

# Annex C - Duty of candour procedure

Incident has been reported and recorded via Datix Cymru and patient care record. A review of the incident is undertaken and an agreement is reached that, based on the information available at that time, the conditions set out in Annex A, have been met and a duty of candour applies.

## Notification

On first becoming aware the duty has been triggered, (which is the start date for the duty of candour procedure to be followed), the NHS body must notify the service user/or person acting on their behalf.

**NB:** Where the in-person notification is later than 30 working days after the date on when the NHS body first became aware of the notifiable adverse outcome, an explanation of the reason for this should be provided and recorded. This does not mean that the NHS body has one month to make the notification.

The initial notification should be '**in person**' (NHS bodies have discretion as to which method of in person communication is most appropriate). However, the preference of the service user/person acting on their behalf should be considered as well as factors such as the severity of the harm caused.

**IN PERSON CAN MEAN**  
By telephone, video call or face to face

### Purpose of the in person notification

- Acknowledge what has happened
- Offer an apology (see Annex E).
- Explain what information is known at that time about what has happened.
- Explain the next steps in relation what will happen next. (see Annex F).
- Offer support (see Annex D).
- Provide point of contact details.

Once in person notification has been made, **written notification** must also be provided to the service user/person acting on their behalf within **two working days**.

### Purpose of the written notification

- Reiterate the verbal apology (see Annex E).
- Detail any initial information on what is known about what has happened.
- Explain the intended actions to and further enquiries that the NHS body will undertake (see Annex F)
- Provide the details of the point of contact.
- Provide the details of any support required (see Annex D).

**NB:** Refer to part 7 of the Duty of Candour Guidance for all factors that must be covered.