

 <p> GIG CYMRU NHS WALES </p> <p> Iechyd Cyhoeddus Cymru Public Health Wales </p>	<p> Name of Meeting Quality, Safety and Improvement Committee Date of Meeting 02 June 2025 Agenda item: 5.2 </p>
--	--

<p> Duty of Candour Annual Report (1 April 2024 – 31 March 2025) Confidential </p>	
<p>Executive lead:</p>	<p>Claire Birchall, Executive Director of Quality, Nursing and Integrated Governance</p>
<p>Author:</p>	<p>Jacqui Westmoreland- Quality, Safety and Putting Things Right Manager.</p>

<p>Approval/Scrutiny route:</p>	<p>Business Executive Team 21.05.25</p>
--	---

<p> Purpose To present the annual Duty of Candour Report for 2024/25 and receive assurance that Duty of Candour incidents are being managed in line with the Duty of Candour legislation. </p>
--

<p> Recommendation: (note - to mark an x in the grey box below right click on the mouse, then select "properties", and then select "checked") </p>				
<p> APPROVE <input type="checkbox"/> </p>	<p> CONSIDER <input type="checkbox"/> </p>	<p> RECOMMEND <input type="checkbox"/> </p>	<p> ADOPT <input type="checkbox"/> </p>	<p> ASSURANCE <input checked="" type="checkbox"/> </p>
<p> The Quality, Safety and Improvement Committee is asked to: </p> <ul style="list-style-type: none"> - Receive Assurance that PHW Duty of Candour cases are being managed in accordance with regulatory guidance and the relevant policies and procedures, including organisational learning Reasonable assurance received from annual Internal Audit report 				

Link to Public Health Wales Strategic Plan

Public Health Wales has an agreed strategic plan, which has identified seven strategic priorities and well-being objectives.

This report contributes to the following:

Strategic Priority/Well-being Objective	All Strategic Priorities/Well-being Objectives
Strategic Priority/Well-being Objective	All Strategic Priorities/Well-being Objectives
Strategic Priority/Well-being Objective	All Strategic Priorities/Well-being Objectives

Summary impact analysis

Equality and Health Impact Assessment	<i>Not required</i>
Risk and Assurance	<p>Public Health Wales has a legal duty of care towards service users, staff and members of the public, who come in to contact with the services it provides.</p> <p>The Duty of Candour Policy describes how incidents must be managed where the level of harm is being considered as moderate or above and service users contacted, in order to comply with our statutory obligations.</p>
Health and Social Care (Quality and Engagement) (Wales) Act	<p>The application of the Duty of Candour creates an open learning culture that person centred approach for those who are affected when things go wrong. Its application improves patient safety and the delivery of effective health care.</p>
Financial implications	<p>The financial implications relating to cases where the Duty of Candour has been triggered are detailed within the Quarter 4 Claims and Redress report.</p>
People implications	<p>Any learning relating to any concerns is shared via Senior Management Team meetings for awareness, discussion and wider sharing.</p>

1. Purpose / situation

This annual report provides information and assurance to the Business Executive Team and onwards to the Quality, Safety, and Improvement Committee on Duty of Candour activity, between 1st April 2024 and 31st March 2025.

2. Background

The statutory organisational Duty of Candour (DOC) came into from 1st April 2023 for all NHS Organisations in Wales as part of the Health and Social Care Act (2020). It requires NHS Organisations to be open and transparent with service users affected by unexpected or unintended harm that is assessed as more than minimal so they understand what has happened, receive an apology, and are informed of any learning and how improvements will be made for the future.

All incidents reported via the Datix Incident Management System are reviewed to ensure the appropriate application of the Duty of Candour if triggered and are managed with advice and support from NWSSP Legal and Risk Services as required. For the year 1st April 2024 to 31st March 2025 there were 2160 incidents reported in Datix. Out of these, 2 required the application of the Duty of Candour. All Duty of Candour incidents are proactively managed and analysed to ensure that learning is identified, and changes are implemented to improve services and reduce the risk of future reoccurrence.

An important part of this Duty is the publication of an Annual Report which describes how Public Health Wales (PHW) has implemented the Duty of Candour procedure and identified any learning from the previous year.

3. Description/Assessment

This report details the number of Duty of Candour cases since 1st April 2024. It highlights the progress made and demonstrates how any identified learning has been shared within Public Health Wales Services and subsequent improvements made.

