

Duty of Candour Annual Report 2025

SAMH

This report describes how SAMH has implemented Duty of Candour throughout the period of April 2024 to March 2025.

SAMH is a mental health charity that operates over 70 services in communities across Scotland. SAMH work with adults and young people providing mental health social care support, services in primary care, and schools and further education, among others.

SAMH has a comprehensive policy framework that provides guidance to our staff. Our Duty of Candour policy is contained within this framework and is available to all staff.

All relevant staff also receive training in Duty of Candour, its purpose and responsibilities.

Duty of Candour

Duty of Candour is a legal requirement to ensure that if something goes wrong in health or social care services the people affected are offered an explanation, an apology and an assurance that staff will learn from the error. The learning is shared with the people affected and throughout Scotland.

We must activate the Duty of Candour procedure as soon as reasonably practicable after becoming aware that:

- an unintended or unexpected incident occurred in the provision of the health, care or social work service provided by the organisation as the responsible person; and
- in the reasonable opinion of a registered health professional (a member of a profession to which section 60(2) of the Health Act 1999 applies) not involved in the incident:
 - that incident appears to have resulted in or could result in any of the outcomes outlined in the table below; and
 - that outcome relates directly to the incident rather than to the natural course of the person's illness or underlying condition.

Report

All health and social care services in Scotland must provide an annual Duty of Candour Report for their service. Our report is outlined below. The information contained in this report is also shared with the Care Inspectorate.

| Type of unexpected or unintended incident | Number of incidents |
|--|---------------------|
| Someone has died | 0 |
| Someone has permanently less bodily, sensory, motor, physiological 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 functions 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 needing health treatment in order to prevent other injuries | 0 |

Our Policy & Procedure

When an incident occurs that necessitates the implementation of Duty of Candour, our staff report this to their line manager and to the Director of Operations who oversees the services we provide. The incident is recorded on our Accidents and Incidents System, and the relevant manager completes the Care Inspectorate reporting e-form.

SAMH's Accidents and Incidents System is overseen by the Internal Audit team and highlights the learning needed as a result of the incident as well as any specific staff learning necessary. Any actions are assigned an owner and followed up on to completion.

We know that serious incidents can be distressing for staff as well as people who use care and their families. Our external confidential Employee Assistance Programme is available to all staff at any time and emphasised when Duty of Candour is triggered.

Where the incident arises from staff wrong doing our disciplinary process is immediately put in place.

If you would like more information about this report, please contact our Executive Director of Delivery and Service Development Alex Cumming at alex.cumming@samh.org.uk

December 2025