

Framework to support you in making safe decisions about patient contact: 7 key factors

Across the UK, you should be confident to open up your services and practices, and to see patients face-to-face subject to the lockdown restrictions of your country or area and follow the relevant safety and government guidance. As an HCPC registrant you need to do all you can to minimise risk to yourself, your patients and colleagues.

This framework provides you with a pathway to interpret national guidance and adhere to the legal, regulatory and professional requirements that govern safe physiotherapy practice.

Considering the seven key factors below will help you decide the best way to deliver your service.

These factors are:

- Legal, regulatory and professional responsibilities
- Risk assessment of the working environment for which you are responsible
- Infection prevention and control measures
- Access to personal protective equipment
- 'Virtual first' approaches
- Patient risk assessment and clinical reasoning
- Patient consent for treatment

Legal, regulatory and professional responsibilities

You must work within the legal, regulatory and professional frameworks that guide the safe management of patients, the safety of the wider public and everyone who works in the practice environment for which you are responsible.

Be clear that while the trajectory of change will be very similar, the timescales will be different each country. You must, therefore keep up to date with the government guidance for the country in which you work.

Scotland: <https://www.gov.scot/collections/coronavirus-covid-19-guidance/>

England: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

Northern Ireland: <https://www.publichealth.hscni.net/covid-19-coronavirus>

Wales: <https://gov.wales/health-professionals-coronavirus>

Guernsey: <https://covid19.gov.gg/>

Jersey: <https://www.gov.je/Health/Coronavirus/Pages/index.aspx>

Isle of Man: <https://covid19.gov.im/news-releases-statements/>

All registered physiotherapists regardless of sector or setting owe a duty of care to their patients.

A duty of care is a legal responsibility to provide a reasonable standard of care to patients and to act in ways that protect their safety. The CSP directs members to uphold the statutory standards for UK-wide registration through its duty of care guidance.

<https://www.csp.org.uk/publications/duty-care>

Further, registered physiotherapists must comply with the Health and Care Professions Council (HCPC) standards of conduct performance and ethics. <https://www.hcpc-uk.org/standards/standards-of-conduct-performance-and-ethics/>

They must also comply with the HCPC standards of proficiency for physiotherapists <https://www.hcpc-uk.org/standards/standards-of-proficiency/physiotherapists/>

Several Standards may be pertinent here, but specifically, the following apply:

Ethical framework, standard 6 – Identify and manage risk

- 6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.
- 6.2 You must not do anything or allow someone else to do anything that could put the health or safety of a service user, carer or colleague at unacceptable risk.
- Proficiency for physiotherapists, standard 15 – Understand the need to establish and maintain a safe environment.
- 15.1 Understand the need to maintain the safety of both service users and those involved in their care.
- 15.3 Be aware of applicable health and safety legislation, and any relevant safety policies and procedures in force at the workplace, such as incident reporting and be able to act in accordance with these.
- 15.4 Be able to work safely including being able to select appropriate hazard control and risk management, reduction or elimination techniques in a safe manner and in accordance with health and safety legislation.
- 15.6 Be able to establish safe environments for practice that minimise risk to service users, those treating them, and others, including the use of hazard control and particularly infection control.

In the context of COVID-19, these responsibilities extend to physiotherapists ensuring that they:

- Comply with government social distancing and shielding directives and mitigate, as far as reasonably practicable, the risk of transmitting the disease to patients and the wider general public, particularly to those in the vulnerable and extremely vulnerable categories. <https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>
- Use appropriate personal protective equipment and manage any clinical areas in accordance with COVID-19 infection prevention and control regulations. <https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control>.

The HCPC has specific guidance for registrants on how to adapt practice and apply their Standards in the context of COVID-19 in community settings <https://www.hcpc-uk.org/covid-19/advice/applying-our-standards/adapting-your-practice-in-the-community/>

Risk assessment of the working environment for which you are responsible*

To fully understand the areas in your environment that need attention you should undertake a risk assessment. You should document this and demonstrate the steps you will take to mitigate risks.

