



Duty of Candour Report 2026

About Key

Key supports disabled people, and people with long-term conditions, of all ages throughout Scotland. We believe that good support is essential for a good life, and we work alongside each person we support, and their family, to help them live life to the full and to achieve the outcomes that matter most to them. As at the 31 March 2026 we were providing support to 2,000 individuals.

The Duty of Candour

As part of the 'Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016', the Duty of Candour is a legal requirement for social care, social work and health services to investigate, explain, apologise for and learn from certain incidents which cause death or harm to those in their care.

It ensures that if something goes wrong in a service the people affected are offered an explanation, an apology, and an assurance that staff and the organisation will learn from the error. The learning is shared with the people affected and throughout the organisation. As a Social Care Provider this information is also sent to our regulator, the Care Inspectorate.

Duty of Candour - Activation

Duty of Candour is activated when the following four requirements have **all** been met:

1. An unintended or unexpected incident occurs while a health, care or social work organisation are delivering care or support to someone.
2. The incident is a result of something the organisation did, or omitted to do, as part of the care or support provided.
3. A health professional advises that, in their reasonable opinion, the incident has resulted in or is likely to result in the following:
 - a. the death of the individual who received the care or support,
 - b. severe harm to the individual,
 - c. harm to the individual, which is not severe, or
 - d. the need for treatment from a health professional to prevent a, b, or c.
4. The health professional advises that any of the outcomes listed under requirement 3 relate directly to the incident, rather than the natural course of any underlying condition or illness the individual has.

Severe harm is the permanent lessening of bodily, sensory, motor, physiological or intellectual functions, for example, following an incident the person is no longer able to move the affected arm.

Harm which is not severe results in the following:

- an increase in the person's treatment;
- changes to the structure of the person's body;
- the shortening of the life expectancy of the person;
- an impairment of the persons' sensory, motor, or intellectual functions which has lasted, or is likely to last, for a continuous period of at least 28 days, or;
- the person experiencing pain or psychological harm which has been, or is likely to be, experienced by them for a continuous period of at least 28 days.

Reporting of Duty of Candour Activations (and Potential Activations)

Any Duty of Candour incident or potential incident would be recorded and reported through the organisation's Serious Incident Reporting system which includes a record of what notifications are made to all external regulators including Local Authorities, Care Inspectorate, Health and Safety Executive, and the Scottish Housing Regulator. There are well-established systems in place for analysing, reviewing and reporting all incidents that come through this system.

Key also have established policies in place to ensure that staff involved in an incident or event are debriefed, , supported by an appropriate manager and are signposted to our counselling services.

Training is provided in the form of cascading a refresh of the Duty of Candour process to all managers through our Senior Management Team (AMT) every two years. This is scheduled to happen this year.

There have been **no activations** of the Duty of Candour in the year, 1st April 2025 – 31st March 2026 under any of the above categories.