

Appropriate use of recording devices during your surgery at the Royal Berkshire Hospital

Most of us now own a smart mobile device capable of recording video and/or audio, which we use during our everyday lives. Increasingly, we are being asked in hospital whether it is possible to film or record certain aspects of your care throughout your surgical journey.

This leaflet aims to clarify the dos and don'ts and provide advice for patients and relatives to allow communication, while maintaining safety and privacy for all parties involved.

If you are patient or relative, please:

- ✓ Do use your mobile phone in hospital. It is an important way of keeping in contact with loved ones and making use of online resources.
- ✓ Do feel able to record (audio, note taking or video) your pre-op or post-op consultations/appointments if you feel it would help you remember medical advice for your own records or to later share with family or carers.
- ✓ If you do wish to record the consultation / appointment, **please seek consent from those who may be included** with the aim of maintaining transparency. We would never record you without your consent and would appreciate the same courtesy in return.
- ✓ Do appreciate that healthcare staff are allowed a 'reasonable expectation of privacy' in their work and personal lives and have the right to refuse being included in a recording if they so wish.
- ✓ Do speak to senior staff member in charge and/or security if you see anyone suspiciously recording or taking photographs of children, vulnerable adults or in any other scenario making you feel uncomfortable.
- ✓ Do switch off phones or switch to airplane mode if asked to, in areas around sensitive equipment where there is a likely to be interference.

Please be mindful:

- ✗ DO NOT share any recorded content beyond that for 'personal use'. This means, legally you are entitled to record any aspect of your care provided you keep it for your/family own records. Sharing content online, including on social media platforms, which may implicate the Trust, its staff or patients, will put you at risk of potential legal or civil action and the Trust are likely to contact you to remove it.
- ✗ DO NOT record anyone, be it staff or patients who may be in the background, without permission. This is particularly relevant in busy areas such as the Recovery Unit after surgery.
- ✗ DO NOT use a recording of treatment, staff or patients with harmful or malicious intent to undermine or intimidate those recorded. We will ask for any content believed to cause

offence or distress to another party to be deleted, otherwise the person who recorded it may be open to prosecution.

- ✗ DO NOT record in a scenario that may cause disturbance to others or risk interrupting the provision of care or treatment. This can include difficult procedures in the anaesthetic room, surgery in theatre or emergency scenarios in the Recovery Unit.

How does this apply to my surgical journey?

In the pre-op clinic...

You will be invited to a pre-op clinic, either in person or over the phone, as part of the preparation for planned surgery or anaesthesia. It is our chance to get to know you and your health prior to an operation. This allows us a chance to identify any particular risks and plan accordingly, allowing us to make your operation as safe as possible.

The pre-op clinic is also an opportunity for you to ask us questions about any aspect of your care and address any concerns you may have. Pre-op clinics often involve the rapid exchange of lots of information between you and staff, and we appreciate that some patients wish to record the consultation for review later, to aid recall and understanding, which can help reduce anxiety. We would support you doing this, if you find it helpful, as it would ensure you and your family have access to all the necessary information to support and reassure you during your surgical journey. All we ask is that you tell staff if you plan to record, and as a courtesy, check if they are ok with this.

In the anaesthetic room...

This is the room you go into just before to the operation. It involves checking of personal details, fitting monitoring equipment, followed by the administration of your anaesthetic. Having anaesthesia ('going under') is a safe and controlled procedure, but it remains so because of the undivided focus and attention of the anaesthetist and members of the anaesthetic team. Some staff members may feel under increased pressure when being filmed, which may affect how they carry out their job, which is the last thing we would wish for you or your family member. For this reason, please do not film in the anaesthetic room unless it has been discussed and agreed by your named anaesthetist on the day. We may be able to accommodate your request; however, appropriate permission must be sought from all those present in the anaesthetic room to avoid inadvertently recording other staff members involved in caring for the patient.

In the Recovery Unit...

This is where you wake up following your operation under anaesthesia. You are likely to feel a bit groggy as you recover from your anaesthetic. Here, we are also able to give you medications to ease any post-op side effects, such as pain or sickness.

It is well known that your short-term memory can be affected as the anaesthesia wears off and you may not feel like speaking or listening. In these cases, if there are specific instructions or advice from your anaesthetist, surgeon or specialist nurse you wish to capture, then recording can be an option to aid recall later. Please be aware that on the Recovery Unit there will also be lots of other patients at varying stages of recovery from their anaesthetic. Like all patients, they

have a right to privacy, dignity and confidentiality, and will often be unable to consent to being filmed. If you or a family member wish to make a recording here, please inform a staff member of your wishes, and do so with the curtains drawn and in a discreet manner, to avoid disclosure of personal information or disturbing neighbouring patients. Once curtains are open again, you will not be permitted to continue filming or recording. This is in keeping with the Trust's duty to protect patients' privacy and confidentiality.

Finally...

We would like to thank you for respecting and following the Trust guidance outlined in this leaflet. We would like your surgical experience to be as positive and informed as it can be, with the help of modern technology and transparent communication.

As a department, we believe you should feel free to use your smart mobile device during your surgical journey, to aid your personal care as long as such use would not cause a breach of third party safety, dignity or privacy. Furthermore, it is everyone's responsibility to promote and safeguard the welfare of children and vulnerable adults to prevent inappropriate recordings being made and/or distributed. **Trust staff have the right to ask patients/visitors to refrain from making recordings if deemed to be inappropriate in any way.**

If you would like any further information on the rules and regulations surrounding this topic or clarification of the legal perspective or the Trust's privacy policy, please ask one of the surgical senior staff members or contact the Royal Berkshire Hospital Communication Team (communications@royalberkshire.nhs.uk), to help you access the necessary documents.

To find out more about our Trust visit www.royalberkshire.nhs.uk

Please ask if you need this information in another language or format.

RBFT Anaesthetics

Reviewed: November 2023

Next review due: November 2025