

## Duty of Candour Report for Barnardo's Scotland

Period Covered April 2018-2019

**Responsible Person** - Martin Crewe, Director

### **Organisation Description**

Barnardo's provide a range of services to children and young people across the UK. Barnardo's is a registered charity and limited company and is governed by a Board of Trustees. There is a Chief Executive Officer and an Executive Director for Children's Services.

This report relates to the services delivered in Scotland only.

There are 121 services delivered across Scotland including Residential Care, Family Support, Disability Services, CSE, Youth Justice, 16+ and Housing Support which are commissioned by Local Authorities. There are 23 services regulated by the Care Inspectorate. Operational responsibility for services in Scotland lies with the Director, Martin Crewe.

### **Duty of Candour Description**

The Duty of Candour applies when there has been an unintended or unexpected incident that results in death or harm (or additional treatment is required to prevent injury that would result in death or harm). Quite often this may also involve other policies such as Safeguarding or Health and Safety.

The focus of the Duty of Candour legislation is to ensure that organisations tell those affected that an unintended or unexpected incident has occurred; apologise; involve them in meetings about the incident; review what happened with a view to identifying areas for improvement; and learn (taking account of the views of relevant persons). "Organisations must ensure that support is in place for their employees and for others who may also be affected by unintended or unexpected incidents." (1)

### **Number of Incidents - 0**

Since the Duty of Candour legislation came into force in April 2018 we have, as an organisation, amended our Serious Safeguarding Incident

form and reporting process to record any incidents that would be covered by the Duty of Candour. The reporting forms are reviewed by the reporting Children's Services Manager and the locality Assistant Director before being copied to the Assistant Director Lead for Safeguarding Scotland, the Director with the responsibility for Scotland and then Head of Safeguarding UK. Within the Barnardo's Duty of Candour Policy and Procedures, the Head of Safeguarding UK also has decision making powers to classify an incident as meeting the criteria for the Duty of Candour. Any incidents meeting the criteria for action under the Duty are reported to the Executive Director for Children's Services, the CEO and the Board of Trustees.

### **The Policy and Procedures**

Within Barnardo's we have developed a Duty of Candour Policy and Procedure for which there is a Scottish supplement to ensure that we adhere to our responsibilities in respect of the Scottish Legislation. This Policy very much fits with our Basis and Values. Barnardo's has a proactive approach to service user safety with the onus on all staff being open and transparent and working within Barnardo's risk assessment management systems and processes which will allow for the identification incidents which require review and learning.

We have included in this the following detailed description of people responsible for identifying and reporting incidents.

### **Roles and Responsibilities**

**Barnardo's workers** alert managers to the incident/issue and agree an immediate action plan which should involve contact with the person, their family/carers and relevant agencies and services.

**Responsible Managers** are responsible for ensuring that the staff and volunteers that they are responsible for understand and implement the Duty of Candour. They must complete and return the relevant form(s) and ensure appropriate follow up. They should ensure that there are protocols in place with partner agencies concerning complaints.

**Assistant Director Children's Services or equivalent** should review the Duty of Candour information in the services they are responsible for and address any issues arising from these and investigate further where appropriate. They should ensure that there is

agreement with any partner agency on the protocols to be followed in a service they are responsible for.

**Region/Nation/Business Line Director** is considered *the responsible person* and should be immediately alerted to Duty of Candour issues/incidents and maintain an overview of concerns received in the Region or Nation or Business Line and address any issues arising from these. This will include alerts to safeguarding and other leads as well as organisational learning and response.

**Aggregating Information** It is envisaged that for the purposes of reporting, that any Duty Of Candour incident forms will be managed in line with our current Serious Safeguarding Incident policy and tracked through a central data base which is able to report the number of incidents across all the Regions and Nations on a monthly basis, can track the actions in relation to each incident have been undertaken and provide us with a return that can be used to inform our learning going forward. Through this procedure incidents are reported to the CEO and Trustees.

Although this is managed centrally, incidents are also reviewed by the National Safeguarding Leads Group and an aggregated report provided on an annual basis for analysis.

The **training** in respect of the Duty of Candour policy remains a work in progress. In February 2019 training in relation to our responsibilities in respect of the Duty of Candour was delivered to all the Regions and Nations Safeguarding Leads Group by an external consultant. This has subsequently been shared with Scotland's Senior Management Team and a copy of the presentation has been circulated to all Children's Service Managers. It is anticipated that there will be face to face training sessions offered in a cascade format before the end of the calendar year. In addition staff in Services have made use of the on line resource from the Care Inspectorate regarding Duty of Candour and have reported that they have found this useful.

We are still delivering on our training programme and we consider it appropriate to extend this to all of our services. Given this, it is only sensible to think that our reach in terms of knowledge and understanding in terms of Duty of Candour will increase with the delivery of the programme. However, there is an expectation that all Managers understand the requirement to identify relevant incidents,

take action as required by the legislation and report such incidents in line with our policy.

Given this is our first year of reporting we also don't have a baseline to measure the Organisation by.

For the purposes of this report all the Safeguarding Serious Incidents reports for Scotland have been reviewed and none have triggered the criteria for a Duty of Candour incident. Services routinely record feedback from service users and this is overwhelmingly positive about the Service they receive, how they are treated and the impact that this has made to their lives.

### **Support to persons harmed and staff affected**

Core to our Policy and the commitment to personalising organisational responses are the 10 principles of being open, which includes events being acknowledged as soon as they are identified and people being treated with compassion and understanding by staff. Under the principle of truthfulness, timeliness and clarity of communication, information must be given in a truthful and open manner, based solely on facts known at that time. Individuals concerned will be kept up to date by the right person who is appointed to do this as a named point of contact. Any information should be clear and unambiguous; this should include a meaningful apology. The response should take into account available information in respect of the relevant person and their circumstances including health, their support needs and that of their family/carers.

There should also be consideration of translation or advocacy services before the discussion of incident information. It is hoped that people then feel safe to contribute to these discussions.

In terms of staff, Barnardo's already have a range of support mechanisms in place to support practitioners in the difficult job they do which includes monthly support and supervision for all staff, the Wellness Action Plan that can be completed with staff to support their well-being, the Employee Assistance Programme which initially offers up to 6 individual counselling sessions for staff away from the workplace, our People team are available to provide support to staff and managers and also if they are trade union members, trade union support. As a learning organisation we would be keen to review this strategy post event learning and with our third sector partners in the appropriate forums that we attend/chair.

Given that we have had no incidents it is too early to report as to the effectiveness of the policy and guidance in relation to how we support persons harmed and staff affected, however we believe that the principles are sound and based on our work elsewhere so would be hopeful that they would be of benefit at this time.

Signed: MA

1. <http://www.gov.scot/Resource/0053/00533470.pdf>

