
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 57

The Duty of Candour Procedure (Scotland) Regulations 2018

Communication with relevant person

2.—(1) If, in respect of an incident, the responsible person⁽¹⁾ is unable to contact the relevant person⁽²⁾ or the relevant person declines to communicate with the responsible person—

- (a) the record kept under regulation 9 must include information about the attempts made to contact or to communicate with the relevant person; and
- (b) any requirement in these Regulations to provide information to, or communicate with, the relevant person does not apply in respect of that incident.

(2) The responsible person must take reasonable steps to ascertain the relevant person's preferred method of communication and, where reasonably practicable, communicate with the relevant person by this method.

(3) The responsible person must take reasonable steps to ensure any communication with the relevant person is in a manner that the relevant person can understand.

(1) "Responsible person" is defined in section 25 of the Act.

(2) "Relevant person" is defined in section 22(3) of the Act.