



Reporting Professional Responsibility and Workload Issues without Collective Agreement Language

Tip Sheet

Duty to Report: Professional Practice Accountability and Patient Advocacy

All nurses and regulated health professionals¹ have a duty to report issues related to professional practice under the College of Nurses of Ontario (CNO) or other regulatory college², regardless of having professional responsibility language in their collective agreement.

All nurses must report to their employer any conditions, factors or events that affect their ability to comply with practice standards and legislation or that impact patient care. For example, nurses are obligated, under the CNO's Code of Conduct and Professional Standards, to notify their employer if the safety of patients/residents/clients³ is a concern, and respiratory therapists, under Standard 13 – Professional Responsibilities must report any unsafe practice and advocate for improvement to patient care.

Accountability is one of the seven professional standards set out by the CNO. It stipulates that all CNO-licensed nurses (RNs, RPNs and NPs, as well as nurse managers, educators, etc.) are individually responsible for their own practice, and must adhere to all standards of practice and legislative requirements regardless of role and work setting.

Under the CNO's Code of Conduct, an essential aspect of that accountability is advocating for patients. Nurses must act to prevent harm to patients by raising concerns that prevent them from delivering safe, quality patient care as specified on all standards and legislation.

Also, as per Standard 13 – Professional Responsibilities, respiratory therapists will demonstrate compliance by assuming responsibility and accountability for their own practice towards the College of Respiratory Therapists of Ontario and towards their profession and public by reporting and advocating.

Why should you report concerns?

¹ When the classification “nurse” is used throughout this document and should be read to include regulated health professionals.

² When CNO is referenced, it should also be read to be inclusive of all regulatory colleges for health care professionals.

³ When “patient” is referenced, it should also be read to be inclusive of residents and clients.

By reporting concerns and issues to your employer, you open the dialogue to improve working conditions for other ONA members and enhance the quality of care delivered to patients and their families.

Raising concerns demonstrates you are complying with your college standards for nurse accountability and patient advocacy.

Certain aspects of the workplace are controlled only by management (such as scheduling, retention and recruitment, securing resources, etc.). When raising professional responsibility concerns, your employer has the opportunity to resolve issues related to their area of workplace control: you can raise awareness, and your union is here to support you!

Tips for Reporting Concerns When There is No Professional Responsibility Language in the Collective Agreement.

- At the time of the occurrence, notify a supervisor/manager/charge nurse, etc., of your concerns and issues as soon as possible to find a solution.
- Continue to provide patient care with the resources available to the best of your ability.
- Support your manager to resolve the issue by offering recommendations that will resolve the problem. If the concern is not resolved, submit the issue in writing to the manager or designate and notify your Bargaining Unit President (BUP) as soon as possible.
- Engage with colleagues to identify unit/area/agency-wide issues and collaborate on recommendations.
- Ask your BUP to facilitate and support an unit/area/agency-based meeting with manager or designate to collaborate on resolutions.
- After a reasonable time once the report has been submitted, follow up in writing with the manager and the BUP. If the employer asks to meet with you to discuss the issue, request union representation.
- Always reach out to the Bargaining Unit leaders to support you, and find ways ONA can assist you with bringing issues forward to your employer

Responding to Allegations of Professional Misconduct

If a patient/family member or an employer makes a complaint or report to a regulatory college, evidence that you raised workload concerns can help the Legal Expense Assistance Plan (LEAP) Team defend. While escalating workload concerns might not absolve a nurse of professional misconduct, it can potentially prevent a referral to the Discipline Committee or result in a lesser penalty if the matter is referred.

It is important to document your escalation of workload concerns. If you raise the workload concern through an email to your manager or designate, you should also send a copy to your personal email. However, it is important not to send patient's personal health information to a personal email and refrain from using the employer's assigned email for communications with the Union.

If you have further questions, please contact your BUP. Contact information for your BUP can be found at the following link: <https://www.ona.org/find-my-bargaining-unit-president/>

References

College of Nurses of Ontario. (2019). *Code of Conduct*. (CNO Practice Standard, Pub. No. 49040).

https://www.cno.org/globalassets/docs/prac/49040_code-of-conduct.pdf

College of Nurses of Ontario. (2018). *Professional Standards, Revised 2002*. (CNO Practice Standard, Pub. 41006).

https://www.cno.org/globalassets/docs/prac/41006_profstds.pdf

[College of Respiratory Therapists of Ontario. \(2019\). *Standards of Practice*.](https://standards.crto.on.ca/)

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