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## Report to Board – 4 April 2024

### Duty of Candour Annual Summary

#### 1 Purpose of report

- 1.1 To provide Board members with a copy of our annual Duty of Candour report as per our internal policy and regulatory reporting requirements from the Care Inspectorate, even if there are no incidents to which the duty is applied.

#### 2 Background

- 2.1 All health and social care services in Scotland have a duty of candour, a legal duty which means that when an unintended or unexpected incident occurs during the time we are providing care or support to an individual which appears to have caused death or harm, we must ensure that the people affected know what has happened and receive a proper apology. We are also committed to learning and improving our services and therefore, in situations where something has gone wrong, we will always seek to identify and implement improvements to our practice and involve those affected in a review of what happened reflecting our commitment to putting people at the heart of our services.
- 2.2 Trust is committed to being open and honest with the people to whom we provide care and support. We aim to provide the highest possible quality of service but recognise that sometimes unexpected and unintended harm can occur, and we will respond to such incidents with honesty and integrity, offering support to those affected.

#### 3 Duty of Candour report 2023/24 findings

- 3.1 Our annual report to the Care Inspectorate for 2023/24 on the duty of candour is attached at *Appendix 1* for information.

#### 4 Conclusion

- 4.1 We can report that there have been no instances in which the duty of candour has been applied in the past year however we will continue to follow our robust processes and fulfil our legal duty.

## 5 Recommendation

The Board are asked to:

5.1 **Note** the contents of this update report.

Regulatory Compliance:

**Standard 1**

The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

**Standard 2**

The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

**Standard 3**

The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay.

**Standard 4**

The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.

**Standard 5**

The RSL conducts its affairs with honesty and integrity.

**Standard 6**

The governing body and senior officers have the skills and knowledge they need to be effective.

**Risk Level:** This is a low risk as we have had no instances to report. Our risk level is managed through our rigorous processes and training programme.

**EDI Overall Impact:** Risk is low

**Protected Characteristics Affected:** None

**EDI Impact Assessment Complete:** No

**Mitigating Actions:** None required

**Financial Implications:** Risk is low but there could be insurance/compensation claims which could be made to any instances of duty of candour.

## Appendix 1

### Duty of Candour Report - Trust Housing Association 2023-2024

This report describes how Trust has applied our duty of candour during the period from 1 April 2023 to 31 March 2024.

#### 1. About Trust Housing Association

Trust Housing Association is a provider of housing, support, and care services across Scotland. Most of our care and support services are for older people.

#### 2. How many incidents happened to which the duty of candour applies?

During this year, there have been 0 incidents to which the duty of candour applied. These are incidents where something unexpected or unintended has taken place which has resulted in harm to someone.

Type of unexpected or unintended incident	Number of times this happened
Someone has died	0
Someone has permanently less bodily, sensory, motor, physiologic or intellectual functions	0
Someone's treatment has increased because of harm	0
The structure of someone's body changes because of harm	0
Someone's life expectancy becomes shorter because of harm	0
Someone's sensory, motor or intellectual function is impaired for 28 days or more	0
Someone experienced pain or psychological harm for 28 days or more	0
A person needed health treatment in order to prevent them dying	0
A person needed health treatment in order to prevent other injuries	0

#### 3. To what extent did Trust Housing Association follow the duty of candour procedures

All duty of candour procedures have been followed and we had no Duty of Candour incidents during 2023-2024.

#### 4. Information about our policies and procedures

When any incident occurs, our development-based staff report this to their Care and Support Partner. The Care and Support Partner identifies if the duty of candour applies to the incident and is then responsible for ensuring the duty of candour process is followed. The incidents are also reported to the Care Inspectorate. The Care and Support Partner will offer to meet with the people affected, apologise to them, review the incident, and identify learning and changes which are required for the future.

All development staff learn about duty of candour and about how incidents should be reported. Care and Support Partner's receive training in conducting the duty of candour process. Staff have access to an employee counselling service if they have been affected by an incident. We also direct people affected by incidents to services which could support them such as advocacy services and bereavement counselling.

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## **5. What has changed as a result?**

In relation to each incident we would carefully consider what action we need to take. There were no Duty of Candour Incidents in 2023 - 2024 therefore no changes have been made.

## **6. Other information**

We have made the Care Inspectorate aware of this report and published it on our website.

If you would like more information, please contact us on 0131 444 1200.