Duty of Candour Policy

Policy Created: February 2026

Last Reviewed:

Next Review: February 2027 (or sooner if significant changes in legislation, guidance, or organisational activities occur)

Reviewed by:

Responsible Officer: CEO

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Approved by: CEO

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1. Introduction and Commitment

Pathways Associates CIC is a disabled-led Community Interest Company dedicated to enabling people with learning disabilities, autistic people, and their families to live the lives they choose as equals in their local communities.

We are committed to a culture of openness, transparency, and accountability, especially when things go wrong. The Duty of Candour requires us to be honest with people we support, their families, and stakeholders about incidents that cause harm, to apologize sincerely, and to learn from these events to improve our services.

This policy aligns with Regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, CQC guidance, and best practice for small organisations in health and social care. It supports our Safeguarding Policy, Complaints Policy, Quality Improvement Policy, and Corporate Responsibility Policy, embedding the Duty of Candour into our values:

- **Led by lived experience** — Involving disabled people and families in responses and learning from incidents
- **Partnership** — Collaborating with affected individuals, families, and external agencies
- **Inclusion and respect** — Ensuring communications are accessible, culturally sensitive, and trauma-informed
- **Innovation** — Using incidents to drive positive, barrier-breaking changes
- **Integrity** — Acting openly, honestly, and ethically at all times

We commit to fulfilling our legal duty in a compassionate, proportionate way, promoting trust and continuous improvement.

2. Scope

This policy applies to all Pathways Associates CIC activities where we provide support, training, or services that could involve harm, including:

- Co-produced training and events

- Policy, strategy, and capability development
- Expert Hub and Self Advocates Training Partnership activities
- Any regulated health or social care elements

It covers:

- Colleagues, volunteers, associates, and Experts by Experience
- Service users, participants, families, carers, and partners

A "notifiable safety incident" is any unintended or unexpected event that could result (or did result) in moderate harm, severe harm, or death, linked to our services.

3. Key Objectives

We aim to:

- Be open and transparent when things go wrong, notifying affected people promptly
- Provide sincere apologies and clear explanations without admitting liability
- Offer emotional and practical support to those impacted
- Investigate incidents fairly and learn from them to prevent recurrence
- Comply fully with legal requirements and report where necessary
- Foster a no-blame culture that encourages reporting and improvement

4. Core Principles

Our approach is guided by:

- **Openness** — Communicating honestly and in accessible formats (e.g., easy-read, verbal explanations)
- **Timeliness** — Acting quickly, within legal timeframes (e.g., notification as soon as reasonably practicable)
- **Compassion** — Prioritising the wellbeing of affected individuals and families

- **Accountability** — Documenting all steps and sharing learning transparently
- **Proportionality** — Tailoring responses to the incident's severity, suitable for a small CIC
- **Inclusion** — Ensuring processes respect diversity, protected characteristics, and lived experience

5. Roles and Responsibilities

- **CEO / Responsible Officer**
  - Oversee compliance and appoint Incident Leads
  - Ensure notifications, apologies, and reports are made
  - Lead on sharing learning with the Board
- **All colleagues, volunteers, and associates**
  - Report incidents immediately to the CEO
  - Participate in investigations and support affected parties
  - Maintain accurate records and confidentiality
- **Board of Directors**
  - Review incidents quarterly for themes and improvements
  - Ensure annual reporting in our CIC34 Community Interest Report
- **Experts by Experience and Stakeholders**
  - Contribute to learning reviews where appropriate and welcomed

If an incident involves safeguarding, follow our Safeguarding Policy and notify authorities (e.g., CQC, local safeguarding board).

6. Procedures

We follow a clear process for notifiable safety incidents:

- **Identification and Reporting**
  - Any suspected incident is reported to the CEO within 24 hours
  - The CEO assesses if it meets Duty of Candour thresholds
- **Notification and Apology**
  - Notify the affected person (or representative) as soon as practicable (ideally within 10 working days)

    - Provide a verbal and written apology, factual explanation, and details of next steps
    - Use accessible formats and offer support (e.g., independent advocacy)
- **Investigation**
    - Conduct a proportionate, impartial review (within 20 working days)
    - Involve the affected person/family in the process where possible
    - Document findings and actions
- **Follow-Up and Support**
    - Share the investigation outcome in writing
    - Offer ongoing support, such as counselling referrals
    - Implement and monitor improvement actions
- **External Reporting**
    - Notify CQC within required timeframes if applicable
    - Refer to police or other regulators if criminality is suspected

7. Training, Awareness, and Support

We commit to:

- Providing annual Duty of Candour training for all staff, associates, and relevant volunteers (including accessible materials)
- Raising awareness through team meetings and induction
- Offering debriefs and wellbeing support post-incident
- Drawing on best practice from CQC and sector guidance

8. Monitoring, Review, and Continuous Improvement

- This policy is reviewed annually or following incidents
- Incidents are logged in a secure register and reviewed quarterly by the Board
- Learning is co-produced with Experts by Experience and shared openly
- Feedback is welcomed to ensure the policy remains effective
- Annual summaries are included in our CIC report for transparency

9. Conclusion

Pathways Associates CIC is dedicated to upholding the Duty of Candour with compassion and integrity, ensuring transparency when things go wrong. By being open, learning together, and supporting those affected, we honour our disabled-led mission and values, fostering trust and better outcomes for people with learning disabilities, autistic people, and their families.