more information on the process and information to include when submitting a letter of complaint visit www.nscn.ca.

The College's professional conduct process often works in parallel with internal agency processes. Even after the College's professional conduct process is initiated, employers should work to ensure that clients receive safe, competent, ethical and compassionate care from nurses.

Conclusion

Supporting a nurse to change their practice so they may continue to provide safe, competent, ethical and compassionate nursing services is one of the most critical and challenging aspects of an employer's responsibility. However, if done with a process and intention, employers and nurses can continue to meet their obligations to the clients and the public.

³ Every employer or agency that employs a nurse has a duty to report to the College if a nurse has been terminated or resigns because of allegations of professional misconduct, conduct unbecoming the profession, incompetence or incapacity. Nursing Act, 2019.

Appendix A: Employment Issue or Complaint?

