**Duty of Candour**

The new duty of candour came into effect on 1 April 2019.  It affects all health, social work and care services except childminders. It means that we must take specific steps to carry out our duty of candour when a serious adverse event happens.  When a serious event occurs we will need to let the people affected know, offer to meet with them, and apologise.  This is an important part of being open with people who experience care, and also learning from things that go wrong.

Starting from April 2019, care services and social work services must, by law, produce a short annual report showing the learning from their duty of candour incidents that year, publish it, and notify the Care Inspectorate that it has been published.

Regulations and guidance about the duty of candour process have been issued by the Scottish Government and you can find it [**here**](http://www.gov.scot/Topics/Health/Policy/Duty-of-Candour).  It has also issued a guidance letter, which you can read [**here**](https://www.careinspectorate.com/images/Duty_of_Candour_Guidance_Letter.pdf).  An online learning module is available now.  This explains more about the duty of candour and helps us understand our obligations.  We strongly encourage our staff to undertake the module [**here**](https://learn.nes.nhs.scot/).

The Care Inspectorate have included a question in their notification forms, “does this incident trigger the duty of candour?” This allows them to collect data on how the duty is being implemented and help embed awareness.

Even if there are no incidents to which the duty applied, a short report will still be required, as it must contain information about staff training on the duty of candour.

<https://www.careinspectorate.com/index.php/duty-of-candour>

<https://www.gov.scot/publications/organisational-duty-candour-guidance/>