



Health and Social Care (Quality and Engagement) (Wales) Act 2020

2020 asc 1

PART 3

DUTY OF CANDOUR

Procedural and other requirements

4 Duty of candour procedure

- (1) Regulations must provide for a procedure (the “candour procedure”) to be followed by an NHS body in relation to which the duty of candour has come into effect.
- (2) The regulations must require an NHS body, as part of the candour procedure—
 - (a) on first becoming aware that the duty of candour has come into effect, to give notification of this in accordance with the regulations to the service user concerned or someone acting on the service user's behalf;
 - (b) to notify a person mentioned in paragraph (a), in accordance with the regulations, of—
 - (i) the identity of a person who has been nominated by the body as a point of contact for the service user in respect of the candour procedure;
 - (ii) any further enquiries carried out by the body in respect of the circumstances in which the duty of candour came into effect.
- (3) The regulations must also make provision—
 - (a) for an apology to be offered by the body;
 - (b) in connection with the provision of support to a service user given notification under subsection (2)(a);
 - (c) about record-keeping.
- (4) The regulations may make any other provision in respect of the candour procedure that the Welsh Ministers consider appropriate.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020, Section 4. (See end of Document for details)

Commencement Information

- I1** S. 4 in force at 7.3.2023 for specified purposes by S.I. 2023/259, **art. 2(1)(a)**
- I2** S. 4 in force at 1.4.2023 in so far as not already in force by S.I. 2023/370, **art. 3(2)(a)**

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020, Section 4.