



DUTY OF CANDOUR - ANNUAL REPORT 2024-25

Report by Chief Executive

PURPOSE

- 1.1 The purpose of the Report is to obtain approval of the Duty of Candour Annual Report for 2024-25.

EXECUTIVE SUMMARY

- 2.1 Part 2 of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 imposes a duty on providers of health, care and social work services to follow a prescribed procedure, called the duty of candour procedure, whenever an unexpected or unintended incident occurs which results in the death of, or serious harm to, a service-user. The duty applies to the Comhairle as a provider of care and social work services.
- 2.2 The procedure requires the provider to carry out a review of the circumstances that led to the incident and to consider what improvement actions may be necessary. It must also give an account of the incident to the family concerned, apologise to them, and offer to meet with them to discuss the matter in detail.
- 2.3 The Comhairle has a Duty of Candour Policy Statement and Procedural Guidance document which was approved in 2021. It was reviewed last year, as reported to the Comhairle in June 2024.
- 2.4 The Act requires the publication of an Annual Report as soon as reasonably practicable after the end of the relevant financial year and prescribes the information which must be included in the report. A draft Annual Report for 2024-25 containing the prescribed information is appended to this Report.
- 2.5 As will be seen in the Annual Report, there was one instance of activation of the duty in 2024-25.

RECOMMENDATIONS

- 3.1 **It is recommended that the Comhairle approve the Duty of Candour Annual Report 2024-25 in terms of the draft appended to the Report.**

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Appendix:	Duty of Candour draft Annual Report 2024-25
Background Papers:	None

IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	None
Legal	none
Staffing	None
Assets and Property	None
Strategic Implications	Implications/None
Risk	Failure to publish the Annual Report as soon as reasonably practicable is a breach of the Act
Equalities	None
Corporate Strategy	Deliver Community Leadership – ensure effective governance of the Comhairle
Environmental Impact	None
Consultation	None