

Duty of Candour in Scotland

Organisations' duty to be open and honest when something goes wrong

What it means for you



Easy Read version



The law says that health and social care organisations in Scotland have to be open and honest when something goes wrong. This is called the organisational duty of candour.

This leaflet explains what this means for you.

When should organisations follow the procedure?



Organisations must follow the duty of candour procedure when an accident or mistake has caused death or serious harm to a person they are giving care to.

What can you expect?



1. Notification

You will be contacted by someone from the organisation. They will tell you that an accident or mistake has happened and that they will be following the duty of candour procedure.



They will tell you all that they know about what happened. Someone will ask you if you want a letter that says sorry and you will be told what will happen next.



2. Meeting

You will be asked if you would like to go to a meeting. You will be able to ask questions before the meeting. At the meeting, you will be told how the review is going and get the chance to say what you think about what happened.



3. Review

You will be given contact details for a member of staff who can give you information about the review.

You will be offered a letter that says sorry.

This might be a very difficult time for you but your help will be important and the organisation will try to answer any questions you have. They might not be able to answer some questions until after the review is finished.

How should you get ready for a duty of candour meeting?



- Think about any questions or worries you have about what has happened.
- You might want to bring someone with you for support during the discussion. This should be someone you are happy to share personal information with.

- You might want to talk to someone from one of the organisations listed on the back of this leaflet.

What will happen next?



The organisation must do a review. This is when they find out what happened and why. This could take some time as there might be a lot of information to be found.

The review is expected to be completed within 3 months from when the organisation first contacts you to tell you that an accident or mistake has happened.

If the review will not be finished in 3 months, the organisation must tell you why.

The organisation must offer you a written report of the review along with any other documents you need to understand what happened.

If the organisation uses the review to make their services better you must be told about this.

The law says organisations have to publish an annual report with details of the duty of candour incidents that have happened. This will not include your name or any of your personal information.

Organisations who can give further support

Citizens Advice Scotland

Has up-to-date information for people who need advice or support about care services.

Telephone: **03454 04 05 06**

www.cas.org.uk

Patient Advice and Support Service

An independent service that gives free and confidential advice and support to people who want to make a complaint and give feedback about an NHS treatment.

Telephone: **0800 917 2127**

www.cas.org.uk/pass

Action against Medical Accidents

Gives independent advice and support to people affected by medical accidents.

Telephone: **0845 123 2352**

(Monday–Friday 10am–3.30pm)

www.avma.org.uk

Scottish Independent Advocacy Alliance

Supports people to find independent advocacy services in their local area to help them get the information they need to be fully involved in discussions about their care and treatment.

Telephone: **0131 524 1975**

www.siaa.org.uk

Age Scotland

Help for older people in Scotland, supporting their rights and interests.

Telephone: **0800 12 44 222**

(Monday–Friday 9am–5pm)

www.ageuk.org.uk/scotland

NHS Inform

Scotland's national health information service helps the people in Scotland to make decisions about their own health and the health of the people they care for.

Telephone: **0800 22 44 88**

www.nhsinform.scot

The Care Inspectorate

Organisation in charge of Scotland's social work and social care services, including child protection and the integration of children's services.

Telephone: **0345 600 9527**

www.careinspectorate.com

Care Opinion

A way for patients and the public to share their stories and experiences of health and social care services across Scotland.

www.careopinion.org.uk

