

Duty of Candour Policy – Updated 03/02/2021

This policy outlines how GO Kids meet the obligations introduced by the Duty of Candour Procedures (Scotland) Regulations 2018.

What is the duty of candour?

The duty of candour is about what happens if there is an unintended or unexpected incident within an organisation that results in death, severe harm, or other serious consequences that are specified in the act.

The focus of the duty of candour legislation is to ensure that organisations tell those affected that an unintended or unexpected incident has occurred; apologise; involve them in meetings about the incident; review what happened with a view to identifying areas for improvement; and learn (take account of the views of relevant persons). Organisations must ensure that support is in place for their employees and for others who may also be affected by unintended or unexpected incidents.

GO Kids understand that we must always act in an open and transparent way with service users and the people closely involved in their care.

GO Kids must set out in an annual report the way that the duty of candour procedure has been followed for all the cases that we have identified. This will be published annually on our website. GO Kids will notify the Care Inspectorate of this via their annual returns report.

When is the duty of candour activated?

GO Kids must activate the duty of candour procedure as soon as reasonably practicable after becoming aware that:

- An unintended or unexpected incident occurred within the service.
- That incident appears to have resulted in or could result in one or more of the following:
 - I. Death.
 - II. Permanent lessening or a 28-day impairment of bodily sensory, motor, physiologic or intellectual functions.
 - III. Harm which changes the structure of a person's body.
 - IV. Harm which shortens a person's life expectancy.
 - V. Harm which causes the person to experience pain or psychological harm for 28 days.
 - VI. Harm which required treatment by a registered health professional in order to prevent any of the outcomes above.
- That outcome relates directly to the incident rather than to the natural course of the person's illness or underlying condition.

Systems and procedures in GO Kids

Staff members:

If a member of GO Kids staff believes that an incident has occurred which may trigger the duty of candour, they will report it to their Project Manager immediately, or as soon as they realise it may be such an incident.

Information staff must provide: (this includes statements from 1st staff member on site and any staff member who witnessed the incident):

- The name of the child/ren and staff members involved.
- Time and place the incident happened.
- A full, step by step, factual account of what has happened. This must include:
 - the cause and full circumstances of the incident / accident.
 - type and nature of injuries sustained.

- what contact has been made with parents/carers.
- if anyone else was involved i.e. teachers, other children, parents, visitors.
- details of what was discussed.
- what (if any) first aid treatment was given.
- if emergency services were contacted & what was advised / happened.
- what club policies and procedures were followed.
- what steps were taken by you to protect / support the child.
- any other information that staff feel is relevant.
- staff must sign/date all statements.

All statements must be given to the Project Manager to include with the investigation. Staff members may be asked to be part of the investigation and any meetings necessary. The Project Manager shall be responsible for managing the duty of candour from that point.

Project Manager:

Key steps with then include:

- Contact the child's parent /carer to acknowledge that an unintended or unexpected incident has occurred that has resulted in harm and that the duty of candour procedure will be activated, and that a full investigation will take place.
- Apologise for what has happened.
- Be open with parents/carers and other relevant persons about the incident.
- Provide suitable support to the child and their parent/carer and others affected by the incident.
- Arrange a meeting with the child's parent / carer to explain directly what has happened.
- Say what is being done to investigate, what lessons have been learned from what has happened and further actions that might be taken.
- Provide a written account to the child's parent/carer.
- Ask how the parent/carer wants information to be provided to them and advise them how the information will be stored.
- Conduct a review of the circumstances which led to the incident within three months of the incident date.
- Report to the Care Inspectorate.
- Report to any other relevant bodies as and when necessary (I.e., the SSSC, PVG, the police, Falkirk child protection committee).
- Be involved with any external agencies investigating.
- Liaise with the management committee where necessary.

Record keeping:

Full records will be held in the head office. This detail will include:

- The date in which the incident occurred.
- Details of everyone involved.
- An account from all staff members involved in the incident and all the facts that the club are aware of.
- An explanation of the actions that the club will take as part of the duty of candour procedure.
- An apology of the incident.
- The invitation to the service users' parents/carers.
- Notes from this meeting and any others that are necessary, including, any actions and timescales that have been agreed.

Annual reporting:

GO Kids will prepare an annual report at the end of the financial year. This will be displayed within the club's website. Details must include:

- Information about the number and nature of incidents to which the duty of candour applied (incidents should be anonymised and not recognisable to members of the community).
- An assessment of the extent to which management have carried out the duty of candour.
- Information about the club's policies and procedures in relation to the duty of candour.

Training:

All employees have/will undertake Duty of Candour training. All new staff learn about the duty of candour at their induction and are enrolled on training.

Information taken from:

<https://www.gov.scot/policies/healthcare-standards/duty-of-candour/>

<https://www.careinspectorate.com/index.php/duty-of-candour>

<https://learn.nes.nhs.scot/2654/elearning-nmahp/duty-of-candour>

Sources of support:

NHS Education for Scotland: www.knowledge.scot.nhs.uk/making-a-difference.aspx

Care Inspectorate: www.careinspectorate.com

Scottish Social Services Council: www.sssc.uk.com

Healthcare Improvement Scotland: www.healthcareimprovementscotland.org

Scottish Government: www.gov.scot/topics/health/policy/duty-of-candour