



maryvale private  
hospital

# Statutory Duty of Candour Workbook

MARYVALE PRIVATE HOSPITAL | v1 December 2022

HOSP-FORM - 031



Patient UR: _____	
Patient surname: _____	(Affix patient UR label here)
Patient given name: _____	
Patient DOB: _____	Gender: _____

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## Statutory Duty of Candour (SDC) - Checklist for SDC process

For the purposes of this checklist, it is important to note that the term ‘**patient**’, in circumstances where the patient lacks capacity or has died, includes the patient’s immediate family, carer, next of kin (NOK), or a person nominated by the patient.<sup>1</sup>

**Date of SAPSE:** Click or tap to enter a date.

Steps	Comments
<b>Immediate actions post SAPSE</b>	
<input type="checkbox"/> Meet immediate care needs of patient to prevent further harm	
<input type="checkbox"/> Protect other patients, staff and members of public from immediate harm	
<input type="checkbox"/> Alert manager/leadership/appropriate personnel	
<input type="checkbox"/> Documentation of SAPSE within incident management system (see documentation and reporting section)	
<input type="checkbox"/> Gather existing facts and update patient’s medical record	
<input type="checkbox"/> Ensure appropriate supports are provided to staff involved	
<b>Apologise and provide initial information (no longer than 24 hours of the SAPSE)</b>	
<b>The health service entity MUST:</b>	
<input type="checkbox"/> Offer a genuine apology to the patient (‘I am/We are sorry’)	
<input type="checkbox"/> Provide factual information that is known at the time about the event	
<input type="checkbox"/> Offer written patient information on the adverse event review process (e.g. information flyer, such as <a href="#">Next steps flyer</a> )	
<input type="checkbox"/> Provide details of key contacts to liaise with, including where relevant, an Aboriginal Hospital Liaison Officer (AHLO)	
<b>The health service entity MAY:</b>	
<input type="checkbox"/> Confirm the patient knows how to access their health records if necessary	
<input type="checkbox"/> Confirm any specific needs of the patient, including cultural or linguistic requirements	
<input type="checkbox"/> Confirm how the patient would like to be communicated with	
<input type="checkbox"/> Attempt to answer any questions the patient may have	
<input type="checkbox"/> Outline how the patient can raise concerns outside of the SDC process (e.g. Health Complaints Commissioner)	
<input type="checkbox"/> Where harm resulted in death, advise NOK/other there may be additional processes involving third parties (e.g. coronial inquest/investigation) and these processes may incur lengthy timelines	

<sup>1</sup> Section 128ZB of the *Health Services Act 1988*.

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Steps	Comments
<input type="checkbox"/> Ensure patient is aware that legal process is separate from the SDC	
<b>Organise the SDC meeting (within 3 business days of the SAPSE)</b>	
<input type="checkbox"/> Where the patient does not want to be involved in the SDC process, ensure they have signed a declaration to opt out. Also provide an avenue if they decide to commence the SDC process in future (see documentation and reporting section)	
<input type="checkbox"/> Acknowledge any circumstances requiring a delay, as per <i>Victorian Duty of Candour Guidelines</i>	
<input type="checkbox"/> Confirm meeting date and time with patient	
<input type="checkbox"/> Decide on format of meeting (e.g. face to face, phone, video)	
<input type="checkbox"/> Confirm who will attend the meeting, including staff and support persons	
<input type="checkbox"/> Explain details of the meeting, including that they will have the opportunity to relate their experience. Suggest the patient write down any questions they may have prior to the meeting	
<input type="checkbox"/> Provide contact details to patient for the health service representative who will be the single point of contact for questions/follow up	
<b>SDC team pre-meeting</b>	
<input type="checkbox"/> Complete an internal planning discussion, including who will be present and who will lead the SDC meeting	
<input type="checkbox"/> Confirm who will take notes in the SDC meeting	
<input type="checkbox"/> Collect all available information regarding the SAPSE and confirm the facts. Seek any input from relevant staff	
<input type="checkbox"/> Review the 'Victorian Duty of Candour Framework' for further patient considerations	
<input type="checkbox"/> Seek advice from LRH AHLO for any events involving Aboriginal and Torres Strait Islander patients	
<input type="checkbox"/> Anticipate emotions and ensure support is available for all involved – including health service entity staff	
<input type="checkbox"/> Ensure the patient understands the meeting agenda	
<input type="checkbox"/> Offer patient support, which may include travel or parking costs	
<b>Hold the SDC meeting (within 10 business days of the SAPSE)</b>	
<input type="checkbox"/> Ensure there is one staff member in the meeting who is suitably qualified in open disclosure or the SDC process, and also a senior member of the clinical team that was involved (e.g. doctor or nurse)	
<input type="checkbox"/> Ensure the patient feels supported, and the meeting is held in a comfortable environment	
<input type="checkbox"/> SDC meeting lead to:	



