

## Keeping patients safe: being open and honest when things go wrong

Pharmacists and pharmacy technicians across different settings work hard to provide person-centred, safe and effective care to patients. But, in reality sometimes things go wrong. The way that professionals respond to these situations is key to supporting the people affected and improving patient safety for the future.

**All healthcare professionals have a duty of candour.** This is a professional responsibility to be open and honest with patients when something goes wrong with their treatment or care which causes, or has the potential to cause, harm or distress.

The responsibility to be open and honest applies even in difficult or challenging times. It is vital that professionals do the right thing for patients, their families, and carers.

### The professional duty of candour

Read the [joint statement on the professional duty of candour](#) from the Chief Executives of statutory regulators of healthcare professionals.

This means that healthcare professionals must:

- Tell the patient (or, where appropriate, the patient's advocate, carer or family) when something has gone wrong
- Apologise to the patient (or, where appropriate, the patient's advocate, carer or family)

- Offer an appropriate remedy or support to put matters right (if possible), and
- Explain fully to the patient (or, where appropriate, the patient's advocate, carer or family) the short and long-term effects of what has happened.

Healthcare professionals must also be open and honest with their colleagues, employers and relevant organisations, and take part in reviews and investigations when requested. Health and care professionals must also be open and honest with their regulators, raising concerns where appropriate. They must support and encourage each other to be open and honest and not stop someone from raising concerns.

### The duty of candour and the standards for pharmacy professionals

The duty of candour is not an add on – it's a fundamental part of pharmacy professional practice.

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In working out how to discharge their duty of candour in the context of pharmacy practice, pharmacists and pharmacy technicians must of course comply with all relevant aspects of the standards for pharmacy professionals, including:

- working in partnership with other pharmacy and healthcare professionals involved in the patient's care
- communicating effectively and appropriately
- working within the limits of their own knowledge and skill, and
- taking responsibility for their practice and showing leadership.

It's important that patients receive advice about what has happened and/or treatment from the most appropriate healthcare professional to determine the extent of any harm or potential harm caused, as appropriate, as well as any other relevant information about further support; this may be their GP or another healthcare professional.

Pharmacists and pharmacy technicians may also need to speak with their professional indemnity insurers for advice, to support them to meet these regulatory responsibilities. Read more about this below.

## Saying sorry

Saying sorry meaningfully when things go wrong is vital for everyone involved in an incident, including the patient, their advocates, family or carers. This means explaining what happened, what has been done or can be done to put matters right and what will be done to stop the same thing happening to someone else, if this is relevant.

Apologising to a patient does not mean that a professional is admitting legal liability for what has happened. It's an acknowledgement that

something could have gone better. It can also support learning and improve patient safety.

When apologising to patients and explaining what has happened, we do not expect pharmacists or pharmacy technicians to take personal responsibility for something going wrong that was not their fault (such as system errors or a colleague's mistake). But the patient has the right to receive an apology from the most appropriate team member regardless of who or what may be responsible for what has happened.

Pharmacy professionals are also expected to follow any workplace policies or standard operating protocols that are relevant in this context.

Below, we hear from the National Pharmacy Association and the Pharmacists' Defence Association about the importance of openness and transparency in this context:

### **The National Pharmacy Association (NPA)**

"The NPA endorses the professional duty of candour requirements and fully agree that it is only right and proper that patients are informed when something has gone wrong. A full and meaningful apology should be given and every effort made to explain what went wrong and why and, where possible, to put right or rectify the effects of a mistake. Where appropriate patients should be referred on to their GPs or other healthcare professionals and particularly so in circumstances where it is not possible for pharmacists to determine the extent of any harm or potential harm caused.

"Members of the NPA are advised to contact NPA Insurance if they require advice or assistance on what to do if they have any doubts."

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## The Pharmacists' Defence Association (PDA)

"The PDA supports a culture of openness and transparency when things go wrong. In our experience, such an approach usually results in a more understanding patient and helps to assuage their wider concerns. We encourage members to have an open dialogue with patients about what has happened, apologise, and provide advice on the next steps including alerting other healthcare professionals that may need to be involved, such as their GP to ensure any necessary treatment or monitoring is accessed. We would never refuse to cover a claim because an apology has been offered.

"If there is any uncertainty, pharmacists should contact us as soon as possible if they need support and advice on how best to approach this, including making a timely apology if appropriate."

