



POLICY DUTY OF CANDOUR

Purpose: To provide information and guidance to staff on how to implement Regulation 20 (Duty of Candour) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

Policy: Cruising Carers and Companions has a legal requirement to promote the safety of service users and expects staff to provide care that is safe at all times. However, Cruising Carers and Companions understands that sometimes things can go wrong. In this instance, Cruising Carers and Companions is committed to put things right and expects staff to disclose when things are wrong so that Cruising Carers and Companions can correct these matters before they cause harm to the service user. However, when things do go wrong and a notifiable safety incident occurs Cruising Carers and Companions will be 'open and honest' with family, friends and significant others.

Scope: This policy contains information and guidance from legislation and from relevant bodies that all staff are expected to adhere to including:

·Regulation 20 (Duty of Candour) - Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

Managers will check guidance from relevant bodies on a regular basis to ensure they are up-to-date with the latest information about the Duty of Candour and will amend this policy accordingly. Staff are expected to adhere to this legislation through implementation of this policy.

Notifiable Safety Incident Definition:

A notifiable safety incident is any unintended or unexpected incident that occurs to a service user during the provision of a regulated activity that could result in, or appears to have resulted in:

- A service user's death, (where the death relates directly to the incident rather than to the natural course of the service user's illness or underlying condition).
- Severe or moderate physical harm. According to Regulation 20, this means 'a permanent lessening of bodily, sensory, motor, physiologic or intellectual functions, including removal of the wrong limb or organ or brain damage, that is related directly to the incident and not related to the natural course of the service user's illness or underlying condition'.
- Prolonged psychological harm. According to Regulation 20, psychological harm means 'harm which a service user has experienced, or is likely to experience, for a continuous period of at least 28 days'.



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In the event of a notifiable safety incident, the Manager will:

- 1. Notify the relevant person who may be the service user or their representative, in person that an incident has occurred and arrange to meet them face to face to explain the nature of the incident. The Manager will offer any support to the service user's representative s/he needs as a consequence of the disclosure.**
- 2. Provide a step-by-step account of the facts known – as much or as little as the person wants to hear – in a way they understand i.e. taking account of any language, cultural or communication issues and jargon free. The Manager will follow the verbal information up with a written account of the incident.**
- 3. Explain what further enquiries or investigations are taking place and keep the service user's representative informed about the progress of this. The Manager will follow this information up with a written account of the progress and outcome of any investigation.**
- 4. At the initial meeting, the Manager will offer an apology expressing their regret or sorrow about the incident. This apology should be sincere.**
- 5. The Manager will record the notification, including the time, date and place of the notification and all other contact with the service user's representative.**

Service Improvements

Cruising Carers and Companions will use any notifiable safety incident as a means to improve care and treatment to ensure the likelihood of the incident reoccurring is minimalised. The Manager will produce an action plan following any notifiable safety incident of how practice should be improved to prevent the incident from happening again.

The action plan, its outcomes and improvements will be presented to the Owner within 6 months of the incident occurring.