



Policy Name: <p style="text-align: center;">AUDIO AND VIDEO RECORDING DEVICES</p>	Policy Number: <p style="text-align: center;">0967</p>
Approved By: <p style="text-align: center;">Executive Team</p>	Effective Date: <p style="text-align: center;">AUGUST 25, 2021</p>
Reason for Revision: Click on item below and select item from list. <p style="text-align: center;">CONTENT- Enter BELOW Reason for change Ex: Combined Policy ## and ##.</p> <p style="text-align: center;">New policy.</p>	Date Revised: <p style="text-align: center;">August 25, 2021</p> Next Date for Review: <p style="text-align: center;">August 25, 2023</p>
Section: <p style="text-align: center;">Section 09 - Administration</p>	Page No: <p style="text-align: center;">Page 1 of 7</p>

Policy

OBJECTIVES

- To establish consistent, principle-based, transparent parameters, and processes for:
 - maintaining a safe, respectful, and supportive environment in which to deliver care and services when an audio and video recording device (e.g., a device that can capture picture, video, and/or sound) is in use in a resident’s room in hospice, while promoting the safety and well-being of residents, families, visitors, and health care providers;
 - responding to a resident and/or family’s use of an audio and video recording device within the resident’s room in hospice; and
 - the protection of residents privacy and to minimize impact on care activities when an audio and video recording device is in use.

PRINCIPLES

Agape Hospice is committed to building a culture of resident and family-centred care and protecting the rights of health care providers. Respecting resident autonomy and partnering with residents and families in the planning, delivery, and evaluation of health services enhances communication, collaboration, and safety. Accordingly, this policy should be followed with a commitment to the following principles:

- **Honesty and transparency:** Health care providers and health systems should promote openness and honesty while respecting the constraints of patient confidentiality;
- **Resident choice:** Residents are active participants in their care, and should be empowered to make decisions about their own lives based on their values, preferences, and beliefs;
- **Limitations on curtailing of freedoms:** The curtailing of individual freedoms to avoid harm to others should be limited to those which are proportionate, reasonable, and justifiable;



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- Resident safety: Health care providers aim to minimize risks to residents' physical and psychological well-being;
- Exposure to harm: Residents, families, health care providers, and visitors should not be exposed to harm where it is reasonably avoidable; and
- Protecting confidentiality: Maintaining resident confidentiality is essential in health care as an important part of respecting the dignity of residents and is a necessary requirement for a therapeutic relationship.

APPLICABILITY

Compliance with this document is required by all Agape Hospice employees, students, volunteers, and other persons acting on behalf of Agape Hospice.

POLICY ELEMENTS

1. Points of Emphasis

- 1.1 It is recognized that devices with audio and video recording or streaming capabilities are increasingly being used by patients and families within a patient's room to support opportunities for social connection.
- 1.2 This policy is intended for use in Agape Hospice and applies to circumstances where an audio and video recording device is used within a resident's room for any purpose, and operated by the resident.
- 1.3 This policy does not apply to:
 - a) investigations by police for suspected criminal activities (e.g., covert surveillance); and
 - b) photos, audio, or video recordings of family events, celebrations, or activities outside of the resident's room.
- 1.4 If a family member or another individual is using an audio and video recording device on behalf of the resident for ongoing monitoring, it should be done in consultation with and with the written consent of the resident.
- 1.5 If a resident or family intends to post a video and/or audio recording containing images or sounds of other persons (e.g., other residents or health care providers) on social media or other websites, it should be done with the written consent of the other individuals in the recording.



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2. Health Care Provider Responsibilities

- 2.1 Health care providers may refer to the AHS Audio and Video Recording Devices in Resident Rooms: Information for Healthcare Providers for more information and guidance on health care provider responsibilities.
- 2.2 When health care providers become aware that a new audio and video recording device is being considered or in use in a resident's room, they shall:
 - a) inform the Nursing Lead (NL) or Charge Nurse (CN);
 - b) not hinder nor participate in the purchase, installation, maintenance, or removal of the device;
 - c) not interfere with the device to stop or modify recording (unless requested by the resident or family, as appropriate);
 - d) notify the NL or CN immediately if they become aware of public sharing of audio or video recording or streamed content, alleged criminal event (e.g., theft), breach of privacy, or safety or quality care concern; and
 - e) inform the NL or CN of any concerns reported by others.
- 2.3 Health care providers should share any personal concerns they may have regarding the use of audio and video recording devices with the NL or CN.
- 2.4 Health care providers may support the resident with the device when requested by the resident or their family (e.g., assistance with a video call).
- 2.5 If a resident or family shares that they intend to post a video and/or audio recording containing images or sounds of other persons (e.g., other residents or health care providers) on social media or other websites, the health care providers shall inform the NL or CN of the resident's or family's intention.

3. Employer Responsibilities

- 3.1 The Employer shall inform the resident and their family upon admission of processes for the use of personal audio and video recording device use.
- 3.2 The NL or CN will inform health care providers, residents, families, and visitors of the possibility of audio and video recording devices in use in resident rooms through facility signage.



