

**TRUST BOARD MEETING – 31 January 2013**

<b>Title of the Paper:</b>	<b>Duty of Candour</b>
<b>Agenda item:</b>	<b>Part 1 17/13</b>
<b>Author:</b>	<b>Patricia Duncan, Company Secretary, Assoc Director Clinical Governance and Risk</b>
<b>Trust Objective:</b>	<ol style="list-style-type: none"> <li><b>1. Provide Safe Patient Care</b></li> <li><b>2. Improve outcomes and quality of care</b></li> <li><b>3. Improve patient experience</b></li> </ol>
<b>Purpose:</b>  To apprise the Board of the requirement to implement a new contractual Duty of Candour, which takes effect from 1 April 2013.	
<b>Risk Implications for the Trust</b> <i>(including any clinical and financial consequences):</i>	<b>Mitigating Actions</b> <i>(Controls):</i>
<p>The Duty will be implemented through the NHS Standard Contract, covering NHS acute, ambulance, community and mental health care providers.</p> <p>Enforcing the proposed duty will be the responsibility of Clinical Commissioning Groups.</p> <p>The Trust must ensure that the principles of openness to which it has previously committed and reflected in the Trust's Being Open policy are upheld and reinforced.</p>	<p>Being Open Policy in place, implementation monitored via Serious Incident Review Group.</p> <p>Briefing on new Duty to be cascaded via Nursing and Midwifery Strategy Committee and Clinical Policy and Practice Group and via Senior Managers' Forum.</p> <p>Duty of Candour and staff responsibilities reinforced within Trust induction and Update training.</p>
<b>Level of Assurance that can be given to the Trust Board from the report</b> Sufficient assurance	
<b>Links to Board Assurance Framework, CQC Outcomes, Statutory Requirements (ie BAF risk reference, CQC outcomes linked to report)</b>  CQC Outcomes: 1; 4; 16 NHSLA Standards	
<b>Legal Implications:</b> <b>Post Francis there may be developed a statutory obligation. Duty a contractual requirement effective from 1 April 2013</b>	
<b>Recommendation to the Trust Board:</b>  The Trust Board members are asked to note the new requirements and endorse full implementation.	