

# Being Open

*How we will be open with you if things go wrong while you are in our care*

Information and advice for patients

## ***Risk Management***

At Sandwell and West Birmingham Hospitals NHS Trust we provide a wide range of services to thousands of local people every year. Our teams provide care and support to inpatients, outpatients, their relatives and carers in a host of different settings.

We pride ourselves on the professionalism and compassion shown by our staff, and always strive to improve what we do by listening to the people who use our services.

Despite our high standards, there are times when people come to harm while in our care. This is why we have a policy of 'Being Open', to show our commitment to you and your family should harm be caused.

This leaflet aims to tell you what 'Being Open' is about and what we will do if you or your relative is affected adversely by an incident.

## **What is 'Being Open'?**

Patient safety incidents can have devastating emotional and physical consequences for patients, their families and carers, and can be distressing for the professionals involved.

Being open is about us providing you and/or your family with an open, honest and transparent explanation of what has gone wrong.

## **Our 'Being Open' process**

In the unlikely event that you are affected by a safety incident, we will tell you about it openly and honestly and apologise to you in person for what has gone wrong.

This will take place as soon as possible, once we know that a safety incident has occurred, however we will also bear the following in mind:

- Your clinical condition.
- Your preference of when and where the discussion takes place and which healthcare professional leads the discussion.
- Your privacy and comfort.
- The availability of your family and/or carer(s).
- Availability of key staff involved in the incident and in the 'Being Open' process.
- Availability of support staff, for example, a translator or independent advocate, if required.
- The location of the meeting.

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### **Support for you**

As soon as practical, an appropriate senior member of staff will meet with you. They will talk to you about what has happened, give you their contact details and tell you about what will happen next. They will also signpost you to sources of additional support should you wish. The initial information we give will be based solely on the facts known at the time.

We will give you clear and honest information and a single point of contact for any questions or requests that might arise. We will do everything we can to avoid using medical jargon, but if we do use words you don't understand, please let us know.

We will thoroughly investigate how and why things went wrong, involving you in the investigation process as appropriate. If new information emerges as the incident is investigated you will be kept up-to-date with the progress.

Once the investigation has been completed, we will offer to share our findings with you and involve you in looking at ways of reducing the chances of a similar incident happening again.

Being open with you, and involving you in understanding what has happened is part of our commitment to a continued relationship between us. This does not mean that you can't make a complaint or claim for compensation should you wish to. Our PALS team are available to support you through this process and also to sign post you to other organisations independent of the NHS for support (see page 6).

### **What we are doing to improve safety**

All our staff are encouraged to report incidents and near misses and are supported if they witness or are involved in incidents.

For serious patient safety incidents we carry out incident investigations which are led by senior staff. The aim of these investigations is to improve safety by learning what has happened and to prevent recurrence.

Sandwell and West Birmingham Hospitals NHS Trust supports staff in ensuring they understand about Being Open and that they also have the skills and understanding to promote a good safety culture.

At every level of the organisation feedback should allow staff to learn from incidents and understand their part in ensuring corrective measures are taken.

### **Confidentiality**

Privacy and confidentiality of you, your family and/or carers and our staff will be fully respected. We will only disclose information about you with your prior consent other than to those clinicians who need to know to care for you or undertake the incident investigation.

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We will do our best to inform you who is likely to be involved in the investigation before it takes place, and give you the opportunity to raise any questions or objections if you wish. Communication with parties outside of the clinical team caring for you will be on a strictly need-to-know basis.

## **Continuity of care**

You are entitled to continue to receive all your usual treatment and care and be treated with dignity, respect and compassion. If you prefer to have your healthcare needs taken over by a different team or ward, the appropriate arrangements will be made, as far as is possible.

## **Patient Advice and Liaison Service (PALS)**

The PALS staff are impartial and are here to help you, whether you want information, advice or support.

PALS will give you the details of other agencies and services that can help you and make contact with them on your behalf if you wish. For example, local and national counselling services, the Independent Complaints Advocacy Service (ICAS) and Action Against Medical Accidents charity (AvMA).

If you wish to make a complaint, PALS will help you begin the complaints process and provide you with further information about the NHS complaints procedure.

You can contact the PALS office on 0121 507 5836 or [swb-tr.pals@nhs.net](mailto:swb-tr.pals@nhs.net) and arrange to meet with someone from the service if you wish.

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### Further information

#### AvMA

Action Against Medical Accidents provides free, independent and confidential advice,

**Helpline:** 0845 123 2352

Mon – Fri, 10am-5pm

[www.avma.org.uk](http://www.avma.org.uk)

For more information about our hospitals and services please see our websites [www.swbh.nhs.uk](http://www.swbh.nhs.uk) or [www.swbhengage.com](http://www.swbhengage.com), or follow us on Twitter @SWBHnhs and like us on Facebook [www.facebook.com/SWBHnhs](http://www.facebook.com/SWBHnhs).

### Sources used for the information in this leaflet

National Patient Safety Agency, 'Being Open: Communicating patient safety incidents with patients, their families and carers', November 2009.

If you would like to suggest any amendments or improvements to this leaflet please contact the communications department on 0121 507 5420 or email: [swb-tr.swbh-gm-patient-information@nhs.net](mailto:swb-tr.swbh-gm-patient-information@nhs.net)



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