



Rosewell Primary Nursery School

Duty of Candour Policy

August 2024

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 Duty of Candour Procedure.

This document outlines the settings policy on its statutory duty of candour and the processes by which openness will be supported. This will support the setting 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 document 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.

### **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 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 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.

## 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 Rosewell Primary School Nursery has operated the duty of candour during the time between 1 April 2023 and 31 March 2024. We hope you find this report useful.

### 1. About Rosewell Primary School Nursery

Rosewell Primary School Nursery is a Midlothian Council nursery based in Rosewell, Midlothian. We cater for up to 32 children aged 3-5 at any one time. 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 have been no incidents 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

Type of unexpected or unintended incident	Number of times this happened
Someone has died	0
Someone has permanently less bodily, sensory, motor, physiologic or intellectual functions	0
Someone's treatment has increased because of harm	0
The structure of someone's body changes because of harm	0
Someone's life expectancy becomes shorter because of harm	0
Someone's sensory, motor or intellectual functions is impaired for 28 days or more	0
A person needed health treatment in order to prevent them dying	0
A person needing health treatment in order to prevent other injuries	0

### **3. To what extent would Rosewell Nursery 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.

### **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 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 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.

### **6. Other information**

This policy is reviewed on an annual basis and discussed with staff. It helps us to remember that people who use care have the right to know when things go badly, as well as when they go well.

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

Rosewell Primary Nursery School

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