



Duty of Candour Report: 2024-2025

All health and social care services in Scotland have an organisational duty of candour. This is a legal requirement which means that when certain types of incidents happen, the people affected understand what has happened, receive an apology, and the organisation learns how to improve for the future.

An important part of this duty is that we provide an annual report about the organisational duty of candour in our services. This report describes how our organisation, North Lanarkshire Council, has operated the organisational Duty of Candour during the time between 01 April 2024 and 31 March 2025.

If you have any questions or would like more information about North Lanarkshire Council, please feel free to contact us at: barrym@northlan.gov.uk

When Must Duty of Candour be Activated?

Duty of Candour must be activated as soon as reasonably practicable after becoming aware that an unintended or unexpected incident occurred in the provision of the health, care or social work service were, in the reasonable opinion of a registered health professional (not involved in the incident) that:

- (a) the incident appears to have resulted in or could result in any of the outcomes mentioned below
- (b) the outcome relates directly to the incident rather than to the natural course of the person's illness or underlying condition.

The relevant outcomes are as follows:

- the death of the person.
- permanent lessening of bodily, sensory, motor, physiologic or intellectual functions (including removal of the wrong limb or organ or brain damage) ("severe harm").

Harm which is not severe harm, but which results in one or more of 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 sensory, motor, or intellectual functions of the person which has lasted, or is likely to last, for a continuous period of at least 28 days.
- the person experiencing pain or psychological harm which has been, or is likely to be, experienced by the person for a continuous period of at least 28 days.

The person requires treatment by a registered health professional to prevent:

- the death of the person.
- any injury to the person which, if left untreated, would lead to one or more of the outcomes mentioned above.

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

In the last year, there have been no incidents notified to Quality Assurance, where the organisational duty of candour applied.

Information About Our Policies and Procedures

North Lanarkshire Council reviewed and modified its Duty of Candour reporting procedures during 2024/25. Throughout January, February & March 2025 Locality Social Work Managers, Senior Social Workers and Registered Managers participated in awareness raising sessions to enhance understanding of the circumstances when Duty of Candour would be considered; and the stages involved in the procedure.

The Duty of Candour notification procedure now includes two stages, which are:

- Part 1 Possible Duty of Candour incident (Initial Notification)
- Part 2 Managing the Duty of Candour Process

The intention underlying the introduction of the two-stage process is to enable internal monitoring and analysis of when Duty of Candour has been considered but not activated. It is envisaged that this data will contribute to organisational learning.

Duty of Candour Reporting procedures and awareness raising sessions have been added to the North Lanarkshire Council Social Work Induction that all social work staff complete within the first four weeks of employment.

Duty of Candour training and information is available to North Lanarkshire Council staff on-line at [Duty of candour | Turas | Learn](#)

Where something has happened that may trigger the organisational Duty of Candour, our staff report this to Social Work Quality Assurance. Quality Assurance initiate contact with the reporter to plan, guide and support the process [Duty of Candour Procedure](#).

What have we learned?

Duty of Candour discussions and reflections have taken place during the awareness raising sessions and have demonstrated the benefits of interactive learning and peer discussion when considering whether the Duty of Candour criteria has been met. North Lanarkshire Council Social Work will embed a refresher Duty of Candour training programme utilising this method, in turn complementing and enhancing e-learning.

We believe that our modified Duty of Candour reporting process provides operational social work staff with the opportunity to explore and consider in full, improvement actions from unintended incidents. Furthermore, it enables North Lanarkshire Council Senior Managers to have confidence that we are fulfilling our legal and morale responsibilities as defined within the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (The Act) and The Duty of Candour Procedure (Scotland) Regulations 2018.

Training and Support for staff

All new social work & social care staff within North Lanarkshire Council learn about the organisational Duty of Candour at induction and subsequent refresher sessions.

We know that serious mistakes can be distressing for staff as well as people who receive care and support and their families. We therefore promote access to North Lanarkshire

Council Employee Assistance Programme for those who have been affected by an organisational Duty of Candour incident.

Support for relevant persons

Where a relevant person (i.e., children, adults, families, etc.) is affected by the incident that activated the organisational duty of candour, we provide links to wellbeing support services.