

Annex G - Duty of candour

Reporting, publication and monitoring

Primary Care providers - duty to report

Primary Care providers must prepare an annual report on whether the duty of candour has come into effect in relation to NHS health care they have provided.

The report must specify if the duty of candour has come into effect in the reporting year and if it has:

- Specify how often the duty of candour has come into effect during the reporting year.
- Give a brief description of the circumstances in which the duty came into effect.
- Specify any steps taken by the body with a view of preventing similar circumstances from arising in the future.

(it can contain other information)



Primary Care providers must send the annual report to the Local Health Board to which the report relates by 30 September each year.



The Local Health Board must prepare a summary of the reports received from the Primary care providers. The summary must –

- Specify how often, during the reporting year the duty of candour has come into effect in respect of health care provided on behalf of the Local Health Board by a Primary Care provider.
- Give a brief description of the circumstances in which the duty came into effect.
- Describe any steps taken by the Primary Care provider with a view to preventing similar circumstances from arising in future.



Local Health Boards will be responsible for publishing all information relevant to the duty of candour in respect of its own services and the services provided by Primary Care services for its area.

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Local Health Boards, NHS Trusts and Special Health Authorities: reporting requirements

Local Health Boards, NHS Trusts and Special Health Authorities: reporting requirements

Local Health Boards, NHS Trusts and Special Health Authorities must prepare an annual report on the duty of candour.

The report must specify whether, during the reporting year, the duty of candour has come into effect in respect of the provision of health care by the body. The report must -

- Specify how often the duty of candour has come into effect during the reporting year.
- Give a brief description of the circumstances in which the duty came into effect.
- Specify any steps taken by the body with a view to preventing similar circumstances from arising in the future.

(it can contain other information)



NHS bodies must publish their candour reports by 31 October each year.



Confidentiality

The report published must not name –

- Any person to whom health care is being or has been provided by or on behalf of the body, or
- Any person acting on such a person's behalf.

In addition, regard must be given to the need to avoid including any information which, even though it does not actually give an individual's name, is in the circumstances likely to enable the identification of that individual.



Monitoring

Local ownership and accountability with regular compliance reviews should be integrated into existing governance frameworks.

Compliance with the duty will form part of the matters considered by Health Inspectorate Wales when inspecting and reviewing the NHS.

The annual reporting requirements will also provide information to the public and the Welsh Government about the duty which will help to make the process transparent.

NB: Refer to part 11 and 12 of the Duty of Candour Guidance for further details.