

Duty of Candour Policy

West Heanton – Regulation 20 Compliance

1. Policy Statement

West Heanton is committed to openness, honesty and transparency in all aspects of care. When something goes wrong, we will:

- Tell the person affected (and/or their representative) openly and as soon as reasonably practical
- Provide clear, compassionate communication
- Offer a sincere apology (without admitting liability)
- Explain what happened and what will happen next
- Investigate the incident thoroughly
- Share outcomes honestly
- Learn from the incident to improve safety and care

The Duty of Candour applies to all regulated activities and is a legal requirement under Regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

2. What Is a Notifiable Safety Incident?

A notifiable incident is any **unintended or unexpected event** that occurred during the provision of care and, in the opinion of a health professional, has resulted in:

Death

Where the death relates directly to the incident.

Severe Harm

Permanent disability, loss of function, or serious long-term impact.

Moderate Harm

A moderate increase in treatment, unplanned hospital admission, prolonged care, or transfer to specialist services.

Prolonged Psychological Harm

Psychological distress lasting **28 days or more**.

If an incident meets these criteria, the Duty of Candour process must be followed.

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3. Our Commitment to Transparency

West Heanton will:

- Act with honesty and fairness
- Support the team to uphold candour
- Never discourage or penalise openness
- Ensure all communication is respectful, timely and clear
- Maintain accurate records of all candour actions
- Share learning across the organisation

4. How People Will Be Informed

When a notifiable incident occurs, we will:

- Inform the resident/tenant or their representative as soon as reasonably practical
- Provide a clear explanation of what is known at that time
- Offer a sincere apology (not an admission of fault)
- Explain what will happen next, including investigation steps
- Provide written confirmation of the incident and apology
- Keep the person updated throughout the investigation
- Share the final outcome in writing and/or in a meeting

All communication will be delivered sensitively, respectfully and in confidence.

5. Reporting a Possible Breach of Candour

If any team member believes the Duty of Candour has not been followed:

- They must report it immediately to the Registered Manager
- If the Registered Manager is involved, the concern must be reported to another Manager
- If the management is involved or fails to act, the concern must be reported to the Care Quality Commission (CQC)

West Heanton encourages and protects honest reporting.

6. Duty of Candour Procedure

All notifiable incidents follow our Risk & Response model, ensuring fairness, clarity and proportionality.

Step 1 – Immediate Reporting

The team must report the incident in:

- The Accident Book
- The Day Notes
- Directly to the Duty Manager

The Duty Manager informs the Registered Manager as soon as possible.

Step 2 – Initial Assessment

The Registered Manager (or delegated representative):

- Reviews the incident
- Confirms whether it meets the criteria for a notifiable incident
- If unclear, discusses with the resident/tenant, representatives and relevant professionals

Step 3 – Notification to the Resident/Tenant

As soon as reasonably practical, we provide:

- Verbal notification
- A written apology
- An outline of what is known
- Information about next steps
- Support and reassurance

Step 4 – Investigation

The Registered Manager or delegated investigator will:

- Identify people to interview
- Gather statements and evidence
- Record all findings
- Avoid naming individuals unnecessarily
- Keep the resident/tenant informed of progress
- Notify external bodies where required (CQC, GP, Safeguarding, HSE, insurers, etc.)

Step 5 – Outcome & Learning

Once the investigation is complete:

- The outcome is shared with the resident/tenant or representative
- A meeting may be offered
- A further apology is provided
- Learning is shared with the team
- Improvements are implemented
- Records are updated and stored securely

7. Confidentiality & Sensitivity

All Duty of Candour communication is:

- Private
- Respectful
- Supportive
- Free from blame or bias
- Focused on learning and improvement

8. Team Responsibilities

Every member of the team must:

- Report incidents immediately
- Support openness and honesty
- Communicate respectfully
- Participate in investigations when required
- Uphold West Heanton's commitment to transparency

9. Policy Review

This policy is reviewed annually or sooner if legislation or best practice changes.