You should assess the risks within your working environment by thinking about all the things that may pose a risk to your patients or to others. After assessing the risks you can plan how to address and mitigate these risks. Have a look at the HSE's risk assessment template; <https://www.hse.gov.uk/simple-health-safety/risk/risk-assessment-template-and-examples.htm>. This is a useful tool that you can use to document potential risks to your patients, yourself, and your colleagues.

If you employ or engage others to work in your practice with you, you should understand your additional duty of care as an employer for the health and safety of staff and ensure all staff are trained and competent in new procedures. <https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19>. This duty extends to undertaking risk assessments for vulnerable or at-risk staff and providing access to appropriate PPE for all staff. <https://www.csp.org.uk/news/coronavirus/workplace-employment/ppe-your-practice-workplace>

Mitigating actions are likely to include but are not limited to:

- Follow your government's guidance on social distancing
- Reduce potential exposure using virtual measures such as remote triage
- Use appropriate PPE
- Consider if you can conduct sessions outdoors
- Consider how people enter and leave your premises
- Adapt your waiting rooms to ensure patients do not overlap (1 in 1 out) and people are kept apart
- Consider installing screens and barriers at reception areas
- Develop a protocol for when patients ask to be accompanied by a relative
- Develop a protocol for when patients ask to have a chaperone and/or translator present
- Place relevant posters in the clinic to raise awareness
- Remove all non-essential items from waiting rooms and consider how you will clean non-disposable items such as clipboards and pens
- Implement hand decontamination facilities (hand-washing and hand sanitiser)
- Develop a policy and protocol for cleaning clinic rooms after each patient
- Train all clinic staff in infection control procedures
- Consider reducing the numbers of appointments offered to allow for cleaning between patients
- Implement policies and procedures for cleaning of phones, desks and other tools used by staff in clinical areas

Your risk assessments and all mitigating actions should be documented and shared with staff.

If you work in people's homes or a care home, you may not have ultimate responsibility for your work environment but you should still follow guidance on how to work safely.

<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-domiciliary-care>

<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-care-homes>

Infection prevention and control (IPC) measures

You must keep up to date with PHE guidance on IPC for COVID-19. <https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control> You must have all appropriate systems and processes in place in your practice to comply with guidance. This guidance is the same in all four countries.

Suggested actions may include:

- Develop protocols and systems to manage and monitor any risks that the clinic environment may pose
- Develop a protocol for cleaning clinic rooms after every patient and other clinic areas as required
- Procure all appropriate cleaning products
- Provide suitable accurate signage on COVID-19 IPC for people coming into clinic
- Implement telephone screening of all patients (to include household members) before their appointment to ensure those with suspected COVID-19 symptoms do not enter the clinic, or you don't enter their home, to reduce the risk of transmitting infection to other people
- Train all your staff so that they are aware of their responsibilities in the process of preventing and controlling infection
- Put a system in place to manage the occupational health needs and/or obligations of your staff in relation to, symptom management and self-isolation
- Put in place appropriate hand decontamination (hand-washing and hand-sanitising) facilities
- Procure a sufficient supply of relevant PPE suitable for the clinic activities undertaken and patients who may be treated
- Procure the correct colour coded waste bags
- Implement arrangements for the storage of waste bags before collection
- Procure appropriate services to collect and dispose of waste in line with current legislation
- Train all your staff in appropriate hand decontamination processes, PPE requirements and waste collection, storage and disposal

Personal Protective Equipment

You must use appropriate personal protective equipment (PPE) and have systems and policies in place that govern its use.

