

Openness, Transparency and a Duty of Candour



A Survey of Local Care/Nursing Home and Hospital Staff

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Introduction

Healthwatch Barking and Dagenham is the voice of local service users. Our role is to ensure that the views of local residents are heard by decision makers and that their opinions influence the way that services are delivered.

We are independent and therefore do not have a pre-set agenda or a pre-determined interest in influencing the outcome of the results of a consultation.

This report outlines the view of respondents who, in this case, were health and social care employees. We asked a series of 9 questions on their understanding and experience of the duty of candour.

Following the investigation into the serious failings at the Mid-Staffordshire Trust, the Francis report looked for ways in which vulnerable adults - in health and social care settings - could be better protected from harm.

The report looked at the duty that all staff in residential settings should have to speak up and be open and honest if they see or suspect that their fellow employees are mistreating patients or residents. Described as the “duty of candour” it was thought so important by the enquiry, that they recommended it be made a legal requirement for all staff to comply with it.

This recommendation was endorsed by Healthwatch England. In undertaking this piece of work, Healthwatch Barking and Dagenham has attempted to discover how the duty of candour is understood and applied in the borough and within local NHS settings.

This document represents the responses to the consultation, gathered from staff at 3 care settings. The responses are anonymous and the survey has been conducted impartially - Healthwatch Barking and Dagenham have no organisational view.

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Summary of Findings

In total, 286 questionnaires were made available to members of staff in 2 social care and 1 health setting. Despite the several attempts made to encourage people to respond, only 55 questionnaires were returned.

From responses to the questionnaires, the following patterns emerged;

- The majority of respondents (90%) knew about their whistle blowing procedures and 10% did not.
- Knowledge and understanding of how and when to raise a concern varied across providers. Responses from the same organisation showed that staff knew about a whistle blowing policy, but they didn't understand how they should use it.
- Of the 13% of respondents who had used the whistle blowing policy or complained about a colleague, all were satisfied with the outcomes. There were 2 responses that referred to fear of being penalised and bullying from management/colleagues that prevented them from reporting an issue.
- No reference was made to the local safeguarding procedures or any indication that they would be used by staff to escalate issues.

Questions Asked and Responses from Staff

1. Do you know if there are policies and procedures at your current place of work which allow you to make a complaint about or ‘whistle blow’ on a colleague, if you saw bad practice or unacceptable behaviour?

Yes	50	90%
No	5	10%

2. How did you find out about these policies and procedures?

Training	18	32%	Leaflet on notice board	1	2%
Staff handbook	15	27%	Expect so but don't know	1	2%
From the Internet	6	11%	I know it exists at work	1	2%
From my manager	5	9%	Other staff told me	1	2%
Declined to answer	4	7%	Not sure, common sense	1	2%
Policy signed	1	2%	It's in my contract	1	2%

3. Have you ever used them?

Yes	7	13%
No	48	87%

4. If yes, what was the outcome?

All followed up	1	2%
Confidential	1	2%
Very Good	1	2%
Problem Solved	1	2%
Investigation done	1	2%
Satisfactory	1	2%
Not Known	1	2%

5. Have you ever wished you had used the ‘whistle blowing’ policies and procedures, but didn’t?

Yes	3	5%
No	50	91%
Declined to answer	2	4%

6. If yes, what prevented you from doing so?

Previous job a colleague was sacked for complaining about other staff	1	2%
Fear of being penalised	1	2%
Fear of bullying from management and colleagues	1	2%

7. What was the general nature of any incident(s) you feel you should have reported?

Staffing Issues	1	2%
Confronted a colleague that acted inappropriately	1	2%
Poor care, bad management	1	2%
Bad practice of the manager ignoring complaints	1	2%
Not enough attention to hygiene and not enough staff at night	1	2%

8. Are there any other anonymous ways in which you can bring difficult matters to the attention of Managers?

Yes	24	44%	Management has an ‘open door’ policy
	8	15%	A suggestion box is provided
No	14	25%	
Declined to Answer	9	16%	

9. Have you been approached by your Manager about this survey?

Yes	12	22%
No	41	75%
Declined to Answer	2	3%

Conclusions

In total, 286 questionnaires were made available; 55 responses were received (19%), given the high national profile afforded to the duty of candour, it is both disappointing and concerning that the response to this survey was so poor.

