

Services covered by this policy:	General Pre-school Children's Service	The Hamlet at Home Adult Services
Post holder(s) responsible for this policy:	CEO	
Date approved:	2 nd October 2025	
Approved by:	Lorraine Ewing	
Signed:		
To be reviewed:	October 2027	

A. Policy statement

Our belief is that everyone at The Hamlet:

- should be happy and safe
- is unique and valued
- can explore choice and opportunities
- is encouraged to unlock their potential
- can communicate in their own way
- is part of the wider community.

The policy sets out the approach of The Hamlet Charity to meeting its statutory requirements to be open and transparent with Hamlet Users, and/or their representative, if it makes mistakes when providing care and treatment that result in their suffering moderate or serious harm.

There are situations that must be notified to the Care Quality Commission. Reporting to the Care Quality Commission applies to The Hamlet at Home only as this is the service area registered with the Care Quality Commission. See [Care Quality Commission Notifications Policy](#).

There are also situations that must be notified to OFSTED. Reporting to OFSTED applies to Preschool and the younger children attending Short Breaks as this is the service area registered with OFSTED. See [Notifying OFSTED Policy](#).

B. Purpose of this policy and why we have it

The Hamlet understands that it must always act in an open and transparent way with Hamlet Users and the people closely involved in their care. This is reflected in our [Statement of Purpose](#), our approach to leadership and management and our relationships with our users and others involved in their care and treatment.

C. Scope of this policy

- The Hamlet Users
- Parents/carers/home support staff of Hamlet Users
- The Hamlet staff

- The Hamlet Volunteers including Trustees
- Educational or work placements e.g., Occupational Therapy or Nursing
- Visitors

D. Policy

The Hamlet promotes a culture of being:

- Open
- Honest
- Transparent

To meet the requirements of the duty of candour, The Hamlet must make public commitments to relevant persons to transparency, openness and fairness in relation to the care, support and treatment of Hamlet Users.

Hamlet Users are provided with person centred care that is safe, effective and based on best practice. Where incidents occur that cause harm or have the potential to cause harm, The Hamlet will act in a timely manner. This will include investigating, reflecting, learning and, where appropriate to do so, sharing information to reduce the risk of reoccurrence.

The Hamlet will:

- be open with the Hamlet User and other relevant persons about the incident
- provide suitable support to the Hamlet User and others affected by the incident
- explain directly to the Hamlet User and/or their representative exactly what has happened, using alternative communications methods if required
- apologise, for example express sorrow and regret for what has happened
- say what is being done to investigate and learn the lessons from what has happened and further actions that might be taken
- undertake to put in writing what has happened and the apology
- keep full records of the incident, including all associated correspondence and the actions that have been taken to carry out the duty of candour with the Hamlet User and/or representatives.

Complaints

If a Hamlet User or their representative feels that the process does not meet their expectations, please direct them to the [Complaints Policy](#).

Name of policy:	Duty of Candour Policy
Date approved:	02.10.2025

Staff Conduct

The Hamlet expects its staff, in line with their professional code of conduct, to apply a duty of candour in all of their work with Hamlet Users. It requires them:

- to be open and honest
- to admit mistakes where they occur
- to apologise for them
- to put matters right promptly and
- to follow all applicable reporting and recording procedures.

The Hamlet will take appropriate action if there is evidence that staff committing mistakes need further training, supervision or disciplinary action. Staff should also read the [Professional Boundaries Policy](#).

Training

Staff training covers The Hamlet ethos of openness and transparency, individual responsibilities to act in open and transparent ways and the procedures which The Hamlet will follow in exercising its duty of candour.

E. Procedures and monitoring

When a staff member becomes aware that a mistake, incident or accident has occurred they must:

1. Ensure Hamlet User is safe, or receives appropriate medical attention
2. Inform management
3. Staff members involved each complete an [incident record](#) on Access Care Planning
4. Staff members meet with management to discuss the incident and decide on action to take. This could include further training, changes to processes, disciplinary action or something else.
5. An investigation into the incident may be started.
6. Management will report the incident to the local safeguarding team and the appropriate commissioner if the incident requires it. They will also investigate whether it requires notification to either CQC or OFSTED.
7. The Hamlet will inform the Hamlet User and/or their representative of the incident in a timely manner. Hamlet Users and their representative will be provided with full information about the incident and about the progress of any investigation.
8. A formal apology will be written to the Hamlet User and/or their representative if required.

Monitoring

All records are reviewed regularly by the appropriate Management Team. They will report to Senior Leadership Team any trends that appear.

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F. Regulations (Health and Social Care Act) and other legal references

- The Care Act 2014
- Equality Act 2010
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Data Protection Act 2018
- The Health and Social Care Act 2008
- UK GDPR
- Health and Care Act 2022
- Criminal Justice and Courts Act 2015
- Childcare Act 2006
- Early Years Foundation Stage Framework

This policy should be read in conjunction with any other relevant Hamlet policies and accompanying procedures.

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Appendix – Accessible sign

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