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1. Viewpoint's Values

Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say 'yes I can and I will';
- Celebrate age, experience and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one";
- Work hard, have fun and laugh;
- Stay courageous, creative and ahead of the game; and
- Work with those that share our values.

These promises shape us. They're a commitment to our tenants, residents, staff and suppliers. They are fundamental to every single plan, decision and project we embark on.

2. Policy Statement

The publication in 2013 of the Francis Report brought about significant changes within health and social care sectors. There was recognition of the need for greater transparency and openness, and so legislation was introduced which required health, social work and social care organisations to be open, honest and supportive when there is an unexpected or unintended incident resulting in death or harm.

Enabling and managing risk is a central part of delivering high quality health, care and social work services. Candour promotes responsibility for developing safer systems, better engages staff in improving services and creates greater trust in people who use these services, either first hand or on behalf of someone else.

The focus of the duty of candour legislation is to ensure that if, in the course of providing health, care or social work services, an unintended or unexpected incident has occurred, organisations tell those affected; 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 view of relevant persons). Organisations must ensure that support is in place for their employees and others who may be affected by unintended or unexpected incidents.

Annually, organisations must set out in an annual report the way that the duty of candour procedure has been followed for all the cases that they have identified.

Promoting a culture of openness is a key factor contributing to tenant and resident safety and the quality of our services. It involves explaining and apologising for what happens to people we support who have been harmed or involved in an incident as a result of their care and support. It ensures communication is open, honest and occurs as soon as possible following an incident.

3. Aim (sometimes called Purpose)

The aims of this Policy are:

- To support a culture of openness.
- To ensure staff are made aware of legal responsibilities.
- To ensure staff follow the procedure.
- To promote good communication with residents and their families.
- To make sure that Viewpoint is compliant with legal obligations.

4. Legislation/related policies

The organisational duty of candour provisions of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 and the Duty of Candour Procedure (Scotland) Regulations 2018, set out the procedure that organisations providing health services, care services and social work services in Scotland are required by law to follow 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).

This duty underpins the Scottish Government's commitment to openness and learning which is vital to the provision of safe, effective and person-centred health and social care.

5. Scope

Candour is defined by Robert Francis (The Francis Report 2013) as: 'The volunteering of all relevant information to persons who have or may have been harmed by the provision of services, whether or not the information has been requested and whether or not a complaint or a report about the provision has been made'.

Duty of Candour Incident

For the purposes of this policy, a duty of candour incident is one in which, through the direct provision of a health, care or social work service:

- a tenant or resident living in one of Viewpoint's properties or care homes is affected, either on a permanent or temporary basis.
- an unintended or unexpected incident appears to have resulted, or could result, in one of the outcomes identified by the Act.

The outcome of the incident relates directly to the incident rather than the natural course of the person's illness or underlying condition

Outcomes identified in the Act

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| Type of unexpected or unintended incidents (not relating to the natural course of someone's illness or underlying conditions) |
| A person died |
| A person incurred permanent lessening of bodily, sensory, motor, physiologic or intellectual functions |
| A person's treatment increased |
| The structure of a person's body changed |
| A person's life expectancy shortened |
| A person's sensory, motor or intellectual functions was impaired for 28 days or more |
| A person experienced pain or psychological harm for 28 days or more |
| A person needed health treatment in order to prevent them dying |
| A person needing health treatment in order to prevent other injuries as listed above |

All staff and volunteers providing a health, care or social work service must adhere to the Duty of Candour Policy.

Responsible Person

This means the "person" or legal entity who provides the service. It refers to the company rather than any one individual within the company. For the purposes of this policy, the responsible person is Viewpoint Housing Association Limited.

Relevant Person

This means the person who has been affected by the incident, or the person they choose to represent them.

6. Compliance & Support

The Duty of Candour procedure describes the actions which must be taken by the responsible person following the Duty of Candour incident. While responsibility for those actions remains with the responsible person, some actions may be delegated, for example to individual Registered Care Home Managers.

Staff should familiarise themselves with this policy and procedures. Viewpoint will provide relevant staff with training and support to deal with unacceptable behaviour and actions. Additional support should be requested from line management if required.

7. Equality Impact Assessment (EIA)

Viewpoint will treat all customers with fairness and respect in line with its Diversity Strategy. Viewpoint recognises that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

Where any group has difficulty in understanding this process staff will assist to ensure that the policy is available in other formats, if required, and that groups are supported through the process. This policy is available in other formats, including large print, if required.

8. Privacy Impact Assessment (PIA)

A Privacy Impact Assessment is not required for this policy.

9. Monitoring & Evaluation

Duty of Candour training is mandatory for all staff working in care home roles and is carried out via our e-learning system. Refresher training is required every 3 years. Viewpoint Housing Association also operates a comprehensive 2 day corporate induction process and the Duty of Candour is highlighted as part of this process.

Where something has happened that triggers the duty of candour, our staff report this to the Registered Manager of the relevant service who has responsibility for ensuring that the duty of candour procedure is followed. The Registered Manager records the incident and report it as necessary to the Care Inspectorate

We are aware that Duty of Candour incidents can be distressing for staff as well as for people who use our services. We have counselling support available for staff if they have been affected by a duty of candour incident through our Employee Assistance Programme. We also have disciplinary procedures in place to deal with any duty of candour incident which might arise due to staff misconduct.

Clear and accurate records must be kept of how the investigation was carried out, what it found, what action was taken as a result, and what the outcome of that action was.

The responsible person (or the person to whom this is delegated) will offer and arrange to meet with the relevant person to provide an account of the incident, the investigation and the outcome.

The responsible person (or the person to whom this is delegated) will make available, or provide, support to the relevant person.

The responsible person (or the person to whom this is delegated - Director of Care will provide annual reports on Duty of Candour incidents that have occurred within the Company.

In order to gauge its effectiveness, Viewpoint will need to monitor the implementation of the policy. The level and frequency of monitoring will vary and this will be determined by the underpinning legislation, the internal and external context and the judgement of departmental managers. This section should describe the process for monitoring and evaluation including:

- The consultation process
- What (if any) performance indicators will be used
- The frequency of reports, where and to whom reports should be sent
- Any monitoring “tools” to be used.