

<p style="text-align: center;">ST ANDREW'S ELC DUTY OF CANDOUR POLICY MARCH 2021</p>

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 Early Years Practitioner – Prepare and publish duty of candour annual report, monitoring of training of all staff.

Early Years Practitioner – 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 online training modules and professional dialogue. 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.

DUTY OF CANDOUR 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.