



The Nova Scotia College of Nursing (NSCN) is the regulatory body for licensed practical nurses (LPNs), registered nurses (RNs) and nurse practitioners (NPs) in Nova Scotia. Our mandate is to protect the public by promoting the provision of safe, competent, ethical and compassionate nursing services by its registrants. The term nurse in this document refers to LPNs, NPs, and RNs unless otherwise stated.

Contents

What is sexual misconduct in the context of the nursing profession?	2
Why are you developing a new sexual misconduct standard?	2
Nurses are already required to behave in a professional manner. Is this standard necessary?	2
Is sexual misconduct a significant issue within our province’s nursing profession?.....	2
What can the public, nurses and others expect in the standard?	2
What happens if a nurse does not follow the new standard?.....	3
Do you think a standard on sexual misconduct for nurses will reduce the chances of sexual misconduct from happening?.....	3
Can you give me a specific and practical example of how the standard will be helpful for the public?	3
Similarly, can you give me an example of how the standard will be helpful for nurses?	3
Will Nova Scotia be the first province to have a sexual misconduct standard for nurses?.....	3
Are there opportunities to participate in the development of the standard?	3
When do you expect to release the standard?	3

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In January 2020, we began an initiative to develop a new sexual misconduct standard for all nurses. Learn more about this work.

What is sexual misconduct in the context of the nursing profession?

At this early stage of consultation and development, we have not yet determined the definition for sexual misconduct within the context of nursing.

However, we do know that sexual misconduct is conduct that is sexual in nature and generally involves power imbalance and people in positions of authority. In the context of nursing, this could include:

Conduct, behaviour or remarks of a sexual nature made by a nurse towards a current or former client or colleague that could cause offence, humiliation or otherwise negatively affect the recipient's health and well-being.

Why are you developing a new sexual misconduct standard?

- To prevent serious harm from occurring by having clearly defined expectations for nurses
- To reflect the meaningful discussion within our communities and the public's zero tolerance attitude about sexual misconduct
- To empower the public, nurses and others to report sexual misconduct with the confidence in knowing that we take this matter very seriously

Nurses are already required to behave in a professional manner. Is this standard necessary?

Currently, nurses are required to maintain a professional relationship with current and former clients based on the broad expectations outlined in their standards of practice, code of ethics and other regulatory guidelines.

We have learned that with highly complex matters, like sexual misconduct, it is important to have clearly defined expectations. This helps to remove uncertainty about the expected conduct.

The sexual misconduct standard will provide additional clarity by using plain language, providing clear definitions and setting distinct expectations.

Is sexual misconduct a significant issue within our province's nursing profession?

This is a difficult question to answer. Historically, sexual misconduct has been underreported within the justice system and there may be parallels within professional regulation.

At NSCN, sexual misconduct accounts for 1% of all disciplinary decisions from the past 10 years. We believe this figure represents isolated misconduct rather than a widespread issue within the nursing profession.

What can the public, nurses and others expect in the standard?

We are in the early phase of developing a sexual misconduct standard.

At this time, we know that the standard will at minimum:

- Outline the practice expectations for all nurses
- Will apply to all nursing designations in Nova Scotia
- Include definitions of sexual misconduct and other important concepts, such as sexual abuse
- Live as a document separate from each designation's standards of practice but carry the same regulatory force as their standards and code of ethics

The specific components of the standard will be determined in the coming months based on feedback from stakeholders, best available evidence, supporting material from other health regulators in Canada and legal counsel.

What happens if a nurse does not follow the new standard?

The standard will set out the legal and professional expectations for nurses in all practice roles and settings. If a nurse does not follow the new standard, this could result in a complaint to NSCN by their employer, member of the public or other health care professional including other nursing colleagues who have a [duty to report](#).

Do you think a standard on sexual misconduct for nurses will reduce the chances of sexual misconduct from happening?

Research suggests that having clearly defined expectations for nurses helps to prevent serious harm from occurring. We are developing the standard so that the public and the nurses are aware of the expectations of all nurses related to sexual misconduct.

Can you give me a specific and practical example of how the standard will be helpful for the public?

One way that the standard will be helpful to the public is by providing definitions, which will assist the public in determining what is acceptable or unacceptable behaviour in the context of nursing practice.

Similarly, can you give me an example of how the standard will be helpful for nurses?

One example is that if a nurse is considering entering into a relationship with a former client, the new standard will contain specific information that will help the nurse determine whether this is appropriate.

Will Nova Scotia be the first province to have a sexual misconduct standard for nurses?

Most recently, the College and Association of Registered Nurses of Alberta published the standard [Protection of Patients from Sexual Abuse and Sexual Misconduct](#) and the College of Physicians and Surgeons of Nova Scotia just completed their [public consultation](#) on a *Draft Professional Standard and Guidelines Regarding Sexual Misconduct by Physicians*. The College of Nurses of Ontario has also conducted research and developed [tools on sexual abuse](#).

Are there opportunities to participate in the development of the standard?

Our public consultation is open to the public and we encourage anyone with insights, information or feedback to participate in our two formal consultation opportunities:

February 13 to March 8: [visit our website](#) and complete a brief survey to help inform the development of the sexual misconduct standard.

April 9 to May 10: [visit our website](#) to review a copy of the draft standard and participate in the conversation to help inform the final regulatory document.

When do you expect to release the standard?

We anticipate releasing the sexual misconduct standard for nurses in June 2020.

Learn more about this initiative and participate in our public consultation [visit our website](#).