

## **Duty of Candour – Scottish Borders Council Social Care Services Annual Report – 1 April 2020 – 31 March 2021**

All Health and Social Care Services in Scotland have a duty of candour. This is a legal requirement which means that when unintended or unexpected events happen, that result in death or harm as defined in the Act, the people affected understand what has happened, receive an apology, and that organisations learn how to improve for the future.

An important part of this duty is that we provide an annual report about how the duty of candour is implemented in our services. This report describes how Scottish Borders Council Social Care Services have operated the duty of candour during the time between 1 April 2020 and 31 March 2021.

### **1. How many incidents happened to which the duty of candour applies?**

The legislation defines a Duty of Candour incident as an unintended or unexpected incident that results in death or harm as defined in the Act and set out in the table below.

If we believe an event may trigger Duty of Candour we must seek the views of a Registered Health Professional (RHP) to confirm that one of these “harms” has occurred as a result of the unexpected or unintended incident, rather than as a result of the individual’s illness or underlying condition.

Scottish Borders Council Social Care Services have identified a number of routes for incidents which may trigger the duty of candour, including accidents reported by staff providing services, review of significant occurrences, incidents reported through Adult or Child Protection processes, complaints, or claims received by the Council.

Between 1 April 2020 and 31 March 2021, there were zero incidents where the duty of candour applied.

Type of unexpected or unintended incident (not related to the natural course of someone’s illness or underlying condition)	Number of times this happened (between 1 April 2020 and 31 March 2021)
A person died	0
A person incurred permanent lessening of bodily, sensory, motor, physiologic or intellectual functions	0
A person’s treatment increased	0
The structure of a person’s body changed	0
A person’s life expectancy shortened	0
A person’s sensory, motor or intellectual functions was impaired for 28 days or more	0
A person experienced pain or psychological harm for 28 days or more	0
A person needed health treatment in order to prevent them dying	0

A person needed health treatment in order to prevent other injuries as noted above	0
Total	0

## **2. To what extent did Scottish Borders Council Social Care Services follow the duty of candour procedure?**

N/A there was zero duty of Candour Incidents

## **3. Information about our policies and procedures**

Scottish Borders Council Social Care Services set up a Duty of Candour Working Group. The Working groups brief was to prepare a Council wide procedure, to prepare this years (2020/21) annual report and consider how best to embed the procedure into practice. The group has representation from all Council services providing social work and care services as well as input from human resources, workforce development. The Working Group has met every three weeks since its inception in February 2021 and will continue to meet regularly going forward. The Working Group has written a policy, developed a reporting mechanism and is developing a training programme to ensure the policy is embedded into social work practice.

All staff providing social work and care services will receive briefings on the duty of candour procedure and these will be incorporated into induction processes. Identified staff are also required to complete the e-learning module.

We know that events that trigger the duty of candour can be distressing for staff as well as the people who receive care. We have support available for staff through our line management structure as well as through the employee counselling service and trade union representatives.

## **4. What have we learned?**

N/A there was zero duty of Candour Incidents to learn from

## **5. Other information**

This is the first year of the council wide duty of candour policy will being in operation and will be a year of learning, developing, and refining our processes to ensure the organisation is equipped to deal with duty of candour outcomes in line with the legislation.

As required we have submitted this report to the Care Inspectorate and we have also placed it on our website.

If you would like more information about this report, please contact us using the following details:

Brian Paris, Chief Social Work Officer