

# Nurses' Perception of Ethics and Legal Training of Nurses in Ghana

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## Abstract

**Background:** Ethics and legal training in nursing provides a foundation and point of reference for ethical and legal issues that nurses may encounter during the practice of nursing. Extant research has shown that, in the global context, nurses are the largest group of health care providers. They frequently have to make decisions about their patients. Adequate training on issues of ethics and law is essential.

**Purpose:** The purpose of this study was to explore nurses' views on the ethics and legal training that they receive from training schools, identify any gaps in curricula and suggest ways to ensure adequacy of the and legal content in the nursing curriculum.

**Method:** A cross-sectional quantitative design was used in this study. Data were collected by means of a self-administered questionnaire which was developed, tested and disseminated to 150 nurses working in the six district hospitals of Ghana. Data analysis was by SPSS 25.0.

**Results:** The majority of the nurses believed their training on both and legal issues to be inadequate and felt that some issues were not covered, such as being a witness in court and signing legal documents.

**Conclusion:** Adequate training on and legal principles applicable to health care is paramount during the preparation of nurses.

**Keywords:** *Curriculum, ethics, legal, nurses' perception; training.*

## Introduction

Nurses play a vital role as facilitators between health facilities, patients and their families in matters that may have legal implications for their health care. Their role stretches from the prevention of any kind of harm to patients while under the nurse's care, to making difficult decisions where harm has occurred, thus subjecting their ethical standing to test<sup>1</sup>. Furthermore, the practice of nursing is based upon a social contract that separates professional rights and tasks as well as machines for public accountability. <Author, the meaning of the preceding sentence is not clear, please review.>

<sup>2</sup>Provides a framework for nurses' ethical decisions. This framework or guide is mandatory for all nurses, and they need to embrace it in order to function within the law and adhere to stipulated ethical standards. The ICN code of ethics prescribes four elements that underpin the standards for ethical conduct, namely the nurses and the people; the nurses and practice; the nurses and the

profession and the nurses and co-workers.

The people's principle posits that all nurses should ensure that an environment is secure and respectful. It further emphasises the provision of sufficient information to all their patients, to ensure that patients' decisions are informed. Nurses are required to adhere to acceptable standards in respect of clinical nursing, management, research and education, and to contribute to an ethical institutional environment by maintaining, promoting and safeguarding co-worker ethical conduct<sup>1</sup>.

Nurses face complex decisions regarding treatment, termination of life support, assistance with signing legal documents and issues of confidentiality<sup>3</sup>. For nurses to be able to function at the required standard, they need to be well prepared to be a patients' advocate, to uphold the law and to maintain ethical standards at all times<sup>4</sup> makes it clear that practicing nurses should adhere to high ethical standards. The implication is that all nurses should have had sufficient training in ethics and legal

principles to execute their functions appropriately. It is on this basis that the researchers aimed at exploring adequacy of nurses' training in ethics and legal principles in Ghana.

## Method

**Aim:** The aim of this study was to explore nurses' views on the ethics and legal training that they receive at training schools, to identify any gaps in curricula and to suggest ways to ensure adequacy of the ethical and legal content in the nursing curriculum.

**Design:** A cross-sectional descriptive-exploratory design was used to address the study aim and objectives.

**Setting:** The study was conducted at all six hospitals in the Upper West Region (Province) of Ghana. The setting was chosen for its convenience and close proximity to the researchers, and the fact that the province has the largest number of hospitals and professional nurses in the country.

**Sample:** The sample for the study consisted of professional nurses in the Upper West Region who had been practicing nursing for at least five years. The experience limit was set to ensure prolonged exposure in service. The accessible population is as shown in Table 1.

**Table 1: Upper West Region Hospitals**

| Sr. No. | Hospital        | Number of participating nurses |
|---------|-----------------|--------------------------------|
| 1       | Wa              | 54                             |
| 2       | Jirapa Hospital | 23                             |
| 3       | Nandom Hospital | 20                             |
| 4       | Nandom Hospital | 20                             |
| 5       | Lawra Hospital  | 21                             |
| 6       | Tumu Hospital   | 15                             |
| Total   | 6               | 150                            |

Of 150 respondents, 110 completed and returned the questionnaires.

**Data collection:** Data were collected using a self-administered structured questionnaire about demographic data, nurses' perception of ethical practice and nurses' perception of legal practice. A Likert scale, varying from strongly agree to strongly disagree, was used.

**Ethical considerations:** Permission was sought and granted by the University of South Africa's

Higher Degrees Committee (Ref: HSHDC/579/2017). Permissions were sought from the six participating hospitals through the regional directors of health services. Participation in the study occurred only after the respondents had signed the informed consent that emphasised voluntary participation and adherence to confidentiality.

