

Decision of the Nursing and Midwifery Board of Australia

Performance and Professional Standards Panel

Jurisdiction: **Victoria**

Date of hearing and decision: 2 May 2012

Classification of Notification:

Clinical Care – Other clinical care issue.

Conflict of Interest – A failure to disclose or properly manage a conflict of interest.

Allegations

A nurse from an agency was rostered onto a shift at a major metropolitan hospital. On arriving for work she was assigned to a patient for one-on-one care. It transpired that the patient was a relative of the nurse, but this fact was not communicated to the hospital staff until close to the end of the shift. Twice during the shift, the patient was left unsupervised when this was not appropriate for the patient's care.

The nurse faced allegations that she failed to notify her supervisor that she was related to the patient for whom she was caring and that she left the patient, who required constant supervision, on two occasions during a shift.

Findings

The Panel found that the nurse had left the patient on two occasions during her shift - once to move her car and the other time to have a meal break. On both occasions she had asked permission to leave and was not advised of the need for another nurse to relieve her. The Panel further found that the nurse did not receive a handover from staff from the previous shift when arriving at the ward. It was her first shift at this particular hospital and she was told to go to the room of a patient who required one on one care because of behavioural issues. During the shift, the psychiatry team assessed the patient and decided to detain him under the *Mental Health Act* for treatment. The patient was a relative of the nurse and she did not disclose this fact until the end of the shift.

On the basis of those findings, the Panel decided that the nurse had engaged in unprofessional conduct for not informing staff at the beginning of her shift about her relationship with the patient and for inappropriately leaving the patient unsupervised for an extended period of time twice during the shift.

Determination

The Panel imposed conditions requiring the nurse to undertake further education about ethics and a course to help her better understand her scope of practice.