Medicare People

LIVE-IN CARE

Duty of Candour Policy and Procedure

Policy Title	Duty of Candour Policy and Procedure
Organisation	Medicare People Limited
Service Type	Live-In Care Services
Policy Owner	Registered Manager
Version	1.0
Date Created	07/07/2026
Review Date	Annually

1. PURPOSE

Medicare People is committed to promoting a culture of openness, honesty, transparency, and learning.

The purpose of this policy is to ensure compliance with the statutory Duty of Candour and to provide guidance on how employees should respond when things go wrong during the delivery of care and support.

This policy aims to ensure that people receiving care, and where appropriate their families, representatives, or advocates, are informed promptly, respectfully, and honestly when a notifiable safety incident occurs.

Medicare People recognises that being open and transparent when care falls below expected standards helps maintain trust, supports learning, and contributes to continuous improvement.

2. Scope

This policy applies to:

- All employees, workers, agency staff, and contractors.
- All individuals receiving care and support.
- Managers, Coordinators, Assessors, and Live-In Carers.
- Any incident that results in, or has the potential to result in, harm to a person receiving care.

This policy applies alongside safeguarding, incident reporting, complaints, and quality assurance processes.

3. Definitions

Duty of Candour	The Duty of Candour is a legal requirement that healthcare and social care providers must be open and transparent with individuals when a notifiable safety incident occurs.
Openness	Being honest and transparent about incidents, risks, concerns, and learning.
Notifiable Safety Incident	An unintended or unexpected incident that occurred during the provision of care and support that appears to have resulted in, or could result in, significant harm to an individual.
Apology	An expression of sorrow or regret that an incident has occurred. Providing an apology does not constitute an admission of legal liability.
Significant Harm	Serious physical, psychological, emotional, or avoidable harm suffered as a result of care or support provided or omitted.

4. Policy Statement

Medicare People will:

- Act openly and honestly when things go wrong.
- Inform individuals and representatives when a notifiable safety incident occurs.
- Offer a sincere apology where appropriate.
- Provide factual information about what has happened.
- Keep individuals informed throughout any investigation.
- Support employees involved in incidents.
- Learn from incidents and complaints.
- Promote a culture where concerns can be raised without fear.
- Meet all legal and regulatory obligations relating to Duty of Candour.

A failure to be open and transparent following a notifiable incident is inconsistent with Medicare People's values and may result in disciplinary action.

5. Roles and Responsibilities

Registered Manager

The Registered Manager is responsible for:

- Ensuring compliance with the Duty of Candour requirements.
- Determining whether the Duty of Candour applies.
- Leading or overseeing investigations.
- Ensuring individuals and representatives are informed appropriately.
- Monitoring actions arising from incidents.

- Maintaining records relating to Duty of Candour.
- Reporting notifiable incidents where required.

Care Coordinators and Assessors

Care Coordinators and Assessors are responsible for:

- Reporting incidents promptly.
- Supporting communication with individuals and families.
- Assisting with investigations.
- Ensuring care plans are reviewed where necessary.

Live-In Carers

Live-In Carers are responsible for:

- Reporting incidents immediately.
- Recording factual information accurately.
- Supporting individuals following incidents.
- Cooperating with investigations.
- Following guidance provided by management.

All Employees

All employees must:

- Act honestly and professionally.
- Report incidents and concerns promptly.
- Participate in investigations where required.
- Support a culture of openness and learning.

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6. Procedure

6.1 Identifying a Notifiable Safety Incident

The Registered Manager will assess whether an incident meets the threshold for Duty of Candour requirements.

Examples may include:

- Serious medication errors.
- Significant injuries.
- Serious falls resulting in harm.
- Delays in obtaining medical assistance causing harm.
- Significant care planning failures.
- Preventable harm arising from care delivery.
- Other incidents resulting in serious physical or psychological harm.

Where uncertainty exists, professional advice should be sought.

6.2 Immediate Response

Following an incident, employees must:

- Ensure the individual is safe.
- Obtain appropriate medical assistance if required.
- Inform the Registered Manager immediately.
- Take action to minimise further harm.
- Record the incident accurately.

The wellbeing of the individual must always be the priority.

6.3 Informing the Individual

Where Duty of Candour applies, the individual receiving care should be informed as soon as reasonably practicable.

