



**Duty of Candour
Annual Report
2023**



About Key

Key supports adults and young people with disabilities and long-term conditions throughout Scotland. We believe that good support is essential for a good life and we work alongside each person we support, and their family, to help them live life to the full and to achieve the outcomes that matter most to them. As at the 31st of March 2023 we were providing support to 1,530 individuals.

The Duty of Candour

As part of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016, the Duty of Candour is a legal requirement for social care, social work and health services to investigate, explain, apologise for and learn from certain incidents which cause death or harm to those in their care.

It ensures that if something goes wrong in a service the people affected are offered an explanation, an apology, and an assurance that staff and the organisation will learn from the error. The learning is shared with the people affected and throughout the organisation. As a Social Care Provider this information is also sent to our regulator, the Care Inspectorate.

Duty of Candour - Activation

Duty of Candour is activated when the following four requirements have all been met:

1. An unintended or unexpected incident occurs while a health, care or social work organisation are delivering care or support to someone.
2. The incident is a result of something the organisation did or omitted to do as part of the care or support provided.
3. A health professional advises that, in their reasonable opinion, the incident has resulted in or is likely to result in the following:
 - a. the death of the individual who received the care or support,
 - b. severe harm to the individual,
 - c. harm to the individual, which is not severe, or
 - d. the need for treatment from a health professional to prevent a, b, or c.
4. The health professional advises that any of the outcomes listed under requirement 3 relate directly to the incident, rather than the natural course of any underlying condition or illness the individual has.

Severe harm is the permanent lessening of bodily, sensory, motor, physiological or intellectual functions, for example, following the incident the person is no longer able to move the affected arm.

Harm which is not severe results in the following:

- an increase in the person's treatment,
- changes to the structure of the person's body,
- the shortening of the life expectancy of the person,
- an impairment of the persons' sensory, motor, or intellectual functions which has lasted, or is likely to last, for a continuous period of at least 28 days, or
- the person experiencing pain or psychological harm which has been, or is likely to be, experienced by them for a continuous period of at least 28 days.

There have been NO activations of the Duty of Candour in the year, 1st April 2022 – 31st March 2023 under any of the above categories.