

National Open Disclosure Programme Newsletter October 2024



Dear Colleagues and Friends, in this newsletter we provide you with some updates in relation to the Patient Safety Act 2023, the accompanying regulation 'Statutory Instrument 501/2024' and training and webinar highlights.

Importantly, we want to acknowledge the significant work by Open Disclosure Leads, Open Disclosure Trainers, staff and services in implementing the Patient Safety Act. Your engagement, drive and commitment shone through not least throughout Open Disclosure themed week. We saw many examples of services celebrating this important area of our work and using it as a platform to raise awareness of the new law. Whilst the Patient Safety Act is a significant development, it applies to relatively few events. We cannot overemphasize the importance of open disclosure in all patient safety incidents and the importance of a compassionate, honest and empathic response where we support service users, their family and our staff.

Thank you, Lorraine, Ellie, Kelly and Mary

The Patient Safety (Notifiable Incidents and Open Disclosure) Act 2023

The Patient Safety Act came into effect on 26th September 2024. The Act seeks to strengthen openness and transparency throughout the Irish health care system. A key focus of the Act is on open disclosure, and the Act applies to public and private health service providers. The Act provides a legal framework for:

- Mandatory **open disclosure** of a specific list of notifiable incidents (listed in the Act)
- Notification of these **notifiable incidents** to the relevant regulator, using NIMS
- **Legal protections** when open disclosure is managed as outlined in the Act
- Protections for data obtained through **clinical audit**
- The appointment of a **Designated Person** to support patients / their relevant persons through the open disclosure process
- Mandatory communication by health service providers to **communicate reviews of cancer screening** they have carried out at the patient's request (breast, bowel, cervical screening)

Statutory Instrument 501/2024

The Minister for Health has signed **regulations in relation to Notifiable Incident 1.10 and 1.11** of the Patient Safety (Notifiable Incident and Open Disclosure) Act 2023 which are specific to maternity & neonatal incidents. The regulation describes how certain terminology should be interpreted for:

1.10: "prescribed birthweight" and "prescribed gestational age"

1.11: "prescribed birthweight", "prescribed gestational age" and "perinatal death"

These regulations take effect immediately. For more information please visit our [webpage](https://www.hse.ie/webpage) or contact OpenDisclosure.Office@hse.ie.

Issue 16 / October 2024

The Patient Safety Act is Law



What does this mean for you?

The Designated Person

The role of the Designated Person is essential to support patients / service users / families who have suffered harm, ensuring that they do not feel isolated and that their support and communication needs are met. The importance of this role is highlighted in the HSE Open Disclosure Policy and is a legal requirement of the Patient Safety Act.

Resources to support this role include:

- ◇ **E-Learning on HSeLand**
- ◇ [The Role of the Designated Person](#)
- ◇ [Checklist to support the role](#)



Are **you** undertaking the role of the Designated Person for your service? If so, please get in touch with our office. We are keen to develop a support forum for those undertaking this role and to organise an in-person event.

How do I learn more about the Patient Safety Act, and the list of Notifiable Incidents?

Complete E-Learning on HSeLand

"The Patient Safety Act 2023: Overview and Guidance"

"The Role of the Designated Person in Incident Management & Open Disclosure"

Attend an Open Disclosure Face to Face Skills Workshop



Visit our Dedicated Webpage on the Patient Safety Act



Contact the National Open Disclosure Office

Opendisclosure.office@hse.ie

Go to page 2 to find more resources which have been developed to support implementation of the Act

Questions or comments?

Email us at OpenDisclosure.Office@hse.ie Visit our website www.hse.ie/opendisclosure

National Open Disclosure Programme

Newsletter October 2024

Resources to Support with Implementation of the Act

A number of resources have been developed to support staff and services with the implementation of important aspects of the Patient Safety Act. The development of these resources was supported by many HSE colleagues and with the help of patient partners and advocates. These are in addition to the training programmes available, which are outlined on page 1.

- **NIMS Guidance on recording open disclosure and making the notification to the regulator**
- **Guide for the development of written communication following open disclosure**
- **Booklet of Documentation Templates**
- **Poster on training available for the Patient Safety Act**
- **Guides for organisations to meet clinical audit criteria in order to apply the PSA's clinical audit protections**

Click on the links above, or scan this QR code to access these resources and more to support you and your service with open disclosure following notifiable incidents and patient safety incidents.



OPEN DISCLOSURE THEMED WEEK

A big thank you to all our colleagues who supported Open Disclosure Themed Week through various activities and engagements. This year Open Disclosure Themed Week focused on the Patient Safety (Notifiable Incidents and Open Disclosure) Act 2023 and the DOH National Open Disclosure Framework. See the next edition of our newsletter for a full spread of the engagements which took place during the week. **THANK YOU ALL!**




HSE Open Disclosure Policy

The 2024 policy consultation is now closed, and the final version will soon be published, after consideration of feedback received from respondents. The draft HSE Open Disclosure Policy 2024 has incorporated national developments such as the Patient Safety (Notifiable Incident and Open Disclosure) Act 2023, the National Open Disclosure Framework, Sláintecare and international developments by the World Health Organisation. The draft HSE Open Disclosure Policy 2024 also focuses on the importance of support for patients/ service users, their family and staff.

2024 WEBINAR SERIES - A DATE FOR YOUR DIARY

The next webinar in the series is;

- Topic:** "Healthcare staff experiences of adverse events and why they matter so much"
- Panel:** Prof. Sam Cromie, Erika Carroll, Dr. Julia Louw
- Date:** Wednesday 13th Nov 2024, 11am–12.30pm
- Link:** Click [here](#) to access webinar on the day or scan the QR code 
(Event Number: 2792 270 9447 / Password: NODO)



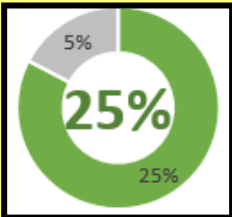
Scan the QR code to access webinar link to join on the day or to listen back to previous webinars

Open Disclosure Webinar Series in Q3 2024

| | | |
|----------------|---|---|
| 14 August 2024 | "Patient Safety Act, with focus on the Notifiable Incidents" | Presented by a panel of speakers across various health and social care settings |
| 18 Sept 2024 | "Making Conversations Easier: Communication skills for disclosing errors" | Presented by Wini Ryan from the National Healthcare Communication Programme |

YTD Training Compliance for Module 1 for HSE & HSE Funded Services

(Year Target: 30%)



FACE TO FACE TRAINING

The National Open Disclosure Office is progressing planning for the 2025 training schedule. This includes Train the Trainer Workshops and Skills Workshops. If you would like support with running face to face training for your service we are happy to help. Please email us:

Opendisclosure.office@hse.ie

**COMPASSION AND
TOLERANCE ARE NOT A
SIGN OF WEAKNESS, BUT
A SIGN OF STRENGTH.**

Dalai Lama

Your Webinar Feedback

"Excellent presentation, very clear and precise and made me put my thinking cap on . Will definitely use much more open ended questions from now on with my patients"

"Thank you this was so worthwhile and I will be thinking about how can I become more self aware in my interactions with staff and patients in post incident reviews "

"Very informative. A lot of detail in the new Act that is relevant to areas. "

Questions or comments?

Visit our [Website](#) or Email us at OpenDisclosure.Office@hse.ie