4. Application of the Duty of Candour

The legislative requirements of the Duty of Candour (DOC) are to notify the of candour adverse event occurs and providing an apology.

The below table details the DOC cases that have occurred during the period of **1st April 2024 – 31st March 2025**.

Table 1

	No. of Cases
Confirmed Duty of Candour cases	2

Further fundamental aspects of the regulation relate to communicating with the patient or family by their preferred method of communication and offering to meet with them to discuss the event further, provide further explanation if required and answer any questions.

Table 2 details how the process was applied to the 2 events which were fully documented in the Datix system

Table 2

No.	Has the person or their family been notified	Method of Communication	Offer in person meeting of accepted
1 st Case	Yes	Verbal	Yes
2 nd Case	Yes	Verbal	Yes

The following table details the criteria which triggered the application of the Duty of Candour in each of the cases.

Table 3

Date DOC triggered	Detail	Nature of Unexpected or Unintended incident where Duty of Candour applies	Service Area
02/08/2024	False negative assessment of mammograms.	Participant had a delayed cancer diagnosis	Breast Test Wales
03/10/2024	Incorrect prescribing of antibiotic causing readmission to hospital for further surgery and inpatient stay greater than 15 days.	An increase in individual length of stay and complexity of treatment.	Microbiology

5. Identified learning and actions:

Following investigation of both cases, the identified learning from both were shared with the relevant services to support service improvement and staff development.

Breast Test Wales Case:

- The learning points that new, solitary mass lesions in women aged over 60 years should be viewed with caution and that undertaking an aspiration to confirm cyst is justified. This case was shared anonymously with the breast screening service as a case study. In addition, the anonymised case was shared at the Breast Test Wales Annual General Meeting on 13th March 2025.

Microbiology Case:

- The investigation found that antibiotics which are commonly prescribed, but to which the patient infection was resistant, including Levofloxacin, were not reported on Welsh Clinical Portal.
- The microbiology laboratory information management system (LIMS) which allows access to microbiology results, including drug sensitivity data is not currently accessible from hospital wards by Infectious Disease registrar, including the ward. The introduction of LIMS2 in Quarter 2 of 2025 will support the reporting of sensitive and resistant antibiotics and will be available at ward level.
- The clinical documentation did not indicate that the patient's case had been discussed with an Infectious Diseases consultant when they were seen by the

Infectious Disease registrar on 29 November 2023, 05 December 2023 and 12 December 2023. As part of the clinical supervision meeting it was reiterated the importance of real time documentation as well as the importance of documenting discussions with senior colleagues. This learning is to be shared at the governance meetings held within Microbiology.

- The clinical documentation did not specify the exact length of required antibiotic treatment.
- The clinical documentation did not specify the required date for an Infectious Diseases outpatient clinic appointment. Clinical support has been provided to the registrar involved via regular education meetings with their clinical supervisor to ensure the pertinent learning points from the incident are embedded into their practice.

Learning from the Duty of Candour Process

PHW ensures that staff are equipped to deal with DoC cases, by upskilling key staff in.

- how to identify, report, record and trigger the assessment process,
- establish when there has been relevant level of harm,
- undertake the candour and supportive action with the affected individuals/their family
- support staff involved
- approach and share learning.

Whilst there have only been 2 cases, multiple incident reviews have been undertaken applying the DoC threshold and process even though they have not triggered the application of the Duty.

6. Training

Training for the Duty of Candour has been available to all staff in Wales since April 2023 as a national eLearning programme. Within Public Health Wales 328 staff were assigned this role specific competency to complete at the start of the year. Compliance is currently above target at 88% of staff having completed this module.

In addition to the All-Wales eLearning module, PHW developed its own bespoke training package to support managers further in their application of the Duty. To date 299 staff of 328 identified have received this training delivered by the PTR team.

PHW is an active member of the Welsh Risk Pool Candour, Learning and Safety Network which supports further learning and guidance nationally for health Boards and Trusts.

7.0 Recommendation

The Quality Safety & Improvement Committee are asked to:

- **Receive Assurance** that PHW Duty of Candour cases are being managed in accordance with regulatory guidance and the relevant policies and procedures, including organisational learning Reasonable assurance received from annual Internal Audit report

8. Well-being of Future Generations (Wales) Act 2015

Not applicable as no decision is required.