

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2018 No. 57**

**The Duty of Candour Procedure (Scotland) Regulations 2018**

**Review**

7.—(1) The responsible person must carry out a review of the circumstances which it considers led or contributed to the incident.

(2) Where the review is not completed within a period of 3 months beginning with the procedure start date, the responsible person must provide the relevant person with an explanation for this.

(3) In carrying out the review, the responsible person must seek the views of the relevant person and take account of any views expressed.

(4) The responsible person must prepare a written report of the review, which must include—

- (a) a description of the manner in which the review was carried out;
- (b) a statement of any actions to be taken by the responsible person for the purpose of—
  - (i) improving the quality of service provided by the responsible person;
  - (ii) sharing learning with other persons or organisations in order to support continuous improvement in the quality of health, care or social work services; and
- (c) a list of the actions taken in accordance with the duty of candour procedure in respect of the incident and the date or dates each action was taken.

(5) The responsible person must offer to send the relevant person—

- (a) a copy of the written report of the review;
- (b) any further information about the actions mentioned in paragraph (4)(b) for the purpose of improving the quality of service provided by the responsible person or other health, care or social work services; and
- (c) details of any services or support which the responsible person considers may provide assistance to the relevant person, taking into account the relevant person's needs.

(6) If the relevant person wishes to receive any of the information mentioned in paragraph (5), this should be provided by—

- (a) the responsible person; or
- (b) where in the opinion of the responsible person it is appropriate to do so, by another responsible person where that other responsible person is—
  - (i) undertaking a duty of candour procedure in respect of the incident; and
  - (ii) agrees to do so.