

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 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 No

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

Yes 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