The discussion should include:

- A factual explanation of what is known.
- An explanation of the likely effects of the incident.
- Information regarding immediate actions taken.
- Details of any further investigation required.
- An apology where appropriate.

Communication should be clear, honest, respectful, and compassionate.

6.4 Informing Family Members or Representatives

Where appropriate, and with regard to consent, capacity, and legal authority, information may also be shared with:

- Family members.
- Attorneys.
- Deputies.
- Advocates.
- Representatives.

Where an individual lacks capacity, communication should be undertaken with those lawfully entitled to be involved in decision-making.

6.5 Providing an Apology

A sincere apology should be offered where an incident has occurred.

An apology should:

- Be timely.
- Be genuine.
- Acknowledge the distress caused.
- Demonstrate empathy and compassion.

Employees should not avoid apologising out of concern about liability.

6.6 Investigation

Where appropriate, Medicare People will undertake an investigation to:

- Establish what happened.
- Identify contributing factors.
- Determine whether systems or processes failed.
- Identify lessons learned.
- Develop preventative measures.

Investigations should be proportionate to the seriousness of the incident.

6.7 Ongoing Communication

Individuals and representatives should be kept informed throughout the investigation process.

Updates may include:

- Progress of investigations.
- Additional information identified.
- Actions being taken.
- Service improvements implemented.

Communication should remain open and transparent.

6.8 Written Follow-Up

Following investigation, a written summary may be provided where appropriate.

This should include:

- Details of the incident.
- Findings of the investigation.
- Actions taken.
- Lessons learned.
- Contact details for further discussion.

Copies should be retained within organisational records.

6.9 Learning and Improvement

Following incidents, Medicare People will review:

- Root causes.
- Contributing factors.
- Risk management arrangements.
- Policies and procedures.
- Training requirements.

Improvement actions will be monitored to completion.

Learning outcomes will be shared appropriately across the organisation.

6.10 Employee Support

Medicare People recognises that incidents can be distressing for employees.

Support may include:

- Debriefing.
- Supervision.
- Additional training.
- Guidance and coaching.
- Access to wellbeing support where available.

The focus will be on learning and improvement whilst maintaining accountability where appropriate.

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7. Records and Documentation

The following records may be maintained:

- Incident reports.
- Investigation reports.
- Duty of Candour records.
- Correspondence.
- Meeting notes.
- Improvement action plans.
- Complaints records.
- Safeguarding records where applicable.
- Audit reports.

Records must be accurate, factual, contemporaneous, and stored securely.

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8. Training and Competency

All employees will receive training and guidance on:

- Duty of Candour requirements.
- Incident reporting.
- Effective communication.
- Complaints handling.
- Safeguarding.
- Record keeping.
- Professional accountability.

Competency will be monitored through:

- Supervision.
- Audits.
- Incident reviews.
- Appraisals.
- Training assessments.

Refresher training will be provided regularly.

9. Monitoring and Governance

The Registered Manager will monitor compliance through:

- Incident reviews.
- Complaints analysis.
- Safeguarding reviews.
- Quality assurance audits.
- Staff supervision.
- Training compliance monitoring.
- Regulatory reporting reviews.

Key performance indicators may include:

- Number of notifiable incidents.
- Timeliness of communication.
- Completion of investigations.
- Implementation of improvement actions.
- Complaints relating to communication and transparency.
- Audit outcomes.

Lessons learned will be incorporated into Medicare People's quality assurance and continuous improvement processes.

10. Related Policies

- Complaints Policy and Procedure
- Safeguarding Adults Policy and Procedure
- Quality Assurance Policy and Procedure
- Incident Reporting Policy and Procedure
- Whistleblowing Policy and Procedure
- Mental Capacity Act and Best Interests Policy and Procedure
- Consent to Care and Support Policy and Procedure
- Risk Assessment Policy and Procedure
- Equality, Diversity and Human Rights Policy and Procedure

11. Review and Version Control

This policy will be reviewed annually or sooner following:

- Changes in legislation.
- Changes in CQC guidance.
- Significant incidents.
- Safeguarding investigations.
- Audit findings.
- Service developments.
- Inspection outcomes.

Approved By: Stuart Wells

Position: Managing Director

Date: 07/07/2026

Medicare People currently provides introductory live-in care services. We have submitted our application to the Care Quality Commission (CQC) and intend to introduce a fully managed live-in care service following registration.