

30th September 2025

Eastbourne District General Hospital

Kings Drive
Eastbourne
East Sussex
BN21 2UD

Tel: 0300 131 4500
Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

Request for Information: Duty of Candour Breaches

1. Please provide the number of breaches of the statutory Duty of Candour recorded by your Trust during the financial year 2024/2025, and for each of the three previous financial years.

Clarification was sought as we do not record the information as requested and we asked if you would be happy to receive a snapshot-in-time figure as a percentage of compliance at that time, and confirmation was received that you require the following:

I am writing to request information regarding breaches of the statutory Duty of Candour for the period 2024/25 and the three preceding years (2021/22, 2022/23, and 2023/24).

Specifically, I am seeking details of incidents that fall within the Duty of Candour requirements, namely unintended or unexpected incidents occurring during CQC-regulated activity that have, or may have, resulted in:

- Death
- Severe harm
- Moderate harm
- Prolonged psychological harm

For each breach identified, please provide:

- The nature of the breach (e.g., delay in disclosure, failure to apologise, etc.)
- Whether the breach was self-reported or identified through investigation
- Any enforcement action taken (e.g., internal disciplinary action, CQC warning, fines)

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I understand that NHS Trusts and other healthcare providers in England are required to publish annual Duty of Candour reports. If available, I would be grateful if you could provide copies of the reports for 2024/25 and the three preceding years.

There is no set CQC definition of what constitutes a 'breach' of Duty of Candour, aside from Duty of Candour either having been completed, or not. (i.e., there is no set timescale within which each element of the Duty of Candour process has to be completed by.) Consequently, this is not a data set that is - or can be - recorded.

As per our clarification request, we do monitor ongoing compliance in respect of completion of Duty of Candour - but this figure is fluid on a daily basis and is therefore only ever reported as a snap-shot-in-time figure, as a percentage of compliance (out of 100%) at that time, on a monthly basis.

We therefore do not hold this information.

2. For each breach, please provide:

- a. The nature of the incident (e.g., delay in disclosure, failure to apologise, etc.)**

Not applicable, please see response to Q1.

- b. Whether the breach was self-reported or identified through investigation**

Not applicable, please see response to Q1.

- c. Any enforcement action taken (e.g., internal disciplinary, CQC warning, fines)**

Not applicable, please see response to Q1.

3. Please confirm whether the data is provided under the Open Government Licence or the Re-use of Public Sector Information Regulations 2015.

Not applicable, please see response to Q1.

4. If the information is provided under the Re-use of Public Sector Information Regulations 2015, as per Regulation 6, I would like to request re-use of the information.

Not applicable, please see response to Q1.

5. Please confirm that you give permission for commercial re-use.

Not applicable, please see response to Q1.

If I can be of any further assistance, please do not hesitate to contact me.

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Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Freedom of Information Department
esh-tr.foi@nhs.net