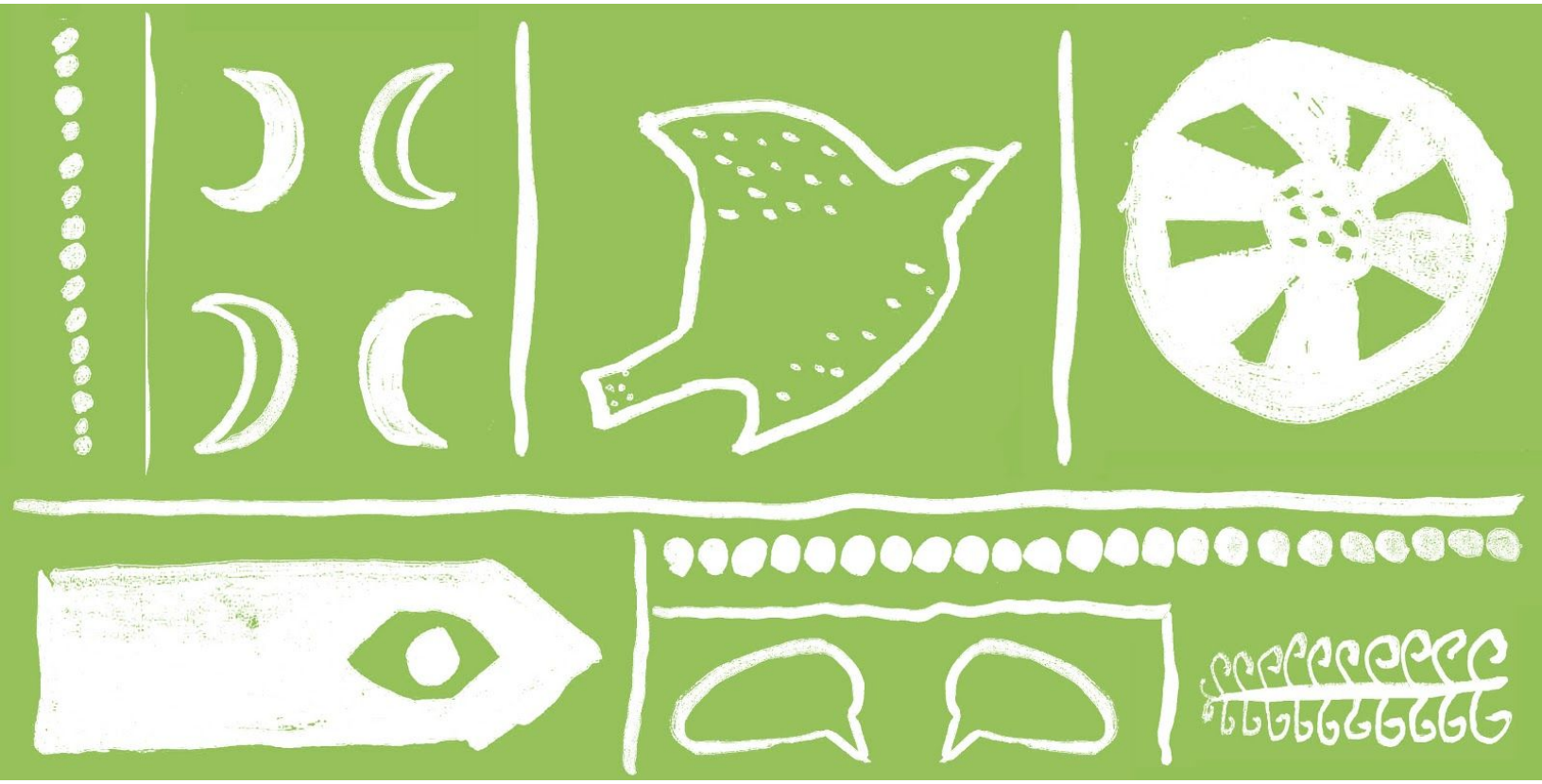
Iriss

Iriss on...

Duty of candour

SEPTEMBER 2019



What is duty of candour?

Duty of candour is a professional responsibility to be honest with people, and to say sorry when things go wrong in health or social care support. The Duty of Candour (Scotland) Regulations 2018 came into force on 1 April 2018.

Why is it important?

Duty of candour provisions support consistent responses across health and social care providers when there has been an unexpected event or incident that has resulted in death or harm, which is not related to the natural course of the person's illness or the current condition for which the person is receiving care.

Scottish Government recognises that when such adverse events occur, openness and transparency are fundamental in promoting a culture of learning and continuous improvement in health and social care settings. It should also promote a culture of support rather than blame in health and social care.

Who is responsible?

The statutory duty is placed on organisations in health and social care, so it is the organisation who is described as the responsible person. It doesn't apply to individuals, but individuals (managers and frontline practitioners) do need to be aware of what it means in practice. The duty of candour provisions state that: organisations must express sorry or regret for the incident; provide support for those affected (including staff); and provide an annual report on the duty of candour procedure.

When does it apply?

It applies when there is an event which causes unintended, or unexpected, harm to an individual receiving a health or care service. Harm is defined as: death; a permanent lessening of bodily functions; changes to the structure of a person's body such as a loss of limb; or harm that has triggered an increase in a person's treatment, or treatment to prevent death.

It complements other established forms of incident reporting and is not something that staff or organisations should be fearful of and nor should it be an additional bureaucratic process.

Guidelines and resources

Scottish Government has produced guidance on organisational duty of candour (2018)

A duty of candour elearning module (which takes one hour to complete) is available on TURAS Learn. Register to access.

Iriss hosted a round-table discussion on duty of candour, which included representatives from Scottish Social Services Council (SSSC), the Coalition of Care and Support Providers (CCPS), the Care Inspectorate and Care Concern Group.

What does this mean for me?

Jackie Weston, Director of Care, Care Concern Group

Although incidents that result in duty of candour are, and will be, very low it has prompted us to think about how we collect and collate the information around this. Overall, I view this as giving us a reminder to consider how reflective discussion is enabled and the time that is given to doing this across our services.

We've also used this as an opportunity to look at our best practice tools and procedures that we use, and then adapting these to include areas that capture whether an incident may be a duty of candour issue. This is particularly pertinent for us looking at post-falls tools on a monthly basis and collating this to form a published yearly report. It has also helped us look at risk and take an overview on that. We now know that we are sharing things in services four times a year, with managers and a new head of health and safety.

From these reviews and meetings we can then feedback findings to services with a real basis in what has been happening elsewhere, what you should be prepared for, and ideas for how you can get in there to prevent incidents happening.