**Paradykes Primary and Family Learning Candour of Duty Policy**

**Roles and responsibilities**

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 system for everyone.

**Senior Leadership Team** – Monitoring implementation of policy, activating duty of candour

procedure when necessary. Supporting all staff throughout training and implantation of

procedure.

**Senior Childcare Development Worker** – Prepare and publish duty of candour annual report, monitoring of training of all staff.

**Childcare Development Worker** – training to support personal development, reporting of

unintended or unexpected incidents, that caused harm or death, to line manager.

**Training and resources**

Training and guidance is available via 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 Midlothian 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 trust’s 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, Senior Childcare Development Worker and staff involved in

incident to provide the family/carer with an account of the incident and what went

wrong

(f) Senior Leadership to provide information about further steps taken

(g) Senior Childcare Development Worker to make available, or provide information

about support to family/carer

(h) Senior Leadership to advise family on how the information will be stored

(i) Senior Childcare Development Worker to 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.

**(Draft) 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. This short report describes how Paradykes Nursery has operated the duty of candour during the time between 1 April 2018 and 31 March 2019. We hope you find this report useful.

**1. Paradykes Nursery**

Paradykes Nursery is a children’s daycare service in Loanhead for up to 60 children aged 3-5 at any one time. We provide day care to children from before school to early evening.

We are a local authority nursery funded for 1140 hours to provide early learning and

childcare. We aim to ensure that we care for children in a way which supports them to

grow and develop.

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

In the last year, there has been \_\_\_\_incident to which the duty of candour applied. These are where types of incident have happened which are unintended or unexpected, and do not relate directly to the natural course of someone’s illness or underlying condition

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**Type of unexpected or unintended**

**incident**

**Number of times this happened**

Someone has died \_\_

Someone has permanently less

bodily, sensory, motor, physiologic or

intellectual functions\_\_

Someone’s treatment has increased

because of harm \_\_

The structure of someone’s body

changes because of harm\_\_

Someone’s life expectancy becomes

shorter because of harm\_\_

Someone’s sensory, motor or

intellectual functions is impaired for

28 days or more \_\_

A person needed health treatment in

order to prevent them dying \_\_

A person needing health treatment in

order to prevent other injuries \_\_

**3. To what extent did Paradykes Nursery follow the duty of candour procedure?**

When we realised the events listed above had happened, we followed the correct

procedure. This means we informed the parents affected, apologised to them, and

offered to meet with them. We reviewed what happened and what went wrong to try and

learn for the future.

**4. 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 learn 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 welfare 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.

**5. What has changed as a result?**

We made a change to our policies and procedures as a result of the duty of candour. We

have reviewed the way in which we provide meals and snacks to children to ensure that

allergies are known to all staff and that staff are confident about how they can avoid harm

arising from them.

**6. Other information**

As required, we have submitted this report to the Care Inspectorate but in the spirit of

openness we have placed in on our website and shared it with our parents too.

If you would like more information about our nursery, please contact us using these details:

G.Reid@mgfl.net or C.Todd@mgfl.net