In approaching staff to complete the survey, we had to go through their managers and rely on them to pass on the questionnaires. The low response therefore, may have been due to managers not giving the surveys to their staff, or only some of their staff.

At one residential unit where 80 surveys had been left for the staff to complete, only 3 were returned in the first instance. Yet, just after our survey was handed out, serious concerns were raised by the local authority about the standards of care within the home. So why did the staff not reply to us?

Alternatively, staff were indifferent to the subject or not aware of its importance.

Finally, it may have been the case that some people did not think that the survey was truly anonymous and feared repercussions if they disclosed information about their colleagues or organisations.

Despite the poor response on this occasion, Healthwatch Barking and Dagenham consider the duty of candour to be central to the protection of vulnerable people in health and care settings. We will therefore continue with this theme of work in the future; choosing a variety of other settings to work with.

Recommendations

- That recruitment and commissioning procedures in both health and social care organisations make direct reference to and require applicants to demonstrate an understanding of, the duty of candour. This should apply when recruiting individuals as well as when tendering for pieces of commissioned work.
- Where not already the case, all contracts of staff either directly employed in health or social care settings, or those working in contracted services, should make specific reference to the employees' duty of candour.
- That the Safeguarding Adult Board of Barking and Dagenham take responsibility for producing and monitoring standards and expectations, for employees and employers, with regard to discharging their duty of candour towards patients and service users in their care.

Staff Demography

Age

16-24 years old	25-36 years old	37-50 years old	51-65 years old	66-75 years old	76+ years old	Prefer Not to Say
5	6	13	7	5	0	19

Gender

Male	Female	Transgendered	Prefer not to say
4	45		6

Sexual Orientation

Heterosexual	Bisexual	Homosexual	Lesbian	Gay	Prefer not to say
36	1				18

Do you consider yourself to have a disability?

No	Yes	Prefer not to say
49	1	5

Mobility Impairment	Hearing Impairment	Visual Impairment	Learning Disability	Age related impairment	Speech Impairment	Mental health	HIV/Aids
	1						

Wheelchair User	Learning Difficulty	Autism & ASD	Dementia	Behaviour that challenges	Other intellectual impairment	Severe medical condition	Other	Prefer not to say
								5

What is your religion or belief?

No religion	Atheist	Buddhism	Christianity	Hinduism	Islam	Judaism
13		3	28	5	5	2

Jain	Sikhism	Prefer not to say	Any other religion or belief
		4	2

How would you describe your ethnicity?

White British	White English	White Irish	White Scottish	White Welsh	White - any other white background
25	14	1		1	3

Black or Black British - African	Black or Black British - Caribbean	Black or Black British - Other Black background	Traveller - Romany	Traveller - White Irish
9				

Asian or Asian British - Bangladeshi	Asian or Asian British - Indian	Asian or Asian British - Pakistani	Asian or Asian British - Other Asian Background	Asian or Asian British - Chinese

Mixed - White and Asian	Mixed -White and Black African	Mixed -White and Black Caribbean	Mixed - Any Other Mixed Background	Other	Prefer not to say
			1		1

Are you an unpaid carer?

Yes	No	Prefer not to say
3	47	5

Pregnancy and Maternity

Are you breastfeeding?

Yes	No	Prefer not to say
	42	13

Are you pregnant?

Yes	No	Prefer not to say
1	46	8

Marriage and Civil Partnership

Divorced	Married	Separated	Single	Widowed	Prefer not to say
7	23	8	10		7

Do you live in Barking & Dagenham?

Yes	No	Did Not Reply
42	12	1

Do you work in Barking & Dagenham?

Yes	No	Did Not Reply
42	12	1

Are you a refugee/asylum seeker?

Yes	No	Did Not Reply
1	49	5