



3<sup>rd</sup> April 2023

## Duty of Candour Report: 1<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023

All health and social care providers in Scotland have a duty of candour. This is a legal requirement which means that when things go wrong and mistakes happen, 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 the duty of candour in our service. This short report describes how our early learning and childcare service has operated the duty of candour during the time between **1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023**.

You can find out more about the Duty of Candour:

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

The duty of candour procedure must be carried out by the responsible person as soon as practicable after becoming aware that an individual who has received a health, social care or social work service has been the subject of an unintended or unexpected incident, and in the reasonable opinion of a registered health professional has resulted in or could result in:

- death of the person
- a permanent lessening of bodily, sensory, motor, physiologic or intellectual functions
- an increase in the person's treatment
- changes to the structure of the person's body
- the shortening of the life expectancy of the person
- an impairment of the sensory, motor or intellectual functions of the person which has lasted, or is likely to last, for a continuous period of at least 28 days
- the person experiencing pain or psychological harm which has been, or is likely to be, experienced by the person for a continuous period of at least 28 days
- the person requiring treatment by a registered health professional in order to prevent –
  - (i) the death of the person, or
  - (ii) any injury to the person which, if left untreated, would lead to one or more of the outcomes mentioned above.

**Duty of Candour Procedure:**

<http://www.knowledge.scot.nhs.uk/media/CLT/ResourceUploads/4084016/a7d1a061-b79e-4c0d-8268-b2834543647f.pdf>



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

Between **1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023**, there have been no incidents to which the duty of candour applied.

**2. Information about our policies and procedures**

Where something has happened that triggers the duty of candour, our staff report this to the manager of the Early Learning and Childcare setting [the Head Teacher] who has responsibility for ensuring that the duty of candour procedure is followed. The manager records the incident and reports as necessary to the Care Inspectorate. When an incident has happened, the manager and staff set up a learning review. This allows everyone involved to review what happened and identify changes for the future.

We know that serious mistakes can be distressing for staff, as well as the children who access our early learning and childcare setting and their families. Where required we may liaise with the Education and Learning team in Highland Council, and the Care Inspectorate to seek further guidance and support for staff, children and their families, where appropriate if the duty of candour has been triggered.

If you would like more information about our approaches to risk assessment, our policies or our guidance, you can contact us on [cawdor.primary@highland.gov.uk](mailto:cawdor.primary@highland.gov.uk).

**To my knowledge, this information is true at the time of publishing.**

**James Cook**  
**Head Teacher, Cawdor Primary School**  
**Manager, Cawdor Primary School Early Learning and Childcare [Nursery]**  
**03-04-2023**