## What happens if there is an investigation

There might be some situations when a concern is raised about a pharmacist or pharmacy technician, and we need to investigate this. Our fitness to practise process is there to protect patient safety, to maintain public confidence in pharmacists and pharmacy technicians, and to consider any future risks to patients and the public.

It's important that pharmacists and pharmacy technicians are open and honest with everyone involved in patient care, including in the context of an investigation. This will help demonstrate that they are open to learning from mistakes, a basic part of professionalism.

In addition, a fitness to practise committee may view an apology as evidence of insight. Our committees see candid explanations, expressions of empathy and apologies as

positive steps. These will not normally amount to an admission of impairment by the pharmacist or pharmacy technician involved.

On the other hand, our committees will take very seriously a finding that a pharmacist or pharmacy technician took deliberate steps to avoid being candid with a patient, or with anyone involved in a patient's care, or to prevent someone else from being candid.

## What we say in our standards and guidance

### What patients can expect from the pharmacy team

Our **standards for pharmacy professionals** say that "pharmacy professionals must speak up when they have concerns or when things go wrong" (Standard 8). They also say that:

"The quality of care that people receive is improved when pharmacy professionals learn from feedback and incidents, and challenge poor practice and behaviours. This includes speaking up when they have concerns. At the heart of this standard is the requirement to be candid with the person concerned and with colleagues and employers. This is usually called the 'duty of candour' – which means being honest when things go wrong. There are a number of ways to meet this standard and below are examples of the attitudes and behaviours expected.

People receive safe and effective care when pharmacy professionals:

- promote and encourage a culture of learning and improvement
- challenge poor practice and behaviours
- raise a concern, even when it is not easy to do so

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- support people who raise concerns and provide feedback
- are open and honest when things go wrong
- say sorry, provide an explanation and put things right when things go wrong
- reflect on feedback or concerns, taking action as appropriate and thinking about what can be done to prevent the same thing happening again
- improve the quality of care and pharmacy practice by learning from feedback and when things go wrong

All pharmacists and pharmacy technicians are required to meet these standards.

Our guidance document ***In practice: Guidance on raising concerns*** supports pharmacists and pharmacy technicians to meet Standard 8 and explains the importance of raising concerns, and their relevant responsibilities.

## What patients can expect from their pharmacy

We also set standards for registered pharmacies. These are designed to create and maintain the right environment for the safe and effective practice of pharmacy and to improve the quality and safety of services provided to patients and the public.

The standards apply to all pharmacies registered with GPhC. Everyone in the pharmacy team should be familiar with these standards and play a key role in delivering person-centred care. The responsibility for meeting these standards lies with the pharmacy owner.

Although registered pharmacies may have different ownership structures, it is important that the culture and processes within the pharmacy deliver safe and effective care to patients and the public.

Pharmacy owners have an obligation to support pharmacy professionals to speak up when things go wrong and promote a culture of openness, honesty and learning.

There are a number of important standards about this, including:

- 1.4 - Feedback and concerns about the pharmacy, services and staff can be raised by individuals and organisations, and these are taken into account and action taken where appropriate
- 2.4 - There is a culture of openness, honesty and learning
- 2.5 - Staff are empowered to provide feedback and raise concerns about meeting these standards and other aspects of pharmacy services

When we inspect pharmacies, we look for evidence that these standards are met. Our inspection model is designed to encourage the reporting and learning from errors.

## What about education and training?

We expect those studying to become a pharmacist or pharmacy technician, to be open and honest from day one.

Our initial education and training standards include specific learning outcomes relating to the duty of candour, including the need to act openly and honestly when things go wrong and to raise concerns even when it is not easy to do so.

Through our accreditation process, we assess how learning outcomes are achieved and education and training providers are required to provide evidence to demonstrate this.

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## Other useful resources

- Our **standards for pharmacy professionals** and **standards for registered pharmacies** set out what we expect from pharmacy professionals, pharmacy owners and pharmacy teams, including when things go wrong.
- Our **guidance on raising concerns**, supports standard 8 of the standards for pharmacy professionals.
- The **Knowledge hub** on our pharmacy inspections website gives examples of notable practice.
- **Focus on responding and learning when things go wrong** an article in the December 2017 edition of our online bulletin Regulate, features a case study on good practice in risk management and learning from mistakes.
- **In February 2018, we reminded pharmacists and pharmacy technicians** of their duty of honesty and openness when things go wrong and about learning from errors.
- **The Professional Standards Authority have produced a selection of resources** about the professional duty of candour, including blogs, case studies and other materials.