

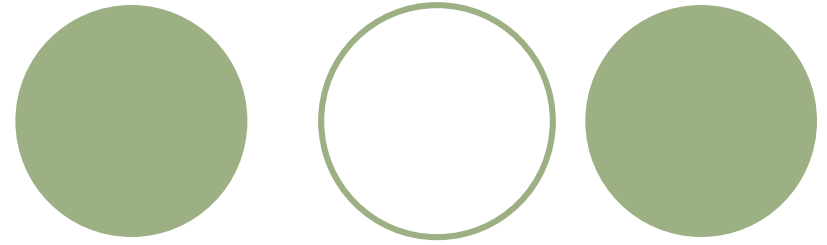
Duty of Candour

Disambiguation

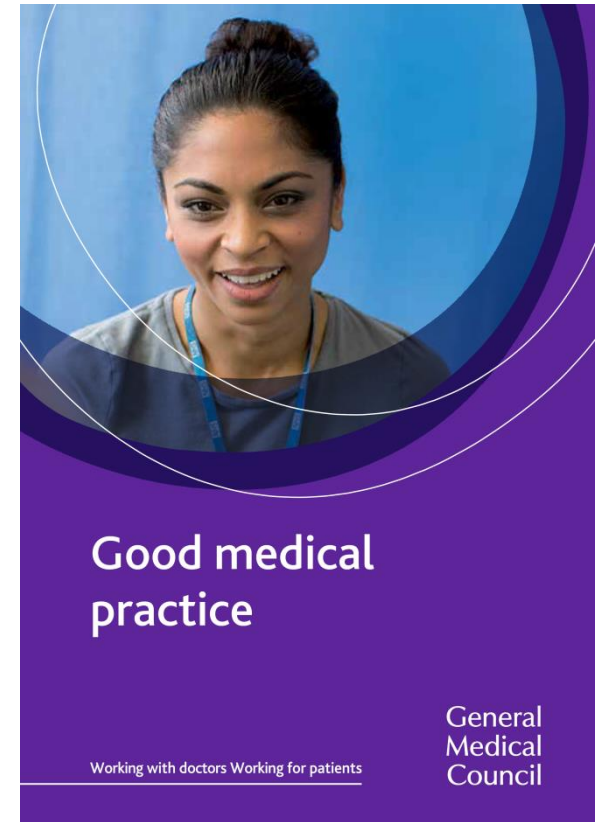


- Professional Duty of Candour
- Statutory Duty of Candour

Professional



- Section 55
- 1. Put matters right
- 2. Offer an apology
- 3. Explain fully & promptly



Francis Report



Controversy



- Doing it already
- Deprofessionalisation
- Genuine apology?

Controversy



Statutory Duty of Candour

STATUTORY INSTRUMENTS

2014 No. 2936

NATIONAL HEALTH SERVICE, ENGLAND

SOCIAL CARE, ENGLAND

PUBLIC HEALTH, ENGLAND

The Health and Social Care Act 2008 (Regulated Activities)
Regulations 2014

Made - - - -

6th November 2014

Statutory Duty of Candour

1. Notify the affected person

Statutory Duty of Candour

1. Notify the affected person
2. Provide reasonable support



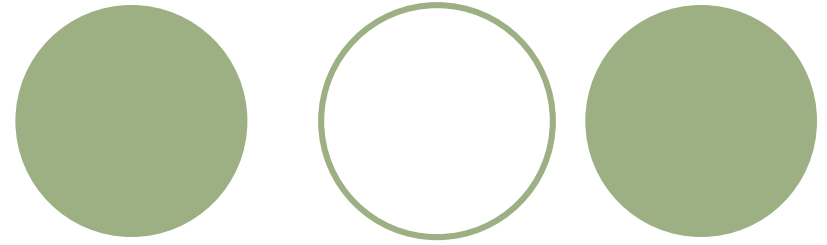
Statutory Duty of Candour

1. Notify the affected person
2. Provide reasonable support
3. **Written notification**

Statutory Duty of Candour

1. Notify the affected person
2. Provide reasonable support
3. Written notification
4. (Further follow up)

Saying sorry



NHS

Litigation Authority

Saying Sorry

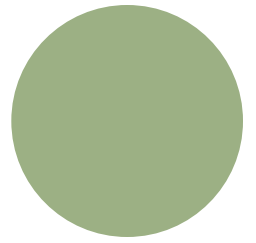
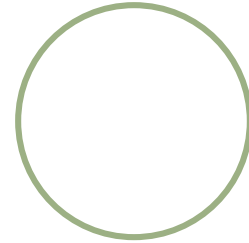
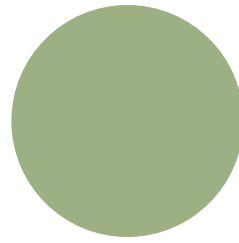
Notifiable safety incident

- Any unintended or unexpected incident...

Notifiable safety incident

- Any unintended or unexpected incident...
- Death
- Serious harm
- Moderate harm
- Prolonged psychological harm

Moderate harm



- 1. Moderate increase in treatment

and

- 2. Significant, but not permanent harm

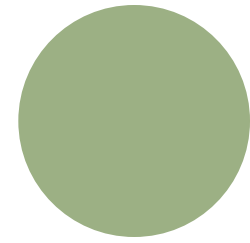
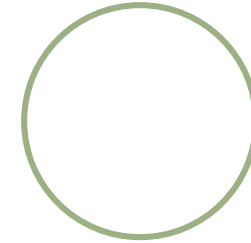
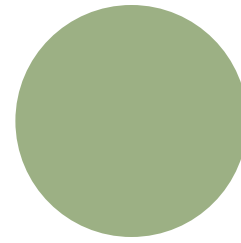
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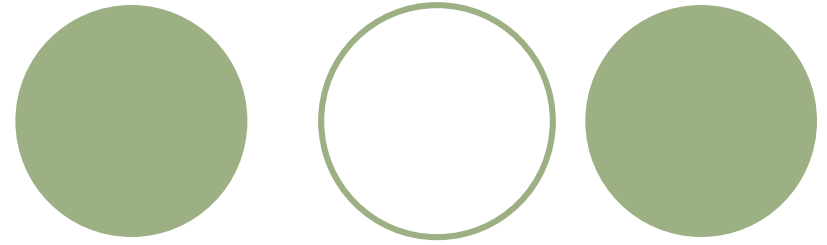
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CQC examples



CareQuality
Commission

CQC examples



- CVA during CABG – death

CQC examples

- CVA during CABG – death
- Pneumothorax from CVC

CQC examples



- CVA during CABG – death
- Pneumothorax from CVC
- Extravasation injury

CQC examples



- CVA during CABG – death
- Pneumothorax from CVC
- Extravasation injury
- **Grade II pressure ulcer**

CQC examples



- CVA during CABG – death
- Pneumothorax from CVC
- Extravasation injury
- Grade II pressure ulcer
- Op delayed – warfarin not stopped

Clavien Dindo – *Ann Surg* 2004

- Grade 1 – any deviation from normal
- Grade 2 – plus drugs / blood / PN
- Grade 3 – intervention +/- GA
- Grade 4 – life threatening / organ failure
- Grade 5 – death

Summary



- Legal obligation
- Apologise in person
- Follow up with letter
- Based on harm NOT error
- Threshold is LOW