

Board of Directors Meeting

Report

Subject: Duty of Candour Policy

Date: 24th September 2015

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Lead Director: Andy Haynes, Medical Director

Executive Summary

The Trust Duty of Candour policy is being updated to reflect current legislation and to refine the Trusts process in order to mitigate the risks to the Trust.

The policy has been reviewed by Browne Jacobson the Trusts external legal advisers to ensure it is robust and considers all the requirements necessary to ensure compliance. These recommendations will be included in the updated policy.

The Trust supports a culture of openness, honesty and transparency in its delivery of care. This general obligation includes apologising and explaining when something goes wrong after reflection and with knowledge of all the facts.

This Policy will acknowledge there are a multitude of different obligations and “Duties of Candour and will clarify the requirements for staff.

The Statutory Duty of Candour is contained within Regulation 20 of the Health and Social Care 2008 (Regulated Activities) Regulations 2014 (“the Regulations”) and this sets out what is required of all providers, such as the Trust.

The policy will be consulted on during the next few weeks through the Trusts governance process and submitted to board for approval at its October meeting.

Recommendation

The Board are invited to:

- Note the progress with regard to the update of the Duty of Candour Policy

Relevant Strategic Priorities (please mark in bold)

To consistently deliver a high quality patient experience safely and effectively	To develop extended clinical networks that benefit the patients we serve
To eliminate the variability of access to and outcomes from our acute services	To provide efficient and cost-effective services and deliver better value healthcare
To reduce demand on hospital services and deliver care closer to home	

How has organisational learning | The policy will be disseminated across the trust

been disseminated	through public launch and communication
Links to the BAF and Corporate Risk Register	Principal risk 1 – Inability to maintain the quality of patient services demanded
Details of additional risks associated with this paper (<i>may include CQC Essential Standards, NHSLA, NHS Constitution</i>)	N/A
Links to NHS Constitution	N/A
Financial Implications/Impact	N/A
Legal Implications/Impact	N/A
Partnership working & Public Engagement Implications/Impact	N/A
Committees/groups where this item has been presented before	N/A
Monitoring and Review	N/A
Is a QIA required/been completed? If yes provide brief details	N/A