

PATIENT INFORMATION

Duty of Candour

Being open and transparent when things go wrong



Why have I been given this leaflet?

Unfortunately, there are times when something goes wrong with a patient's care. We believe you, or a patient you are representing, has been involved in an incident which has led to possible harm caused by the Trust. This leaflet explains the Duty of Candour and what the Trust should do next.

What is Duty of Candour?

Duty of Candour is a law which states that providers of healthcare across the country must be open and honest with their patients. One of the main aims of Duty of Candour is to increase patient confidence in services they receive from healthcare. Duty of Candour applies to the patient and, in certain situations, to people acting on their behalf, for example, when something happens to a child or to a person over the age of 16 who lacks the capacity to make decisions about their care.

What must the Trust do when things go wrong?

Within 10 days of the Trust becoming aware that a patient safety incident has occurred, you will be given in person:

- An apology for what has happened
- An account of the facts that we know about at the time
- Information or any further enquiries into the incident

Once an investigation has been completed we will write to you to share:

- The findings of the investigation
- Any lessons learned
- Any actions taken to prevent a similar incident occurring

If you require further support, please contact:

Assistant Director of Integrated Governance
Email: soh-tr.riskandgovernanceteam@nhs.net

Tel: 01707 704 963

What led to Duty of Candour?

Duty of Candour was one of the recommendations in the Francis Report to help ensure that NHS organisations are open and honest about their actions, that incidents are properly reported and that patients are told about them.

The Francis Report detailed incidents that took place at Mid-Staffordshire NHS Foundation Trust and highlighted the serious failure of the trust's board in not sufficiently listening to patients and staff, or ensuring the correction of deficiencies brought to its attention.

How will Trust staff comply with the Duty of Candour?

We will tell the patient if they have been involved in an incident or we suspect they have been involved in an incident that has/or could cause them harm, as a result of care that we

have provided or failed to provide. Trust staff will report the actual or potential incident on Datix (our risk management system).

This informs members of staff who are directly or indirectly responsible for managing the risk associated with the incident.

It will allow an investigation to take place to establish what/how/why the incident happened, to learn from it and to ensure that a similar incident does not reoccur.

What are we doing to ensure that Duty of Candour takes place?

- We will, as far as possible, ensure that the initial notification is given face to face and that it will be followed up in writing.
- We will provide all the facts. We will never speculate.
- We will ensure an apology is provided and documented in the patient notes.
- We will ensure that a step-by-step explanation is given as soon as possible, pending an investigation.
- We will ensure that the final investigation will be shared with the patient or family representative within 10 working days of approval by a member of the Trust Board.
- We will ensure all staff are aware of issuing a saying sorry leaflet.
- We will ensure all staff are given Duty of Candour training.

What happens if the Trust fails to meet the standards required by the Duty of Candour?

Each failure to notify and report incidents and to be open and transparent with patients or their representatives could lead to the Trust being held to account by our commissioners and the Care Quality Commission (CQC).

Please call 01704 704714 if you need this leaflet in an alternative format

Southport and Ormskirk Hospital NHS Trust

Ormskirk & District General Hospital
Wigan Road, Ormskirk, L39 2AZ
Tel: (01695) 577111

Southport & Formby District General Hospital
Town Lane, Kew, Southport, PR8 6PN
Tel: (01704) 547471

FOR APPOINTMENTS

Telephone (01695) 656680
Email soh-tr.appointments@nhs.net

Please remember to complete the **attached** *Friends and Family Test*.
Alternatively, you can complete the *Friends and Family Test* on-line by going to:
southportandormskirk.nhs.uk/FFT

Thank you

Author/Owner: Amanda Power
Ref: 19/21
Version: 1
Produced: May 2022
Review Date: May 2025