

## Duty of Candour

From 27th November 2014, all NHS providers registered with the Care Quality Commission (CQC) are required to comply with a new statutory Duty of Candour, Health and Social Care Act 2008 (Regulated Activities) Regulations 2014:

Regulation 20 Duty of Candour. It places a formal requirement on providers of health or social care to be open with their patients when they suffer harm related to care or treatment. The aims are to ensure that openness, transparency, and candour are the norm.

When does it apply?

It applies always where harm has occurred to a patient that is either moderate, severe or contributes to the death of the patient. It should be completed as soon as reasonably practicable after becoming aware the notifiable safety incident has occurred. There is an expectation that where any harm has occurred the management will be open with the patient and/or their relatives but the statutory Duty of Candour requirement is required where that harm is moderate or above. Levels of Harm

No harm - Incident which can be considered as a near miss as no patient harm has occurred. These are the incidents where we have an opportunity to intervene before a patient is harmed.

Low harm - Any unexpected or unintended incident that required extra observation or minor treatment and caused minimal harm to one or more persons.

Moderate harm - Any unexpected or unintended incident that resulted in further treatment, possible surgical intervention, cancelling of treatment, or transfer to another area, and which caused short-term harm to one or more persons.

Severe harm - Any unexpected or unintended incident that caused permanent or long-term harm to one or more persons.

Death - Any unexpected or unintended event that caused or greatly contributed to the death of one or more persons.

### Reporting Patient Safety Incidents

All patient safety incidents whether they have resulted in harm or no harm along with those incidents that can be considered as a near miss must be reported through the online system as soon as practical. Where harm to a patient has occurred, management must be informed at the time of the incident.