

The Duty of Candour

A guide for people receiving care and treatment



This document was written by **NHS Wales**. It is an easy read version of 'The Duty of Candour.'

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What is the Duty of Candour



NHS organisations in Wales must be open and honest about the care and treatment you get.



It is a law and is part of the Health and Social Care Act 2020.



The **Duty of Candour** means that health and care professionals must tell you or someone acting on your behalf when harm is caused.



The **Duty of Candour** is followed if the care we provide has caused moderate harm, severe harm, or death.

Our aim



We want to provide high quality and safe care to all.



Sometimes even when we do our best, people may experience harm. That is why we have the **Duty of Candour**.



We want to be open and honest about the care we give.



We want people to feel confident in the care and treatment they get.

What do we mean by moderate or severe harm?

Moderate harm:



Moderate means quite serious.



Moderate harm is when a person needs further treatment because their NHS treatment caused or played a part in causing harm.



It is quite serious but not permanent harm.



An example: A patient is given medicine that they are allergic to, even though it is written in their notes as an allergy. The patient gets a reaction because of the medicine. They need to stay in hospital for 4 or more days before they recover.

Severe harm:



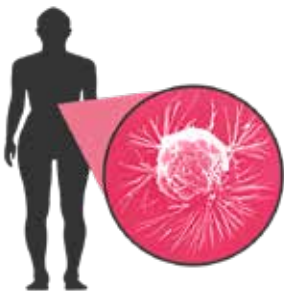
Severe means serious.



A person has a permanent disability or loss of function. For example, loss of sight, hearing or not being able to use part of the body.



NHS care caused or played a part in causing the harm.



An example: A patient is given medicine they are allergic to, even though it is written in their notes as an allergy. This may lead to brain damage or other permanent organ damage.

Death:



A patient dies caused by their NHS care or their NHS care may have played a part.



An example: A patient is given medicine they are allergic to, even though it is written in their notes as an allergy. This leads to their death.

What happens next



If the care or treatment we provide has caused moderate harm, severe harm or death, we will follow the **Duty of Candour**.



We must tell you by phone, video call or face to face. If you prefer, we can tell someone acting on your behalf.

We must:



- Say sorry



- Explain what happened



- Offer support



- Tell you what happens next



- Give you a contact person who you can talk to when you need to



We must send a letter to you or someone acting on your behalf within 5 working days. The letter will confirm what we spoke about when we first contacted you.



We will look into what happened and why. And how we can stop it from happening again.



We will follow our **Putting Things Right** Procedure.



Your contact person will give you more information about the process and what happens next.



Please tell us if you do not want us to contact you. Or if you want us to contact someone on your behalf instead.

Saying sorry



Saying sorry is an important part of the **Duty of Candour**.



It is how we show that we care about what has happened. It is not to accept blame legally.



More support

If you have any questions or if you would like more information, please:



- Go to our website: www.gov.wales/dutyofcandour



- Or contact the place you had your care.



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