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- 3.3 When the NL or CN becomes aware that a new audio and video recording device is being considered or is in use, the NL or CN should engage in discussions to support the resident and family.
- a) The NL or CN should meet with the resident, their family and, where applicable, the alternate decision-maker to understand the need for an audio and video recording device (e.g., social connection, ongoing monitoring).
 - i. If an issue is identified related to care, safety, or quality, engage in discussion highlighting and exploring other potentially more supportive and effective avenues to resolve the issue.
 - b) The NL or CN shall verify the following recommended processes are being followed, including but not limited to:
 - i. written consent has been obtained from the resident (or from their alternate decision maker as applicable), if the device is intended for ongoing monitoring; and
 - ii. review and verify device positioning protects the resident's privacy.
 - c) If an audio and video recording device does not follow the recommended processes outlined in Section 3.3 (b) above, the NL shall take steps to support the individual using the device to align with the recommended processes, such as:
 - i. reviewing recommended processes for use with the individual who installed the device;
 - ii. stopping or repositioning the device until written consent is obtained; and
 - d) If a resident or family shares that they intend to post video and/or audio recording containing images or sounds of other individuals (e.g., other residents or health care providers) on social media or other websites, the NL shall obtain written consent from the individuals.
 - i. If an audio or video recording or stream is posted online or shared publicly without appropriate consents of individuals in the recording (e.g., other residents or health care providers), the NL should discuss alternatives, including obtaining consents or removal of the recording, with the resident or family member.



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- 3.4 When an NL becomes aware that an audio and video recording device is being considered or is in use, the NL should notify health care providers and respond to questions or concerns.
- 3.5 The Executive Director or other Salvation Army leadership may be consulted as needed.

4. Concerns Resolution

- 4.1 It is recommended for residents and families to resolve any concerns at Agape Hospice. If concerns are not resolved, residents and families may refer the complainant to contact the Patient Relations Department directly to address their concern (1-855-550-2555).

5. Respectful Workplaces and Prevention of Harassment

- 5.1 Agape Hospice does not tolerate audio or video recordings used as an act of disrespectful behavior, harassment, threats, or violence to other residents or health care providers.
 - a) Health care providers and the NL/CN shall respond to any incidents of disrespectful behavior, harassment, threats, or violence related to the use of audio and video recording devices per the Salvation Army operation policy: Workplace Harassment, Discrimination, and Violence Prevention.

DEFINITIONS

Alternate Decision Maker: means a person who has the broad authority to make decisions for the resident related to personal matters, which could include a guardian, an agent in accordance with a Personal Directive, a co-decision maker, or a minor’s legal representative.

Concern: means the written or verbal expression of dissatisfaction that may be related to:

- the provision of good and services to a resident;
- a failure to refuse or refusal to provide goods and services to a resident; or
- terms and conditions under which goods and services are provided to the resident, by Agape Hospice or by a service provider under the direction, control or authority of Agape Hospice.

It may also include dissatisfaction with professional practice and/or an allegation of unprofessional conduct. The concern may be clinical or non-clinical and may be directed at any member of the organization or the organization as a whole.



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Covert surveillance: means the intentional concealed viewing or monitoring of a specific activity, area, or circumstance, for the purpose of capturing information related to a perceived safety or security threat or illegal activity. Covert surveillance should be conducted in conjunction with the police and/or AHS Protective Services.

Disrespectful behavior: means comments or conduct that is rude, inconsiderate, or insensitive. Disrespectful behavior includes behaviors that can be addressed and stopped by bringing them to the attention of the other individual. Disrespectful behavior can also occur between two or more workers with both sides contributing to the discord. It is recognized that if disrespectful behavior goes unaddressed, it can lead to harassment or violence.

Family(ies): means one or more individuals identified by the resident as an important support, and who the resident wishes to be included in any encounters with the health care system, including, but not limited to, family members, legal guardians, friends, and informal caregivers.

Harassment: means any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying, or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety and includes discrimination and sexual solicitations or advances. Workplace harassment can include incidents that occur outside of the workplace or working hours, but are related to the workplace (for example, inappropriate phone calls, e-mails, social media posts, visits to a worker's home and incidents at luncheons or after work socials) or harassment from clients and service recipients. Harassment excludes any reasonable conduct of a manager/medical leader or supervisor in respect of the management of workers or a workplace.

Health care provider: means any person who provides goods or services to a resident, inclusive of health care professionals, staff, students, volunteers and other persons acting on behalf of or in conjunction with Agape Hospice.

Ongoing monitoring: means situations where a resident or their family use an audio and video recording device to intentionally monitor the activity in the resident's room on a regular or intermittent basis. These situations typically involve a device that is installed/secured more permanently somewhere in the room.

Resident: means all persons, inclusive of residents and clients, who receive or have requested health care or services from Agape Hospice and its health care providers. Resident also means, where applicable:

- a) a co-decision-maker with the person; or
- b) an alternate decision-maker on behalf of the person.

Streaming: means the process of transmitting audio and/or video data over the internet with real-time or immediate viewing capability.



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Violence: means the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence. It is acknowledged that harassment may become violence.

REFERENCES

Alberta Health Services Guideline

- Audio and Video Recording Devices (HCS-281-01)

Alberta Health Services Governance Documents:

- Keeping Patients Safe from Abuse Policy (#1153)
- Patient Concerns Resolution Process Policy (#PRR-02)
- Patient Concerns Resolution Process Procedure (#PRR-02-01)
- Recognizing and Responding to Hazards, Close Calls and Clinical Adverse Events Policy (#PS-95)
- Respectful Workplaces and Prevention of Harassment and Violence Policy (#1115)

Alberta Health Services Resources:

- Audio and Video Recording Devices in Resident Rooms: Information for Healthcare Providers
- Audio and Video Recording Devices in Resident Rooms: Information for Residents and Families
- Audio and Video Recording Devices in Resident Rooms: Manager Tip Sheet
- Our People Strategy
- Patient First Strategy
- Personal Recording Devices in Resident Rooms: Information for Patients and Families Information Sheet (Provincial Seniors Health and Continuing Care)