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# Ombudsman Rob Behrens comments on DHSC review into duty of candour

6 December 2023

The Department of Health and Social Care (DHSC) has announced today that it will be undertaking a review of the duty of candour.

The duty of candour is a requirement for healthcare providers to be open and transparent with the people receiving care. Its underlying principle is that patients and families have a right to a meaningful apology and explanations for what happened when something goes wrong.

This year we published **Broken trust: Making patient safety more than just a promise** (https://www.ombudsman.org.uk/publications/broken-trust-making-patient-safety-more-just-promise-0), a report which highlighted instances where this duty was not followed. The report recommended that DHSC should scrutinise this lack of compliance.

**Ombudsman Rob Behrens said:**



"I have long called for closer openness and transparency when things go wrong in the NHS. The duty of candour was intended to reinforce this. However, a decade after its introduction, our Broken Trust report into avoidable deaths in the NHS found that the duty is not always implemented as it should be and called for a full review to assess its effectiveness. I welcome this announcement and the opportunity to contribute the expertise and evidence from my office.

"Despite it being a statutory duty to be open and honest when things go wrong with a patient's care, I know from the cases we investigate that this doesn't always happen. Patients and their families deserve better."

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