Burntisland Primary School

ELC Duty of Candour
Policy & Procedures

Burntisland ELC is committed to a culture of openness, honesty, learning and continuous improvement. The Duty of Candour supports the rights of children and families to be informed when an unintended or unexpected incident has occurred which has resulted in harm, or could result in harm, and ensures that the service learns from incidents to improve outcomes for children.

An apology offered under the Duty of Candour is not an admission of negligence or breach of statutory duty. It is an acknowledgement that an unintended or unexpected incident has occurred and reflects our commitment to openness and honesty.

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All Staff

- Report any unintended or unexpected incidents immediately to the Headteacher or Depute Headteacher.
- Participate openly and honestly in reviews and investigations.
- Engage in Duty of Candour learning and training.
- Contribute to identifying improvements arising from incidents.
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Senior Leadership Team

- Determine whether the Duty of Candour procedure may apply.
- Seek appropriate professional advice when required.
- Ensure communication with children and families is timely, sensitive and supportive.
- Lead learning reviews and implement improvements.
- Ensure statutory reporting and annual publication requirements are met.
- Monitor staff awareness and training.

The revised (2025) guidance places greater emphasis on supporting those affected.
Where a Duty of Candour incident is identified, Burntisland ELC will ensure appropriate emotional and practical support is offered to children, families and staff affected by the incident.

The review will focus on understanding what happened, why it happened and what improvements can be made to reduce the likelihood of recurrence. The review process will be proportionate, person-centred and focused on learning rather than blame.

Annual reporting requirements

An annual Duty of Candour Report will be prepared and published by 31 March each year in accordance with Care Inspectorate requirements.
The report will:

- State the number and type of Duty of Candour incidents.
- Describe learning identified from incidents.
- Outline actions taken to improve practice.
- Confirm training undertaken by staff.
- Be shared with the Care Inspectorate and made publicly available.

Where no Duty of Candour incidents have occurred during the reporting period, a report will still be produced and published.
This reflects current Care Inspectorate expectations

Training section

Training and guidance are available through:

- The Scottish Government Organisational Duty of Candour Guidance (revised March 2025).
- The Care Inspectorate Duty of Candour resources.
- The national Duty of Candour e-learning module developed by NHS Education for Scotland, the Scottish Social Services Council, the Care Inspectorate and Healthcare Improvement Scotland.

All staff will receive Duty of Candour information during induction and will participate in refresher learning as required.

https://ekmu.fa.em3.oraclecloud.com:443/fscmUI/redwood/learner/learn/redirect?learningItemId=300001145365975&learningItemType=ORA_COURSE

References

- Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016
- Duty of Candour Procedure (Scotland) Regulations 2018
- Organisational Duty of Candour: Non-Statutory Guidance (Scottish Government, revised March 2025)
- Care Inspectorate Duty of Candour Guidance (updated July 2026)

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