



## **Willowview Early Learning Centre**

### **Duty of Candour policy**

#### **Legislative Framework**

Care Inspectorate Duty of Candour

#### **Rationale**

This policy sets out the appropriate processes for communicating with a child and/or family/carer following a reportable incident and, should be followed in conjunction with the Care Inspectorate Duty of Candour Procedure. This policy outlines the centre's statutory duty of candour and the processes by which openness will be supported. This will support the centre to meet its obligations to children and their families by being open and honest about any mistakes that are made whilst our staff care for their children.

This policy is aimed at all staff working within the setting and sets out the infrastructure which is in place to support openness between practitioners and children, their families and carers, following a safety incident.

Our staff will feel able to report concern or things that go wrong without fear of blame.

#### **Content and Context**

- The overall approach within the setting is one of help and support for staff involved in incidents of unintended or unexpected harm, rather than blame.
- Staff will feel confident that they will be safe, and supported to report duty of candour incidents so that lessons are learned, and shared to improve and increase the safety of our care practices for everyone.
- Senior Leadership Team will monitor implementation of procedure, activating Duty of Candour procedure when necessary.
- Support will be given to all staff throughout training and implementation of procedure.
- Head of Centre will Prepare and publish a Duty of Candour annual report, monitoring of training of all staff.
- Lead Practitioner will provide training to support personal development, reporting of unintended or unexpected incidents, that caused harm or death, Head of centre.

#### **Training and resources**

- Training and guidance is available at:  
<http://www.knowledge.scot.nhs.uk/home/announcements/duty-of-candour-e-learning-module.aspx>



- All staff are expected to be responsible for their own professional learning and thus to complete the training module.
- All new staff will be supported to complete the training module as part of their induction process.
- Support will be provided for all serious incidents by the Senior Leadership Team and if deemed necessary Argyll and Bute Council.
- Staff can also access confidential counselling via Occupational Health through self-referral or their line managers.
- Monitoring Compliance with the implementation of this policy will be monitored and audited by the Senior Leadership Team. This is dependent on staff using the system correctly to ensure the quality of data recorded provides assurance in relation to the statutory requirements.

### **Procedure**

The 'Duty of Candour procedure' means the actions to be taken by the responsible person in accordance with regulations made by the Scottish Ministers. The regulations detail the specific actions and recording of information required by the responsible person when carrying out each stage of the procedure.

The key stages of the procedure include:

- (a) A member of the Senior Leadership Team to notify the child affected and family/carer that an unintended or unexpected incident has occurred that has resulted in harm and that the duty of candour procedure will be activated. This is to happen as soon as possible after the incident has occurred.
- (b) Senior Leadership and/or staff member involved in incident to provide an apology for what has happened at this stage (see policy)
- (c) Senior Leadership Team to carry out a review into the circumstances leading to the incident, review to be carried out by an individual not involved in the incident.
- (d) Senior Leadership to offer and arrange a meeting with the family/carer.
- (e) Senior Leadership team, and staff involved in incident to provide the family/carer with an account of the incident and what went wrong.
- (f) Senior Leadership team to provide information about further steps taken
- (g) Head of Centre to make available, or provide information about support to family/carer
- (h) Senior Leadership team will advise family on how the information will be stored
- (i) Head of Centre will prepare and publish an annual report on the duty of candour (even if no incidents occur). This will be included in the Care Inspectorate Annual returns.



### **Duty of Candour Report**

All health and social care services 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 services.

### **Our report**

Willowview Early Learning Centre is a nursery based in Oban in Argyll and Bute. We cater for up to 10 children aged 2-3 and 54 3-5 at any one time. We aim to ensure that we care for children in a safe, caring, respectful and inclusive way which supports them to grow and develop.

	Aug 2021/Jul 22	Aug 2022/Jul 23
Duty of Candour applied	0	0
Someone has permanently less bodily, sensory, motor, physiologic or intellectual functions	0	0
Someone's treatment has increased because of harm	0	0
Someone's life expectancy becomes shorter because of harm	0	0
Someone's sensory, motor or intellectual functions is impaired for 28 days or more	0	0
A person needed health treatment in order to prevent them dying	0	0
A person needing health treatment in order to prevent other injuries	0	0



## **To what extent would Willowview Early Learning Centre follow the duty of candour procedure?**

We would follow the correct procedure. This means we would inform the parents affected, apologise to them, and offer to meet with them. We would review what happened and what went wrong to try and learn for the future.

Information about our policies and procedures where something has happened that triggers the duty of candour, our staff report this to the nursery manager 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. All new staff are informed about the duty of candour at their induction.

We know that serious mistakes can be distressing for staff as well as people who use care and their families. We have occupational Health service support in place for our staff if they have been affected by a duty of candour incident.

Where parents or children are affected by the duty of candour, we have arrangements in place to provide welfare support as necessary.

### **Other information**

If you would like more information about our Duty of Candour policy within the nursery, please contact us using these details:

Willowview Early learning and Childcare  
Soroba Road  
Oban  
PA34 4SB

**Policy adopted**  
**July 2021**

**Policy Reviewed**  
**July 2024**