



REPORT TO: CLINICAL AND CARE GOVERNANCE COMMITTEE ON 29 AUGUST 2019

SUBJECT: DUTY OF CANDOUR ANNUAL REPORT

BY: HEAD OF CLINICAL AND CARE GOVERNANCE

1. REASON FOR REPORT

- 1.1. To present the Clinical and Care Governance Committee with information in relation to how Health and Social Care Moray (HSCM) implemented the duty of candour legislation from the 1 April 2018 to 31 March 2019.

2. RECOMMENDATION

- 2.1. **It is recommended that the Committee considers and notes the content of the report and the information contained in APPENDIX 1.**

3. BACKGROUND

- 3.1. The Duty of Candour Act came into being on 1 April 2018. As a provider of health and social care services in Scotland there is a legal organisational duty of candour. This means that when unintended or unexpected events happen that result in death or harm as defined in The Duty of Candour Act, those involved and affected understand what has happened, receive an organisational apology and that we learn, as an organisation, how to improve for the future. Part of this duty is that the service provides an annual report about how the Duty of Candour (DOC) is implemented within the services.

4. KEY MATTERS RELEVANT TO RECOMMENDATION

- 4.1. The annual DOC report for 2018/19 is attached in **APPENDIX 1**.
- 4.2. The report highlights 4 reportable DOC incidents within HSCM health services during the previous financial year.
- 4.3. This report has informed NHS Grampian's overarching report which will be uploaded to their webpage.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Commissioning Plan 2016 – 2019

As defined within the Moray Integration Scheme values and meeting the strategic aims contained within the Moray Integration Joint Board (MIJB) Strategic Plan 2016-19.

(b) Policy and Legal

Clinical and Care Governance requirements are set out within the MIJB Integration Scheme. Appropriate arrangements must be in place to ensure and evidence good governance in meeting duties under the Public Bodies (Joint Working) (Scotland) Act 2014.

(c) Financial implications

None directly associated with this report.

(d) Risk Implications and Mitigation

MIJB, Moray Council and NHS Grampian could find themselves exposed to significant risks if good governance and reporting structures are not in place. Reputational damage is mitigated by being open and honest with service users when an incident has occurred. To support staff in understanding their responsibilities around the Act a number of training sessions have been held and information distributed across HSCM.

(e) Staffing Implications

None directly associated with this report.

(f) Property

None directly associated with this report.

(g) Equalities/Socio Economic Impact

An equalities impact assessment is not required for inclusion within this report as there is no change in policy.

(h) Consultations

Consultation on this report has taken place with the following staff who are in agreement with the content in relation to their area of responsibility:-

MIJB, Chief Officer;

HSCM Systems Leadership Team

NHS Grampian Duty of Candour Lead

6. CONCLUSION

- 6.1. The Committee are asked to note this report and take cognisance of the progress made across health services managed by HSCM to implement the Act during this first year.**

Author of Report: Liz Tait, Head of Clinical and Care Governance

Background Papers: with author

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