

East Lothian Council Children's Services

**Duty of Candour Annual Report
1st April 2019 to 31st March 2020**

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Social care services for children

All health and social care services in Scotland have a legal duty to be open and honest when unintended or unexpected events happen while providing health or social care services, and where death or harm results. The people affected should understand what has happened, receive an apology, and know that organisations learn how to improve for the future.

A registered health professional who was not involved in the incident must reasonably have concluded that the events resulted in death or harm. The specific details of the duty of candour, and definition of "harm" are contained in the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016.

This short report describes how East Lothian Council Children's Services has operated the duty of candour during the time between 1 April 2019 and 31 March 2020.

About East Lothian Council

East Lothian Council serves a population of 104,840 people across East Lothian (estimate for 2017). Under 18s make up 21.4% of the population. We cover a diverse geographical area, including large and small towns as well as rural areas.

Children's Services has responsibility for children and young people in need of care and protection within this area. It has various duties to carry out by law, in relation to these children. Some duties apply to some young people up to the age of 25.

How many incidents happened to which the duty of candour applies?

Between 1 April 2019 and 31 March 2020, there were **no incidents** where the duty of candour applied. (These are unintended or unexpected incidents that result in death or harm as defined in the Act. They do not relate directly to the natural course of someone's illness or underlying condition.)

What would we do in the event of an incident to which the duty applied?

In the event of any such incidents, we would inform the people affected, and apologise to them. We would always offer to apologise in person and follow this up in writing but we would be guided by what the person wanted. This would be done by senior management but would involve the staff member, if appropriate.

For those who might be affected, we would refer them to local support services. We are part of a local Bereavement Support Network in order to keep ourselves fully informed in this area, should it be appropriate.

We would review what happened to see what went wrong and try to learn for the future. Once the Review was completed, we would offer to feed back what we had learned to the people affected.

For staff, in addition to regular managerial support and formal supervision, we have an employee assistance programme, which can provide counselling and support to staff if required.

Other information

A “**registered health professional**” means someone who must, by law, be registered under the Health Act 1999. This covers doctors, dentists, nurses, midwives, pharmacists, opticians, osteopaths, chiropractors, arts therapists, chiropodists, clinical scientists, dietitians, medical laboratory technicians, occupational therapists, orthoptists, paramedics, physiotherapists, prosthetists and orthotists, radiographers, and speech and language therapists. They must not have been involved in the incident.

This is the second annual report, the first of which was prepared in conjunction with East Lothian Health and Social Care Partnership. During that first reporting year (1st April 2018 – 31st March 2019), East Lothian Children’s Services were strategically managed by the Integrated Joint Board of the East Lothian Health and Social Care Partnership. That arrangement has since ended.

This report is being submitted to the Care Inspectorate via our link inspector and is being placed on our website.

If you would like further information regarding this report, please contact:

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