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FREE PROFESSIONAL RESOURCE

Duty of Candour

A Practical Guide for Care Staff

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Introduction

The **Duty of Candour** is a legal requirement for health and social care providers in England. It ensures that organisations and care professionals are open, honest and transparent with people receiving care, and with their families or representatives, when something goes wrong that causes harm or has the potential to cause harm.

Being open about mistakes is an essential part of delivering safe, person-centred care. It helps to build trust, supports learning, and encourages a positive culture where staff feel able to report incidents without fear of blame.

What is the Duty of Candour?

The Duty of Candour requires care providers to:

- Be open and honest when an incident has occurred.
- Inform the person receiving care, or their family or representative, as soon as reasonably possible.
- Offer a sincere apology where appropriate.
- Explain what happened and the known facts.
- Keep the individual informed as investigations progress.
- Record all actions taken in line with organisational policies.

An apology is an expression of empathy and regret. It is **not** an admission of legal liability.

Why is the Duty of Candour Important?

The Duty of Candour helps organisations to:

- Promote honesty and transparency.
- Build trust with people receiving care and their families.
- Improve patient and resident safety.
- Learn from incidents and reduce the likelihood of them happening again.
- Demonstrate professionalism and accountability.
- Meet CQC regulatory requirements.

A culture of openness encourages staff to report concerns early, helping organisations continuously improve the quality and safety of care.

When Does the Duty of Candour Apply?

The Duty of Candour applies when a **notifiable safety incident** occurs. This is an unintended or unexpected incident that has resulted in, or could result in, significant harm to a person receiving care.

Examples may include:

- Serious medication errors.
- Falls resulting in significant injury.
- Incorrect treatment or care.
- Delays in treatment causing avoidable harm.
- Incidents involving neglect or avoidable deterioration.

Not every minor incident will trigger the statutory Duty of Candour, but organisations should always aim to communicate openly and honestly whenever something goes wrong.

The Principles of Openness

Every member of the care team has a responsibility to support an open and honest culture by:

- Speaking up about concerns.
- Reporting incidents promptly.
- Treating people with dignity and respect.
- Communicating honestly and compassionately.
- Supporting colleagues to learn from mistakes.
- Following organisational reporting procedures.

Creating a culture where people feel safe to report concerns without fear of blame is essential for delivering high-quality, person-centred care.

Relevant Legislation

The statutory Duty of Candour is set out in:

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

The **Care Quality Commission (CQC)** monitors compliance with this regulation as part of its inspection and regulatory framework. Organisations that fail to meet the Duty of Candour may face enforcement action.

Supporting the Duty of Candour in Everyday Care

Every member of staff plays an important role in promoting openness, honesty and accountability. Although managers are often responsible for leading the formal Duty of Candour process, all care staff have a responsibility to recognise concerns, report incidents promptly and support people with compassion and respect.

What Should You Do if Something Goes Wrong?

If an incident occurs, you should:

- Ensure the immediate safety and wellbeing of the individual.
- Seek medical assistance if required.
- Inform your manager or senior member of staff immediately.
- Record the incident accurately and factually.
- Preserve any relevant information or evidence.
- Cooperate fully with any investigation.
- Continue to provide compassionate support to the individual and their family.

Never attempt to hide, alter or ignore an incident, even if the outcome appears minor.

Communicating with Honesty and Compassion

When an incident has occurred, communication should always be:

- Honest and truthful.
- Timely.
- Respectful.
- Compassionate.
- Clear and easy to understand.
- Sensitive to the individual's needs and emotions.

Individuals and their families should be given opportunities to ask questions and receive updates as more information becomes available.

The Importance of Accurate Record Keeping

Good documentation is essential when responding to any incident.

Records should include:

- The date and time of the incident.
- What happened.
- Who was involved.
- Immediate actions taken.
- Who was informed.
- Any conversations held with the individual or family.
- Ongoing actions and follow-up.

Records should always be factual, objective and completed as soon as possible after the event.

Learning from Incidents

The purpose of the Duty of Candour is not to blame individuals but to improve the quality and safety of care.

Following an incident, organisations should:

- Review what happened.
- Identify contributing factors.
- Learn lessons from the event.
- Update policies or procedures if required.
- Share learning with staff.
- Implement improvements to reduce future risks.

A positive learning culture helps improve outcomes for everyone receiving care.

