Annex B
CONSULTATION QUESTIONNAIRE

Question 1:
Do you agree that the arrangements that should be in place to support an organisational duty of candour should be outlined in legislation?

Yes [X] No []

Comments

Question 2:
Do you agree that the organisational duty of candour encompass the requirement that adequate provision be in place to ensure that staff have the support, knowledge and skill required?

Yes [X] No []

Comments

Question 3a: Do you agree with the requirement for organisations to publically report on disclosures that have taken place?

Yes [X] No []

Conditional “Yes”. Summary public disclosure should be the default position. However, such disclosure should be sensitive to the needs and preferences of the individual against who a disclosable event occurs.

Question 3b: Do you agree with the proposed requirements to ensure that people harmed are informed?

Yes [X] No []

Question 3c: Do you agree with the proposed requirements to ensure that people are appropriately supported?

Yes [X] No []
Question 4:
What do you think is an appropriate frequency for such reporting?

Quarterly X□  Bi-Annually □  Annually □  Other □ (outline below)

Reporting needs to be proportionate without becoming overly bureaucratic

Question 5:
What staffing and resources that would be required to support effective arrangements for the disclose of instances of harm?

A lead officer (for duty of candour) in an organisation, either as an existing exec or certainly on the SMT, plus adequate admin / comms support

Question 6a:
Do you agree with the disclosable events that are proposed?

Yes X□  No □

Question 6b: Will the disclosable events that are proposed be clearly applicable and identifiable in all care settings?

Yes X□  No □

Presumably this legislation will extend to care homes?

Question 6c:
What definition should be used for ‘disclosable events’ in the context of children’s social care?

As per the definition in 9.9 (page 16) of the consultation document

Question 7
What are the main issues that need to be addressed to support effective mechanisms to determine if an instance of disclosable harm has occurred?

Needs an external audit process similar to annual financial / performance audit. Some form of SG accreditation / kitemarking could perhaps also be considered - e.g. by HIS.
Question 8:
How do you think the organisational duty of candour should be monitored?

Quarterly performance report and incorporated in to organisation’s annual review.

Question 9:
What should the consequences be if it is discovered that a disclosable event has not been disclosed to the relevant person?

Proportionate response dependent on the gravity of the non-disclosure. External ombudsman sanction/action. Frequency and matters arising from non-disclosure should be an essential component of the annual review.

End of Questionnaire