Patient UR: _____
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Steps	Comments
Introduce all participants	
<input type="checkbox"/> Provide an overview of the meeting	
<input type="checkbox"/> Provide an honest, factual explanation of what occurred – using language and terminology that is understood (avoiding speculation and blame)	
<input type="checkbox"/> Offer an apology for the harm suffered by the patient	
<input type="checkbox"/> Give the patient an opportunity to relate their experience and ask questions	
<input type="checkbox"/> Explain the steps being taken to investigate the serious adverse patient safety event (Timeline as per <i>Victorian Duty of Candour Guidelines</i> )	
<input type="checkbox"/> Outline any immediate improvements already made	
<input type="checkbox"/> Discuss potential implications as a result of the SAPSE (if known)	
<input type="checkbox"/> Review what was discussed in the SDC meeting to confirm agreement between all parties	
<input type="checkbox"/> Ensure the patient has a point of contact for questions/follow up	
<input type="checkbox"/> Provide further emotional support to patient if required	
<input type="checkbox"/> Provide opportunities for further meetings/confirm agreed next steps	
<input type="checkbox"/> Provide the 'SDC initial meeting note' summarising the discussion immediately post the meeting (see documentation and reporting section)	
<input type="checkbox"/> Ensure the patient is aware the full SDC meeting report will be provided within 10 business days of the SDC meeting (see documentation and reporting section)	

### Documentation and reporting

Steps	Comments
<input type="checkbox"/> Input SAPSE into clinical incident management system as soon as practicable, or within 24 hours of the SAPSE	
<input type="checkbox"/> Update patient's medical record as necessary	
<input type="checkbox"/> Report/escalate to senior clinicians or management as per clinical governance model	
<input type="checkbox"/> Where the patient does not want to be involved in the SDC process, ensure they have signed a declaration to opt out. Also provide an avenue if they decide to commence the SDC process in future	
<input type="checkbox"/> Provide a 'SDC initial meeting note' summarising the meeting to the patient and file a copy in the appropriate location	
Ensure documentation of SDC meeting report in appropriate location: <ul style="list-style-type: none"> <li>date, time, mode of communication</li> </ul>	



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<ul style="list-style-type: none"> <li>• attendee list, staff and invited participants</li> <li>• description of the SAPSE</li> <li>• written apology</li> <li>• the patient's experience, questions raised and the answers given</li> <li>• steps being taken to review the SAPSE including key timelines, and any immediate improvements</li> <li>• summary of support and follow up plan</li> <li>• identified point of contact for ongoing follow up</li> </ul>	
<input type="checkbox"/> Provide SDC meeting report to patient within <b>10 business days</b> of the SDC meeting	
<input type="checkbox"/> Complete an honest and factual review for the SAPSE and produce a report outlining what happened and any areas identified for improvement	
<input type="checkbox"/> The review report must be offered to the patient within <b>50 business days</b> of the SAPSE being identified. If it is a multi-agency review, this may be extended to <b>75 business days</b> of the SAPSE being identified	
<input type="checkbox"/> Ensure that there is a record of the SDC being completed, including clear dates of when the SAPSE occurred and when each stage of the SDC was completed	
<input type="checkbox"/> File a copy of this completed checklist in the appropriate location	
<input type="checkbox"/> Report compliance with the SDC as legally required	
<input type="checkbox"/> Complete internal auditing requirements as necessary on completion of the SDC within your health service entity	

**Staff signature:**

**Print name:**

**Role:**

**Date:**

Patient UR: _____
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## Statutory Duty of Candour (SDC) - Initial meeting 'note' template

Completed in accordance with 'Checklist for SDC process'. Ensure language and terminology used is understood by participants. Avoid speculation and blame and give the patient, next of kin (NOK), carer a chance to relate their experience and ask questions. Ensure the patient, NOK, carer receive a copy of this meeting note **immediately post the meeting**. File a copy of this meeting note in the appropriate location.