Your Professional Responsibilities

As a care worker you should always:

- Act with honesty and integrity.
- Report concerns immediately.
- Follow your organisation's reporting procedures.
- Maintain confidentiality while being appropriately open.
- Treat people with dignity and respect.
- Participate in training and reflective learning.
- Support colleagues in maintaining safe, high-quality care.

By following these principles, every member of the care team contributes to a culture of openness, trust and continuous improvement.

Creating a Culture of Openness

A positive workplace culture encourages staff to speak openly about concerns, mistakes and near misses without fear of unfair blame. When organisations support openness and learning, incidents are identified earlier, risks are reduced and the quality of care continues to improve.

Managers and senior staff should lead by example, promoting honesty, fairness and continuous improvement throughout the organisation.

Professional Standards

Every care professional should demonstrate:

- Honesty in all communications.
- Accountability for their actions.
- Respect for the rights of people receiving care.
- Compassion when discussing difficult situations.
- Professional integrity at all times.
- A commitment to learning from mistakes.

These values help build confidence between care providers, individuals receiving care and their families.

Common Mistakes to Avoid

To support the Duty of Candour, avoid:

- Delaying the reporting of incidents.
- Assuming someone else has reported the issue.
- Providing inaccurate or incomplete information.
- Attempting to hide mistakes.
- Discussing incidents inappropriately with others.
- Failing to document events properly.
- Making promises that cannot be guaranteed.

Open, honest communication should always remain professional, factual and compassionate.

Best Practice Checklist

- ✓ Report incidents immediately.
 - ✓ Prioritise the individual's safety and wellbeing.
 - ✓ Inform the appropriate manager without delay.
 - ✓ Keep accurate and factual records.
 - ✓ Communicate honestly and respectfully.
 - ✓ Offer a sincere apology where appropriate.
 - ✓ Cooperate fully with investigations.
 - ✓ Learn from incidents to improve future care.
 - ✓ Maintain confidentiality throughout the process.
 - ✓ Continue treating every individual with dignity, kindness and respect.
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Duty of Candour and CQC Expectations

The Care Quality Commission (CQC) expects registered providers to demonstrate that they:

- Are open and honest when things go wrong.
- Inform individuals and families promptly following notifiable safety incidents.
- Support staff to raise concerns and report incidents.
- Maintain accurate records of all actions taken.
- Learn from incidents and implement improvements.
- Foster a culture of safety, transparency and continuous learning.

Meeting these expectations helps ensure safe, effective, caring, responsive and well-led services.

Remember

The Duty of Candour is about more than complying with legislation—it is about treating people with honesty, compassion and respect. By being open when mistakes occur, care professionals strengthen trust, improve safety and contribute to a culture where learning and continuous improvement benefit everyone.

Summary

The Duty of Candour is a fundamental part of delivering safe, high-quality, person-centred care. It requires health and social care providers to be open, honest and transparent whenever a notifiable safety incident occurs.

By reporting concerns promptly, communicating honestly and learning from mistakes, care professionals help to build trust with individuals and their families while contributing to safer, more effective care services.

Everyone has a role to play in creating a culture where openness, accountability and continuous improvement are valued.

Key Points to Remember

- The Duty of Candour is a legal requirement for regulated care providers.
 - Be open and honest when something goes wrong.
 - Always put the individual's safety and wellbeing first.
 - Report incidents immediately through your organisation's procedures.
 - Communicate with compassion, honesty and respect.
 - Keep accurate, factual and timely records.
 - Learn from incidents to improve future practice.
 - Support a positive culture where staff feel confident to raise concerns.
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Quick Reference Checklist

Before finishing your shift, ask yourself:

- ☐ Have I reported any incidents or concerns promptly?
 - ☐ Have I documented events accurately and factually?
 - ☐ Have I followed my organisation's reporting procedures?
 - ☐ Have I communicated honestly and respectfully?
 - ☐ Have I maintained confidentiality?
 - ☐ Have I supported colleagues in promoting safe, high-quality care?
 - ☐ Have I acted professionally and in the best interests of those receiving care?
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Further Professional Development

To continue developing your knowledge, explore other free resources and professional online training available through **FlexiLearnHub**, including:

- Safeguarding Adults
- Mental Capacity Act (MCA) & Deprivation of Liberty Safeguards (DoLS)
- Equality, Diversity & Human Rights
- Complaints Handling
- Whistleblowing Awareness
- End of Life Care Awareness
- Person-Centred Care
- Dementia Awareness

Regular learning helps maintain professional competence and supports compliance with current legislation, CQC expectations and best practice.

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