



London Ambulance Service **NHS**
NHS Trust

Procedure for Ambulance Observers

DOCUMENT PROFILE and CONTROL.

Purpose of the document: To ensure a standard approach when dealing with all requests/invitations to observe on LAS vehicles.

Sponsor Department: Legal Services and Operations Directorate

Author/Reviewer: Head of Legal Services and General Manager, Central Operations. To be reviewed by March 2018

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| 10/04/15 | 3.9 | Head of Governance | Equality Analysis updated |
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| 27/03/15 | 3.7 | T/ADO North West | Minor changes requested from SMT. |
| 20/03/15 | 3.6 | T/ADO North West | Limit of indemnity cover reduced to £5m |
| 22/07/14 | 3.5 | T/DDO North Central | Added responsibilities. Added note to appendix 2 |
| 27/07/10 | 3.4 | Head of Legal Services | Added scope responsibilities, monitoring |
| 06/07/10 | 3.3 | Records Manager | Reformatted |
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| 6/06/08 | 3.1 | Head of Records Management | Minor changes requested by CGC 2/6/08 |
| 23/05/08 | 2.1 | Records Manager | Section 8 of appendix 2 added. Re-formatted |

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| The Pulse (v3.9) | 24/11/16 | Governance Administrator | G&A |
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| Links to Related documents or references providing additional information | | |
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| Ref. No. | Title | Version |
| TP/ 024 | Managing Patient Confidentiality when Dealing with the Media | |
| TP/080 | Policy for use of Social Media | |

Document Status: This is a controlled record as are the document(s) to which it relates. Whilst all or any part of it may be printed, the electronic version maintained in P&P-File remains the controlled master copy. Any printed copies are not controlled nor substantive.

1. Introduction

Most requests to ride out with ambulance staff on a London Ambulance Service NHS Trust (LAS) vehicle generally come from student doctors, nurses and other healthcare agencies within the NHS including staff from LAS. Occasionally, MPs, local councillors, representatives from non-NHS or UK ambulance services, visitors from abroad, journalists and the media will request or be invited to ride out as an observer.

2. Scope

This procedure applies to all requests seeking permission to undertake a period of observation on an Accident and Emergency or Patient Transport Services (PTS) / Non-Emergency Transport Service (NETS) vehicle, and describes the steps to be followed for processing and authorising such requests.

3. Objectives

- 3.1 To ensure a standard approach when dealing with all requests/ invitations to observe on LAS vehicles.
- 3.2 To ensure proper scrutiny for all such requests is undertaken and that appropriate paper work and indemnity where necessary, is confirmed in writing.

4. Responsibilities

- 4.1 **SDMs/GSMs and PTS/NETS Operations Managers** are responsible for authorising applications and making final arrangements for the period of observation.
- 4.2 **HR Managers** are responsible for authorising applications and making final arrangements in the absence of the SDM/GSM.
- 4.3 **Ambulance Crew** have responsibility for terminating 'ambulance observation' period if they consider that the period of observation is not in the interest of patient care, or if the observer may have breached or compromised the requirements in Appendix 2.
- 4.4 **Assistant Director of Operations** level or above may allow guests in special circumstances to observe on vehicles without the need to provide indemnity or insurance.

5. Who may ride out as an Ambulance Observer on an LAS vehicle

- 5.1 As a general rule no one under the age of 18 years may go out as an ambulance observer on any LAS vehicle. The only exception to this rule is for students undertaking an appropriate training course (student nurses, GNVQ Health & Social Care, etc) who may observe on A&E vehicles providing their college agrees the undertaking in 2.4 below to provide indemnity for the negligence of the student.

6. Processing and authorising applications for Ambulance Observers

- 6.1 A person wishing to ride out as an observer will be referred to the appropriate sector Operational lead who will provide the necessary indemnity form.
- 6.2 In the case of an LAS employee whose service induction includes a period of time as an ambulance observer or where subsequently observer duties are arranged, it will not be necessary for them to sign indemnity forms.
- 6.3 Whenever a third party wishes to accompany LAS staff on a vehicle, the Indemnity Form (LA123) Part A (see [Appendix 1](#)), and the Observers Guidance Notes, part B ([Appendix 2](#)) must be signed and returned to the LAS prior to the period of observation.
- 6.4 If the third party is employed by another NHS organisation , health authority or a student at university or College of Further Education pursuing a professional health qualification, the employing authority/ university/College of Further Education must confirm on headed letter paper that the employing authority will accept liability for the negligence of their staff / student in the event of personal injury, injury to patients or LAS staff or damage to LAS property.
- 6.5 If the third party is not employed by a NHS Trust or health authority or is not a student at university or College of Further Education pursuing a professional health qualification, the third party must be asked to provide proof of both:
- (i) public liability and employer liability insurance to the value of:
 - £2,000,000 - if they are employed by a private company or other public body,
 - £5,000,000 - if they are employed by a public limited company.
 - (ii) Employer's liability insurance to the value of £10,000,000
- 6.6 If the third party is a student (not at a University or College of Further Education pursuing a professional health qualification) or an unemployed

person, they will be eligible for indemnity under LAS's Public Liability policy with Travellers Insurance Company Ltd.