### Meeting details

Date	Time	Mode of communication (e.g. face to face including location, telephone, video)
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Click or tap to enter a date.

### Attendees

Staff	Role	Invited participants (patient and support)
<b>Lead:</b>		

Checklist	Complete
Ensure the patient feels supported, and the meeting is held in a comfortable environment	<input type="checkbox"/>
Lead of SDC meeting to introduce all participants	<input type="checkbox"/>
Provide an overview of meeting	<input type="checkbox"/>
Provide an honest, factual explanation of what occurred	<input type="checkbox"/>
Offer an apology for the harm suffered by the patient	<input type="checkbox"/>
Give the patient/NOK/carers an opportunity to relate their experience and ask questions	<input type="checkbox"/>
Explain the steps being taken to investigate the serious adverse patient safety event (Timeline as per <i>Victorian Duty of Candour Guidelines</i> )	<input type="checkbox"/>
Outline any immediate improvements already made	<input type="checkbox"/>
Discuss potential implications as a result of the SAPSE (if known)	<input type="checkbox"/>
Review what was discussed in the SDC meeting to confirm agreement between all parties	<input type="checkbox"/>
Ensure the patient/NOK/carers has a point of contact for questions/follow up	<input type="checkbox"/>
Provide further emotional support to patient/NOK/carers if required	<input type="checkbox"/>
Provide opportunities for further meetings/confirm agreed next steps	<input type="checkbox"/>

Patient UR: _____	
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Provide a copy of this 'note' to the patient/NOK/carer immediately post meeting

Ensure the patient/NOK/carer is aware the full SDC meeting report will be provided within 10 business days of the SDC meeting

### Point of contact

**Name and position:** \_\_\_\_\_

**Contact number:** \_\_\_\_\_

**Email:** \_\_\_\_\_

### Questions and other comments for noting

Inform participants that SDC meeting report will be provided **within 10 business days** of meeting.

(Insert text)

**Staff signature:**

**Print name:**

**Role:**

**Date:**

**Participant signature:**

**Print name:**

**Patient/other:**

**Date:**



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## Statutory Duty of Candour (SDC) - Meeting report template

**Requirement 4:** The health service entity must ensure that it provides the following in the SDC meeting:

- an honest, factual explanation of what occurred in language that is understandable to the patient;
- an apology for the harm suffered by the patient;
- an opportunity for the patient to relate their experience and ask questions;
- an explanation of the steps that will be taken to review the serious adverse patient safety event (SAPSE) and outline any immediate improvements already made; and
- any implications as a result of the SAPSE (if known) and any follow up for the patient.

**Requirement 5:** The health service entity must document the SDC meeting and provide a copy of the meeting report to the patient within **10 business days** of the SDC meeting.

**Consider offering the meeting report in a language understandable to the patient. If the report requires translation, inform the patient that this may require more time and document any delay in the appropriate location. A copy of the SDC report must be stored in an appropriate location.**

### Point of contact

Name and position: \_\_\_\_\_

Contact number: \_\_\_\_\_

Email: \_\_\_\_\_

### Meeting details

Date	Time	Mode of communication (e.g. face to face including location, telephone, video)
------	------	--

Click or tap to enter a date.

### Attendees

Staff	Role	Invited participants (patient and support)
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Lead: \_\_\_\_\_



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## Meeting notes

A description of the SAPSE including date of the event, potential short/long term consequences or implications, and written apology for the harm suffered:

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Patient/next of kin experience, including questions and health service entity responses:

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Steps being taken to review the SAPSE. Include relevant timelines, and any immediate improvements made:

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Summary of support and follow up for the patient, including the response to these offers:

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Date for next update by health service entity (if arranged): [Click or tap to enter a date.](#)

---

Staff signature:

Print name:

Role:

Date: