



REPORT TO: MORAY INTEGRATION JOINT BOARD CLINICAL AND CARE GOVERNANCE COMMITTEE ON 31 AUGUST 2023

SUBJECT: DRAFT DUTY OF CANDOUR ANNUAL REPORT 2022 / 2023

BY: CHIEF NURSE - MORAY

1. REASON FOR REPORT

1.1 To submit to Committee the Draft Duty of Candour Annual Report for the year 2022/2023 (**Appendix 1**).

2. RECOMMENDATION

2.1. It is recommended that the Committee considers and notes the content of this report.

3. BACKGROUND

3.1 There is a statutory legal duty placed upon Health and Social Care Moray as a Health Care Provider to implement robust Duty of Candour processes. This is in order that patients who may be affected by unintended or unexpected incidents which may cause them harm may be involved in a meaningful way in a review of those incidents and to provide a framework whereby they may receive an apology.

3.2 The report provided for consideration here relates to an annual review of Duty of Candour processes and incidents which have taken place in the preceding year with a view to monitoring and continually improving these processes.

4. KEY MATTERS RELEVANT TO RECOMMENDATION

4.1 During the Period April 2022 – March 2023 a total of 17 incidents were considered Duty of Candour.

4.2 Of those 17 incidents Duty of Candour was applied in relation to 6.

4.4 In order to improve the handling of more serious and complex potential Duty of Candour incidents a series of improvements are under way.

4.5 The following improvements are scheduled:

- The CRM structure is under review, with a proposed improvement being that there will be a heightened focus on flagging and allocating Duty of Candour status to all queried incidents as they arise within the meeting. This allows the combined expertise of the team to be effectively utilised.
- A review into the full suite of NHS Grampian incident Review / Investigation processes and accompanying training has been undertaken and a report to this effect has been escalated within NHS Grampian. A series of recommendations have been made to improve the overall approach to investigations, with a key objective being that recognition and application of Duty of Candour should be faster and more effective.

4.6 Staff throughout the organisation require ongoing refresher training in Duty of Candour.

5. **SUMMARY OF IMPLICATIONS**

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Plan “Partners in Care 2022-2032”

Governance arrangements are integral for the assurance of the delivery of safe and effective services that underpins the implementation of the strategic plan.

(b) Policy and Legal

Duty of Candour (Scotland) Regulations, 2018, clearly state the requirements to engage with patients in a meaningful way should it be identified that unintended or unexpected incidents result in death or harm as defined in the Act, and do not relate directly to the natural course of someone’s illness or underlying condition. In each case, a review of what happened takes place and what went wrong to try and learn for the future.

(c) Financial implications

There are no financial implications arising as a direct result of this report.

(d) Risk Implications and Mitigation

The process is to ensure continued compliance with the relevant statutory requirements and continue to reduce risk by rapidly integrating learnings taken from effective and meaningful interactions with patients who may have been impacted whilst under the care of HSCM. Of significance is the reduction of reputational risk which can be achieved effectively in applying the Duty of Candour (Scotland) Regulations, 2018.

(e) Staffing Implications

There are no staff implications arising as a direct result of this report.

(f) Property

There are no property implications arising as a direct result of this report.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required because there are no changes to policy as a result of this report.

(h) Climate Change and Biodiversity Impacts

No climate change or biodiversity implications have been determined for this report.

(i) Directions

There are no directions required as a result of this report.

(j) Consultations

Consultations have taken place with Head of Clinical Governance and members of the Clinical and Care Governance Group and their comments have been incorporated in the content of this report.

6. CONCLUSION

6.1 The committee are asked to acknowledge the implementation and ongoing improvements put in place in order that the HSCM comply with its Statutory Duty under Duty of Candour (Scotland) Regulations, 2018.

Author of Report: Jacqui Shand, Clinical and Care Governance co-ordinator
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Background Papers: DOC annual Report April 2022 – March 2023

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