Read the PHE requirements for PPE. This guidance is the same across the UK. <https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control>

You will also find our PPE FAQs useful: <https://www.csp.org.uk/news/coronavirus/workplace-employment/ppe-your-practice-workplace>

Suggested actions may include:

- Consider whether to ask patients to wear face coverings
- Know the PPE that any non-clinical staff will be required to use within your service including for any cleaning that must be undertaken

- Know how to risk assess for the correct level of PPE at each consultation (see PHE tables)
<https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control>
- Ensure the necessary PPE is available and utilised
- Train yourself and your staff how to don and doff PPE
- Put in place appropriate processes and methods to dispose of PPE See our guidance:
 - Develop and document a PPE protocol that includes all the processes and procedures for safe and appropriate management of PPE
 - If you are working in a domiciliary and or care home setting
 - Know how you will transport PPE supplies
 - Know 'sessional use' of PPE in domiciliary settings
 - Know how you will dispose of PPE
 - Have a process in place for hand decontamination

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<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-care-homes>

Virtual triage

Initial contact and triage assessment should be conducted via remote means during the pandemic to mitigate risk and limit face-to-face contact time. This should include screening questions to establish whether the patient is experiencing symptoms of COVID-19, has been tested as positive or has household members with the same.

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection>.

In order to decide whether to see a patient face-to-face you should could consider the risk to the patient, yourself, others in your clinical setting or the patient's household. Do consider COVID-19 risk factors <https://www.nhs.uk/conditions/coronavirus-covid-19/people-at-higher-risk/whos-at-higher-risk-from-coronavirus/> to help you make your decision.

Document advice and assessment findings in the patient's clinical record including your reasoning for seeing the patient face-to-face. It is advisable to keep a record of how you clinically reasoned your decision.

Patient risk assessment and clinical reasoning

You should use your professional judgement to make reasoned decisions as to the best means of treating each patient having considered

Suggested actions:

- Identify whether your patient is shielding or not
- Ensure you have the appropriate PPE to wear

- Ensure the patient is able to comply with social-distancing requirements including for those patients who request a chaperone to be present
- Ensure you have appropriate Infection Control and Prevention provisions in place

Patient consent for treatment

Finally, you should discuss with your patient the treatment options available to them including the pros and cons of remote consultations. This will enable you to gain and document informed consent. Do be aware of your duty of care (see above).

Suggested actions

- Explain the safety measures you have in place to address the risks of COVID-19 in attending a face to face appointment
- Discuss why a face-to-face appointment is clinically justified where this is the case
- Explain to patients the policy and procedures for attending clinic face to face
- Explain to the patient the close contact that may be required during a face-to-face session
- Discuss with patients that they may be required to attend wearing a face covering
- Explain to patients the cleaning processes in place in treatment areas
- Document any questions individual patients raise related to attending face to face related to COVID-19
- Train all your staff in appropriate consent for treatment procedures

Remember disclaimers in healthcare are not appropriate, as the clinician has a duty to take reasonable care. This is absolute and any advice/treatment/recommendation given must be based on clinical judgement. This is covered in more detail in our FAQs section:

<https://www.csp.org.uk/news/coronavirus/private-practiceindependent-sector/private-practices-independent-sector-faqs>

We have developed a template consent form for face-to-face consultations during Covid-19 with PhysioFirst. <https://www.csp.org.uk/news/coronavirus/private-practiceindependent-sector/private-practices-independent-sector-faqs/consent-form-template>

Insurance

Members can be reassured that the CSP PLI scheme provides cover for medical malpractice and professional indemnity liabilities subject to the terms and conditions of the policy.

The two policies comprising “PLI” are:

- Medical Malpractice (covering clinical negligence)
- Public Liability (covering non treatment related accidents)

Both cover the legal liabilities of eligible members for claims brought against them arising from their alleged negligence within the scope of physiotherapy practice.

However, we direct members to be clear on the following:

- In situations where members are returning to practice after lockdown they would be expected to introduce and follow all of the precautionary measures required and

recommended to ensure the safety of themselves, patients and staff. The PLI scheme does not provide Employers Liability insurance so members with employed staff should seek separate guidance on this class of insurance

- Members may have to justify their decisions if there is a challenge to their practice via the HCPC or a civil clinical negligence claim. We therefore advise members to risk manage treatments and their clinical environment to safeguard patients. Informed consent must now include discussions related to COVID-19
- The policies do not operate where members practice illegally
- Members delivering services through a corporate entity such as a private limited company or partnership should consult their business insurance advisers on how their commercial policies may be affected.

If you have any further questions then please contact the CSP enquiries team on 0207 306 6666.