## Appendix 1- Duty of Candour and Being Open flowchart

Where an incident results in moderate or severe harm or death, full Duty of Candour requirements apply

For all other incidents causing harm, an apology should be provided and any relevant information shared with the patient and/or their carer/family in line with principles of Being Open

Staff members registered with a regulatory body must also ensure they are compliant with Duty of Candour requirements as stipulated in the relevant body's Code of Conduct

Appropriate manager informs the patient and/or their family/carer that an incident has taken place within 5 working days of incident

Face-to-face with patient and/or their family/carer meeting offered as soon as practicable and within 5 working days of incident where possible

A sincere apology must be provided to the patient and/or their family/carer as well as an explanation of all known facts relating to the incident. The investigation process should also be explained

This must be followed within 10 working days with a letter of apology including a summary of the discussions that have taken place

Details of discussions must be recorded in patient notes and a summary provided within the incident record on Datix. Refusals of discussions or failure to contact next of kin must also be recorded in the patient notes and Datix

Where an incident results in a RCA investigation, the Lead Investigator must offer the patient and/or their family/carer involvement with the investigation and establishing ToR

The Lead Investigator should establish how the patient and/or their family/carer would like to receive the final report and agreed action plan

The Lead Investigator is responsible for providing the patient and/or their family/carer with a copy of the final report and action plan within 10 working days of notification of commissioner approval. This must be delivered by hand where possible or by special delivery only