



**LinkLiving care and support services
Duty of Candour annual report
April 2019**

1. INTRODUCTION

This report provides information on the new duty of candour and how it applies to LinkLiving's Care and Support Services and covers the period 1 April 2018 to 30 March 2019.

LinkLiving's Care and Support Services comprise a combination of Care Inspectorate registered services as follows:

- Edinburgh Young Persons Service
- Edinburgh Mental Health Service
- Comely Green
- Fife Support Services

As registered Care and Support services, the duty of candour will apply to the LinkLiving services listed above.

2. THE DUTY OF CANDOUR

The new duty of candour came into effect on 1 April 2018.

The organisational duty of candour provisions of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 and the Duty of Candour Procedure (Scotland) Regulations 2018 set out the procedure that organisations providing care services, health services and social work services in Scotland are required by law to follow when there has been an unintended or unexpected incident that results in death or harm (or additional treatment is required to prevent injury that would result in death or harm).

The overall purpose of the new duty is to ensure that organisations are open, honest and supportive when a staff member has been involved in an unintended or unexpected incident resulting in death or harm.

The final decision by an organisation about whether to activate the duty of candour procedure for a particular incident will be informed by the views of a registered health professional (e.g. GP). This health professional must not have been personally involved in the incident.

The 'responsible' person for reporting notifiable events and/or triggering the duty of candour is the Service Manager responsible for each registered service. They would be responsible for contacting an appropriate registered health professional (for example GP), to obtain their views. In their absence this responsibility would be delegated to another appropriate manager in their absence.

This duty requires organisations to follow a duty of candour procedure which will include:

- Notifying the person affected
- Apologising and offering a meeting to give an account of what happened
- Reviewing the incident and
- Offering support to those affected

Starting from April 2019, services must, by law, produce a short annual report showing any learning from their duty of candour incidents covering the period April 2018 to April 2019. This report must be published and Care Inspectorate notified that it has been published.

The report must include:

- Number and nature of incidents
- How the duty was carried out
- Policies and procedures for reporting and identifying incidents
- Any changes to policies and procedures or practice as a result of the incident/s i.e. learning identified/shared and improvements made
- Support that was made available to individuals and staff

3. DUTY OF CANDOUR INCIDENTS

LinkLiving Care and Support Services have had no incidents in the year from 1 April 2018 to 31 March 2019 that triggered the duty of candour.

4. HOW THE DUTY WAS CARRIED OUT

There were no incidents reported during the period of this report that triggered the duty of candour.

5. ORGANISATIONAL POLICIES AND PROCEDURES

The following LinkLiving policies and procedures provide guidance and support to staff.

- Internal Incident Reporting and Care Inspectorate Notifications
- Notifiable Incidents Flowchart
- Adult Protection Policy
- Child Protection Policy
- Code of Conduct
- Complaints policy

LinkLiving follows the Scottish Public Service Ombudsman framework for complaints. The policy also covers complaints under the jurisdiction of the Care Inspectorate.

Staff within the Care and Support Services work with the Scottish Social Services Council Codes of Practice and the National Health and Social Care Standards.

6. STAFF TRAINING AND LEARNING

Staff within the Care and Support services have all completed the Duty of Candour e-learning module, accessed via the Care Inspectorate website.

The duty of candour e-learning module has also been discussed at individual service team meetings, giving staff members the opportunity to discuss the types of incident that would trigger the duty. Staff have the chance at team meetings to discuss practice issues with colleagues and to learn and share experiences and knowledge.

7. CONCLUSION

There have been no incidents reported by the LinkLiving Care and Support Services in the period 1 April 2018 to 31 March 2019 that triggered the duty of candour.