

Implementing the **Duty of Candour** with Empathy



Facilitated by:

Peter Walsh *Chief Executive* Action against Medical Accidents (AvMA)

&

Carolyn Cleveland *Founder and Owner* C & C Empathy Training LTD

avma
action *against* medical accidents

 **EMPATHY
TRAINING LTD**
Care & Compassion Empathy Training

Implementing the **Duty of Candour** with Empathy

Introduction

This masterclass will provide participants with an in-depth knowledge of what needs to be done to comply with the duty of candour; clarify 'grey areas' and provide guidance on dealing with difficult situations which may arise. It will provide participants with an understanding of good practice in implementing the duty and, in particular doing so in a meaningful way with empathy, to not only comply, but to work with patients and loved ones in a way that puts the emotional experience at the heart of communication.

Staff with responsibility for implementing the duty of candour and responsible for quality, safety, clinical governance, safety investigations, complaints or CQC compliance, patient experience and executive teams would benefit from attending this one day masterclass.

The principle of being open and honest with patients or their families when harm occurs in health or social care is a fundamental part of being a health or social care professional (for whom an individual duty of candour exists) and organisations providing health or social care. Such honesty is what most patients want more than anything else when things go wrong and being open and honest can help prevent complaints and claims and prevent further avoidable psychological harm. Developing an empathic approach is the cornerstone of any the duty of candour being delivered in a way that is authentic and meaningful to the people at the heart



The statutory Duty of Candour is one of the fundamental standards regulated by the Care Quality Commission (CQC). It was brought in following recommendations made by the Mid-Staffordshire Public Inquiry. The CQC is giving higher priority to monitoring compliance with the duty (regulation 20 in the CQC regulations) and has taken regulatory action against many organisations who have not fully complied with, and named and shamed others. However, implementing the duty well is more than just complying.

This course will not only help your organisation demonstrate to the CQC that it is compliant, but even more importantly will give the individual staff in the organisation the knowledge, understanding, emotional awareness and confidence to implement it well and with empathy.



Implementing the Duty of Candour with Empathy

Who you would be working with



Peter Walsh is Chief Executive of Action Against Medical Accidents ('AvMA' – the charity for patient safety and justice). He led AvMA's campaign for the duty of candour and is widely regarded as an expert on the subject, advising the CQC and Department of Health and Social on it. Peter regularly talks, trains and writes on the subjects of patient safety, the involvement and communication with patients and families and 'just culture'. He is a Patients for Patient Safety Champion appointed by the World Health Organisation.



Carolyn Cleveland is the Founder of C&C Empathy training. Carolyn has a background in psychology and counselling, and conceived C & C Empathy Training from her direct experience of compassionate communication failure in a healthcare serious incident and inquest process. Carolyn uses her thought provoking LEED Communications Programme® to develop long term change by humanising processes and empowering staff to recognise the emotional component in themselves and others, to support themselves, colleagues, patients and loved ones. Carolyn works with multiple healthcare organisations, the Ministry of Justice, NHS England, coroners and legal teams.

Learning Objectives

- Why the duty of candour is so important for patients, staff and organisations
- What is needed to comply with the duty of candour
- Clarifying 'grey areas' and common difficulties
- Implications for safety and complaints investigations
- What constitutes a meaningful apology
- An understanding of empathy, its importance and application in delivering the duty of candour
- How to be sure you are doing it 'right' and collecting evidence to demonstrate you are
- Explore the absence and presence of empathy in a real life scenario
- Examine different perspectives and what is going on in the 'Funnel of Life'
- The emotional experience surrounding the duty of candour
- Recognise the difference between empathy, sympathy and apathy and strengthening an empathic approach
- Link the human side of the duty of candour to the compliance and the importance of communicating with authentic honesty and openness

Implementing the **Duty of Candour** with Empathy

Programme

ARRIVAL TIME 10.00AM

Welcome to the virtual classroom, introduction and day objectives

10.20 AM SESSION 1: The Importance of the Duty of Candour

Peter will introduce the importance of the Duty of Candour for staff and patients. What the legislation and the CQC require, "Grey areas" commonly found in practice.

COMFORT BREAK - 15 MINUTES (APPROXIMATELY 11.00 AM)

11.15 AM SESSION 2: Remembering empathy and the emotional component in the Duty of Candour

Carolyn will present a thought-provoking personal narrative exploring the presence and absence of empathy, setting the scene of why empathy is so important for the duty of candour and the emotional experience. Through imagery and dynamic slides, delegates will explore different perspectives and some of the neuroscience behind empathy, taking it out of the textbook and into real life.

Through breakout room exercises the felt experience of empathic and compassionate communication will be explored to bring focus to the human side of implementing the duty of candour.

LUNCH BREAK - 1 HOUR (APPROXIMATELY 1.00 PM)

2.00 AM SESSION 3: Case studies

Using real examples, Peter and delegates will be working through case studies, exploring the judgment calls required for compliance and achieving good practice.

COMFORT BREAK - 15 MINUTES (APPROXIMATELY 3.15 PM)

3.30 AM SESSION 4: The Art of Apologising with Empathy

Peter will explore the components of a genuine apology. How do you, your board or the CQC know you are 'doing it right'? Becoming exemplar. Carolyn will then draw the day together concluding her narrative focusing on non-verbal communication within apologies, and the importance the emotional component being met.

4.30PM CLOSE

Feedback from previous sessions

- Very informative and thought-provoking; good opportunity to take time out of the workplace to consider how we discharge DoC and also how to make a meaningful apology
- Very thought provoking and impactful
- Very powerful & informative session
- Very informative on a professional and personal level. I shall remember the story used every time I speak with a patient or relative who have experience any problem with their care
- A positive experience, which provided valuable insight into the implementation of the statutory duty