

Duty of Candour Statement

"The volunteering of all relevant information to persons who have or may have been harmed by the provision of services, whether or not the information has been requested and whether or not a complaint or a report about that provision has been made".

The above is the definition of duty of candour as defined in the Robert Francis report:

<http://www.midstaffpublicinquiry.com/news/2013/02/publication-inquiry-final-report>

Our organisation fully supports this Duty and the associated policies that enable it to happen. For example, the 'Being open' or the 'Whistleblowing' Policy. We have a key role in ensuring that as commissioners of health services, all our provider organisations are acting in accordance with the Duty of Candour and are open, honest and transparent in all dealings with patients.

We have achieved this by establishing systems and processes to enable us to hold our provider organisations to account through open and fair challenge in our clinical quality review and contract meetings, and report of areas of concern through our quality reports to the CCG Governing Body.

Our Commitment to a Fair and Open Culture

An error, accident or incident, however serious, is rarely caused wilfully or as a result of carelessness, neglect or a failure to carry out a duty of care. Errors are often caused instead, by a number of factors that often happen in a sequence or simultaneously which on their own would not cause the event to occur.

Learning from such incidents can only take place when they are reported and investigated in a positive, open and structured way. This is an important part of successful risk management.

Adopting this approach and not punishing errors will promote a fair and open culture and safe practice throughout the organisation. This will enable the CCG and the respective commissioned service, to take positive action to prevent the error or adverse incidents from happening again.

To promote a fair and open culture and encourage the reporting of incidents, the CCG will take a non-punitive approach to those incidents it is involved with as part of the safety service they provide.

Staff will remain accountable to users, carers, the CCG and their professional bodies for their actions, but a non-punitive approach means that disciplinary action will not be taken against a member of staff for reporting an incident, except in the rare circumstances where there is evidence of:

- gross professional or gross personal misconduct
- repeated breaches of acceptable behaviour or protocol
- an incident that results in a police investigation.