This policy has been extended to include such observers in respect of injury to third parties (including LAS employees and patients for the purposes of this cover) and damage to third party property (though not to LAS property)

The Limit of Indemnity under this Policy is £5,000,000 on any one occurrence

- 6.7 Authorising applications and making final arrangements, such as name of crew time, date and place for the ambulance observer to report to accompany an A&E vehicle, will be undertaken in the first instance by SDM/GSM. PTS/NETS authorisation for an observer will be granted by a NETS Operations Manager. In the event of the SDM/GSM's absence, authorisation may be granted by an HR Manager.
- 6.8 A copy of the signed indemnity form together with the proof of the insurance or letter from the NHS employer/ university or College of Further Education and other documents will be retained by the department facilitating the arrangement for a period of 4 years.
- 6.9 Should any injury/ loss/ damage occur whilst the third party is accompanying LAS staff as an ambulance observer, an Accident/ Incident Reporting form LA52 must be completed.
- 6.10 In any event an ambulance crew have the right and responsibility to terminate the 'ambulance observation' period at any time should they believe the observer has breached or compromised these guidelines to the detriment of patients and staff.
- 6.11 A member of LAS staff must supervise the observer at all times. Under no circumstance is the observer to be left alone with a patient, a member of their family, or a friend.

7. Inviting Politicians, VIPs, guests from abroad and the media as Ambulance Observers.

- 7.1 Occasionally, the LAS approaches individuals from external organisations to observe on a vehicle. It would be inappropriate for the service to expect indemnification from this group of people when this has been initiated by the LAS and clearly for the benefits of the Service's own interests.
- 7.2 In these special circumstances, managers or officers of Assistant Director of Operations level or above may allow guests to observe on vehicles without the need to provide indemnity or insurance. The group of individuals that this is most likely to apply would be politicians, VIPs,

visitors from abroad and, when the LAS has made the initial approach to the press/media.

- 7.3 This facility must not be used to short-cut the procedure in the event of a 'guest' requesting the facility of ambulance observing at short notice, because of not having sufficient time available or due to incomplete or incorrect documentation.

| IMPLEMENTATION PLAN | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Intended Audience | For all LAS staff | | | |
| Dissemination | Available to all staff on the Pulse | | | |
| Communications | Revised Procedure to be announced in the RIB and a link provided to the document | | | |
| Training | | | | |
| Monitoring: | | | | |
| Aspect to be monitored | Frequency of monitoring AND Tool used | Individual/ team responsible for carrying out monitoring AND Committee/ group where results are reported | Committee/ group responsible for monitoring outcomes/ recommendations | How learning will take place |
| <i>List aspects/ Key elements of the policy/ procedure that will be monitored, e.g., training records, employment checks, etc</i> | <i>How often will this take place and What tool will be used, e.g., annual audit of x, quarterly report/statistical analysis of x, annual inspection of x, etc</i> | <i>Who is responsible for carrying this out? Title of individual/team that will do this, and Name of Group/committee where the results will be reported, e.g., Head of Legal Service will report results to the Learning from Experience Group, Clinical Audit and Research Unit will report results to the Quality Committee</i> | <i>Who monitors outcomes/ recommendations? Name of Higher level group/committee that will monitor outcomes/ recommendations, e.g., Trust Board, Audit Committee, RCAG, Quality Committee, Clinical Safety and Standards Committee</i> | <i>Describe how learning will take place for relevant areas, e.g., dissemination of findings and action to be taken where change to practice is required</i> |
| | | Area Governance Groups. This group will report into the Clinical Safety and Standards | | |

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|--|--|-----------|--|--|
| | | Committee | | |
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Indemnity Form

1. In consideration of you allowing me to accompany and observe your employees, independent contractors or agents during the course of their duties with the London Ambulance Service I hereby irrevocably and unconditionally undertake as follows:
 - 1.1 to indemnify you and keep you indemnified from and against all actions, claims, demands, costs (including legal costs), losses and expenses which may be brought or made against you by any person or incurred by you arising directly or indirectly, wholly or partly out of any act or omission by me (including my negligence) when so accompanying any such person as aforesaid;
 - 1.2 not to hold you responsible or make any claim against you in respect of any loss, damage or injury arising as aforesaid unless I suffer personal injury or death arising out of your negligence.
2. I agree:
 - 2.1 I will keep confidential and not disclose any and all information relating to you, your staff, and any of your patients or any other third parties, which I acquire or receive during the course of activities referred to in paragraph 1 or otherwise;
 - 2.2 I will not film, photograph, or record any of your patients or any other third party without first obtaining the verbal consent of such patient or third party wherever they have capacity to give consent; and will not subsequently publish, post or broadcast identifiable details of any patient without their written permission (see point 2.5 below);
 - 2.3 I will not film, photograph, record or post to social media any of your staff without first obtaining the verbal consent of such staff;
 - 2.4 I will not film, photograph, record or post to social media on private property without first obtaining the verbal consent of those persons responsible for the property;
 - 2.5 In the event that I film ,photograph, record or post to social media during the course of activities referred to in paragraph 1 above, any material I obtain and which is subsequently used by me or any third party (including in and by the media) will not identify any individual without that person's prior written permission;
 - 2.6 You may terminate my activities referred to in paragraph 1 above at any time, if you consider this to be necessary for the purposes of carrying out your operations, or if I do not comply with any of my obligations under this Indemnity Form.

