

## **DUTY OF CANDOUR POLICY**

### **Rationale**

Duty of Candour procedures ensure the provision of high quality care and the best possible outcomes for people using care services. Promoting improvement is very much at the heart of what we do. We know that we deliver exceptional care on a daily basis but sometimes things go wrong and it's how we deal with these incidents that is important. The Duty of Candour provisions in legislation set out a range of things that need to happen when unexpected or unintended harm has occurred and to ensure that organisations are open, honest and supportive when there is an unexpected or unintended incident resulting in death or harm as defined in the [Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016](#). The duty is placed upon health, care and social work organisations, not individuals.

#### **This guidance will help providers and staff to take into account the relevant Health and Social Care Standards:**

- 1.24 Any treatment or intervention that I experience is safe and effective.
- 3.9 I experience warmth, kindness and compassion in how I am supported and cared for, including physical comfort when appropriate for me and the person supporting and caring for me.
- 3.14 I have confidence in people because they are trained, competent and skilled, are able to reflect on their practice and follow their professional and organisational codes.
- 4.4 I receive an apology if things go wrong with my care and support or my human rights are not respected, and the organisation takes responsibility for its actions.
- 5.17 My environment is secure and safe.

#### **This guidance will help providers and staff to take into account the relevant Quality Indicators from How Good is our Early Learning and Childcare: [How Good Is Our Early Learning and Childcare](#)**

- 2.1 Safeguarding and child protection
- 2.4 Personalised support
- 2.7 Partnerships
- 3.1 Ensuring well-being, equality and inclusion

#### **This guidance will help providers and staff to take into account the relevant articles from the UN Convention on the Rights of the Child: [A Summary of the UN Convention on the Rights of the Child](#)**

Article 3 – best interests of the child

Article 28 – right to education

Article 31 – leisure, play and culture

**This policy will be monitored by / through:** Staff CPD attendance, child's plans, complaints, reviews and consultation with parents, staff and other professionals.

This policy will be reviewed in:	12 months
Review Date:	August 2025
Reviewed By:	Management

AIMS	OUTCOMES	IMPLEMENTATION
<ul style="list-style-type: none"> <li>• To ensure we are open, honest and supportive when there is an unexpected or unintended incident resulting in harm or death, as defined by the Act</li> <li>• To follow Duty of Candour procedures</li> <li>• To ensure children's rights are upheld in accordance with the UNCRC</li> </ul>	<ul style="list-style-type: none"> <li>• People affected will be told honestly what happened, what will be done in response, and know what improvements will be made to stop this happening again to someone else in the future</li> <li>• Promote accountability for safer systems, better engagement of staff in improvement efforts and support greater trust from service users</li> <li>• Within and beyond our setting there is a shared understanding of wellbeing and children's rights</li> </ul>	<ul style="list-style-type: none"> <li>• Staff to become familiar with <a href="#">Organisational Duty of Candour guidance</a> and supporting documents</li> <li>• All staff to attend and complete any relevant training</li> <li>• All staff aware of and follow risk assessments and complete daily safety checks</li> <li>• Staff to ensure individuals affected remain at the centre of the process</li> <li>• Emphasis on learning, change and improvement to, where possible, avoid the incident happening to someone else</li> <li>• All staff understand their responsibilities as duty bearers to respect, promote and realise children's rights</li> </ul>