**Data analysis:** Data were analysed using the Statistical Package for Social Sciences (SPSS), version 25. Descriptive statistics were used to summarise the data. Data were presented in the form of bar charts and frequency tables.

**Reliability and validity:** The developed tool was checked for all the items by all the researchers. It was later pre-tested. Only the first author collected data in all six hospitals to ensure that the toll is presented consistently for all respondents.

## Results

The sociodemographic characteristics of respondents showed that the majority of the respondents were between the ages of 20 and 30 years, at 52.7%. of 110 respondents in this study, 62.7% were females, denoting the preponderance of women in nursing.

The major findings of the study as this relates to both legal and ethical issues having been found to be inadequate in the training of student nurses, are sorted into four groups: Patients' Charter, clinical trials, signing of legal documents and knowledge of common offences.

**Patients' Charter:** More than half of the respondents (52%) reported not receiving any training on the Patients' Charter. The Patients' Charter enables student nurses to understand their rights and responsibilities to patients. This knowledge would further allow nurses to educate the patients' about their rights.

**Clinical trials:** Sixty-five percent of the respondents reported lack of knowledge about handling clinical trials, and their role as nurses. They reported that they have not been taught about clinical trials. Clinical trials examine how patients react to a particular therapeutic agent, and its tolerance and effectiveness.

**Signing of legal documents:** A significant number of respondents (59.2%) of the respondents reported to have not received adequate training in the signing of legal documents. Legal documents include the informed consent for minors and those unable to act, such as

comatose patients and patients whose family members cannot be found. It includes assisting in the signing of wills.

**Knowledge of common offences:** Inadequate knowledge of common offences (including negligence of duty, professional malpractice, battery, assault, invasion of privacy and fraud) was espoused by 55% of the respondents.

## Discussion

The purpose of this study was to investigate nurses' views on the adequacy of training in legal and ethical issues, in order to suggest appropriate points to include in the curriculum.

In this study, the respondents lamented lack of training in respect of the National Patients' Rights Charter. This finding is critical and needs to be addressed swiftly, as lack of knowledge might lead to nurses profaning patients' rights. According to<sup>5</sup> ignorance is not an excuse admissible in law. Patients nowadays are likely to demand to be cared for by nurses who are knowledgeable; they are very much aware of their rights. According to<sup>6</sup> patients would even go as far as demanding that nurses who care for them should be aware of all the ethical and legal issues that are likely to have an impact on them. <sup>7</sup>is of the view that nurses who are uninformed on ethical and legal issues are likely to contribute to legal and ethical problems that are encountered in the clinical setting, rather than prevent them.

The respondents in the study also intimated that they are not fully informed about signing legal documents. The only document that they were aware of was the informed consent form. <sup>8</sup>argue that signing legal documents is not part of the role of a nurse and they argue that a nurse's role is to deliver care to patients; being a witness might create a conflict of interest. However, the proponents argue that nurses should be knowledgeable about the referral routes to, for example, social workers and the hospital's legal department (if there is one).

The majority of respondents (65%) reported not having been taught on clinical trials. In most parts of the world, including Ghana, nurses are placed in different settings, such as oncology, where clinical trials are common. In other instances nurses may be called to participate in clinical trials, which necessitates the inclusion of clinical trials in their training. According to<sup>9</sup>

patients might be concerned about safety issues during clinical trials and nurses need to know which safety measures are in place. <sup>10</sup>further report that, in clinical trials, nurses are no longer used merely as data collectors, but are involved as part of a health care group.

It was furthermore found that some of the respondents were not aware of common offences or did not think offences such as negligence of duty, professional malpractice and invasion of patients' privacy could be punishable by law. Respondents claimed not to have had any training on it. This is a serious shortcoming, because these offences are mostly encountered in the clinical area and all nurses should be informed about these before they go into practice, for their own and patients' safety. <sup>1</sup>support the view that nurses should be aware of the laws and ethics governing their practice to avoid malpractice and breach of ethical principles.

## Conclusion

Adequate training on ethics and legal principles applicable to health care is paramount during preparation of nurses. Nursing curricula in this study setting and in all other training institutions should cover enough content in the ethico-legal aspects of nursing. Restructuring of curricula is necessary to ensure that graduates are well-informed about legal and ethical issues in nursing.

**Ethical Clearance:** Taken from: Research Ethics Committee; Department of Health Studies, University of South Africa (UNISA) HSHDC/579/2017. REC-012714-039 (NHERC).

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