3. I agree that:
 - 3.1 The benefit of this undertaking shall extend not only to you but to your successors and assigns whether immediate or derivative and all and every one of your employees or agents whether now or hereafter in your employment and for this purpose I acknowledge that in respect of this undertaking you are acting on your own behalf and as agent for your employees and agents as aforesaid.
 - 3.2 Your rights pursuant to this undertaking are without prejudice to and in addition to any other rights or remedies provided by law and or statute for your benefit and the benefit of your employees and agents.
 - 3.3 You reserve the right to require from me at any time evidence of appropriate insurance cover or other evidence of my ability to meet my liabilities under this undertaking.
 - 3.4 If:
 - 3.5 a claim is made for which I am only obliged to provide a partial indemnity by virtue of the fact that any personal injury or death is partly caused by your negligence or;
 - 3.6 a claim is made in which legal proceedings are threatened or brought against you or against both you and me then you shall be entitled to be represented separately in respect of the conduct of any such claim or proceedings.
- 4 This undertaking shall be binding on my heirs, successors in title and personal representatives.
- 5 Any change in your constitution or your abolition or amalgamation with any other person or the acquisition of all or part of your undertaking by any other person shall not in any way prejudice or affect your rights hereunder.
- 6 This agreement shall be governed by and be construed in accordance with English Law and the parties hereby submit to the exclusive jurisdiction of the English Courts.

DATED the _____ day of _____ 20__

SIGNED by) _____)
 PRINT NAME: _____)
 in the presence of _____)

WITNESS:
Signature: _____

Address: _____

Occupation: _____

(Part B)

London Ambulance Service NHS Trust

Notes to be read and signed by any person wishing to accompany London Ambulance Service staff as an observer on a vehicle.

1. Due to the nature of the Ambulance Service it is difficult to predict the type of incident or locations that you will attend. With this in mind you should wear clothing that is practical and yet offers some protection from the elements etc. In particular you should wear footwear that offers protection to the feet and has a non-slip sole. In addition you will be required to wear a reflective tabard that clearly identifies you as an "observer" and appropriate safety equipment during the course of the shift.
2. At all times you must act under the instructions of the crew of the vehicle. This relates to your seating position in the vehicle and whilst at incidents or locations. Contravening these guidelines or instructions given by the crew may result in your observation period being terminated by the crew or authorising officer.
3. At all times you must be supervised by a member of London Ambulance Staff. At no time are you to be left alone with a patient, a member of their family, or friend.
4. For your own safety, you should remain seated with seatbelt applied, whilst the vehicle is in motion and comply with the London Ambulance Service no smoking policy as well as other London Ambulance procedures and protocols
5. At the beginning of the period of observation you should acquaint yourself with the layout of the vehicle and the location of any safety equipment, fire extinguishers etc.
6. During the course of this period of observation you should not attempt to use any items of LAS equipment or offer any treatment to a patient unless asked to do so by the attendant / crew members.
7. You owe a duty of confidence to patients and must not, therefore, disclose any patient identifiable information about patients to a third party.
8. If for operational or patient care related reasons it is not possible to immediately convey you either from the scene of an incident to hospital or from hospital back to an Ambulance Station, the LAS will make every effort to do so, as soon as possible.
9. In the event of the crew being deployed to a known violent incident/ address, or a declared major incident the crew may request the observer to leave the vehicle at the nearest safe location.

Signed: _____

Name Printed: _____

Date: _____

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London Ambulance Service NHS Trust

LA123(Part C)

Observers Details Form

Name of Observer

Address

Age: if under 21

If over 21 years of age please enter 'over 21'

Sponsoring Organisation

If employed by another NHS Trust the following should be attached:

- Letter from Trust confirming that the employer will accept liability for the negligence of their staff (see 2.4 in procedure)

- Signed Indemnity Form (Form A)

- Signed Observers Notes (Form B)

If the Observer is not an employee of an NHS Trust the following should be attached:

- Copy of appropriate Insurance Certificate

- Signed Indemnity Form (Form A)

- Signed Observers Notes (Form B)

If the Observer is a student or unemployed the following should be attached:

- Signed Observers Notes (Form B)

Proposed date of observation

| | | |
|--|--|--|
| | | |
|--|--|--|

Station

Shift Time

Crew (Name or Call Sign)

| |
|--|
| |
| |
| |

For official use

Received:

Details Checked by

| |
|--|
| |
| |

Authority is hereby given for the above named to accompany LAS Staff on the date/shift indicated above.

Signed: _____

Position: _____

Date: _____