CONTROLLED POLICY

A05 – DUTY OF CANDOUR AND OPEN COMMUNICATION POLICY

Policy Reference	A05	**Version**	1.0
Policy Owner	PHSSL Staffing Limited	**Approved By**	Lade Awosika, Director
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Applies To	All PHSSL Staffing Limited staff, agency workers and relevant contractors	**Supersedes**	New policy

1. Purpose

PHSSL Staffing Limited is committed to honesty, transparency and open communication when something goes wrong. This policy explains how the company will communicate with candidates, agency workers, clients and other relevant persons following incidents, errors or service failures, and how concerns will be acknowledged, investigated and used for learning.

2. Scope

This policy applies to directors, employees, recruitment and compliance staff, coordinators, agency workers, temporary workers and relevant contractors. It applies to temporary staffing and permanent recruitment activities, including recruitment, compliance, assignment, payroll, communication, safeguarding and service-delivery matters.

3. Important Regulatory Distinction

PHSSL Staffing Limited is a staffing and recruitment company. The statutory duty of candour under Regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applies to registered health and social care providers in relation to regulated activities. Where PHSSL Staffing Limited is not itself acting as the registered provider of a regulated activity, this policy does not claim that Regulation 20 directly applies to the staffing company.

Nevertheless, PHSSL Staffing Limited adopts the principles of openness and candour as a matter of good governance and professional practice. Where an agency worker is assigned to a CQC-registered provider, PHSSL will cooperate promptly with the provider so that the provider can meet any statutory duty of candour or notification obligations that apply to it.

4. Policy Principles

- Be open, honest and respectful when a material error, incident or service failure occurs.
- Prioritise immediate safety and safeguarding before administrative investigation.
- Do not conceal, falsify or deliberately minimise significant events.
- Provide factual information and avoid speculation while facts are still being established.
- Offer an appropriate apology where PHSSL has caused or contributed to a service failure or avoidable distress.
- Cooperate with clients, regulators, safeguarding authorities and other lawful investigations where required.
- Protect confidentiality and personal information throughout the process.
- Use incidents and feedback to improve systems, training and service quality.

5. When Open Communication Is Required

Open communication may be required where PHSSL becomes aware of a significant matter such as:

- A serious complaint or substantiated service failure.
- A worker supplied by PHSSL being involved in a serious incident at a client setting.
- A safeguarding allegation or concern.
- A significant recruitment or compliance error.
- A worker being supplied without a required check, qualification or authorisation.
- A material payroll, timesheet or assignment error affecting a worker or client.
- A confidentiality or personal-data breach.
- Incorrect information being given to a client, candidate or worker in circumstances where correction is important.
- Any other event where openness is reasonably necessary to maintain trust, safety or lawful compliance.

6. Immediate Actions Following an Incident

- Take reasonable steps to protect anyone at immediate risk.
- Contact emergency services where necessary.
- Follow the client's incident and safeguarding procedures where the event occurs on assignment.
- Notify PHSSL management promptly.
- Preserve relevant records and evidence.
- Avoid altering, deleting or retrospectively rewriting records improperly.
- Identify whether another policy or external notification process must be activated.

7. Communication With the Client

Where a significant event affects a client, PHSSL will communicate promptly with an appropriate client representative. Communication should be factual and proportionate and should explain what is known, what immediate action has been taken, what remains under investigation and when further information can reasonably be expected.

8. Communication With Agency Workers

Agency workers involved in an incident must be treated fairly and respectfully. PHSSL will explain relevant concerns and next steps where appropriate, while recognising that safeguarding, police, client or regulatory enquiries may limit what can be disclosed at a particular stage. A worker must not be instructed to conceal an incident or provide a misleading account.

9. Communication With Candidates and Employees

Where PHSSL identifies a material error affecting a candidate or employee, the company will correct inaccurate information where appropriate, explain the effect of the error and take reasonable steps to remedy the matter. Examples may include recruitment administration, assignment information, pay administration or data-handling errors.

10. Apology

An apology is an expression of regret or acknowledgement that something has gone wrong. Where appropriate, PHSSL will apologise sincerely and without unnecessary delay. An apology should not be avoided merely because an investigation is ongoing; however, staff must not make unsupported admissions about matters they are not authorised or able to determine.

11. Investigation and Fact-Finding

- Identify the relevant incident, concern or error clearly.
- Review available records, communications, compliance documents, timesheets or assignment information.
- Obtain accounts from relevant persons where appropriate.
- Separate verified facts from allegations or assumptions.
- Consider whether safeguarding, disciplinary, capability, data-protection or contractual procedures also apply.
- Document findings, decisions and corrective actions.

12. Serious Incidents at Client Settings

Where an agency worker is involved in a serious incident while working for a client, PHSSL will cooperate with the client's investigation and any lawful safeguarding or regulatory process. The client normally retains responsibility for its own regulated service, local incident procedures and statutory notifications. PHSSL remains responsible for its own recruitment, employment-business, worker-management and governance duties.

13. Safeguarding

Any information suggesting abuse, neglect, exploitation or risk to a child or adult at risk must be escalated immediately under the relevant safeguarding procedure. Open communication must never delay urgent safeguarding action.

14. Data Breaches and Confidentiality Incidents

Where a confidentiality or personal-data incident occurs, PHSSL will follow its Records Management, Confidentiality and Data Protection Policy. Affected persons will be informed where required by law or where PHSSL determines that communication is appropriate. Information must not be disclosed more widely than necessary.

15. Recruitment and Compliance Errors

If PHSSL discovers that a worker has been placed or supplied despite a material recruitment or compliance deficiency, management must assess the risk immediately. This may require removing or suspending the worker from further assignments, informing the client, completing outstanding checks, reviewing previous decisions and determining whether safeguarding, regulatory or other external escalation is required.

16. Payroll and Timesheet Errors

Where a material pay or timesheet error is identified, PHSSL will investigate promptly, explain the correction to the affected worker or client where appropriate, make necessary adjustments and retain an audit trail of the action taken.

17. Complaints and Concerns

Where an incident is raised through a complaint, the matter will also be managed under the Complaints, Concerns and Service Feedback Policy. Open communication does not replace a fair complaints investigation; the two processes should support each other.

18. Whistleblowing and Speaking Up

Staff and workers are encouraged to raise genuine concerns about wrongdoing, unsafe practice, concealment or dishonesty. No person should be instructed or pressured to hide a serious incident. Concerns that qualify as whistleblowing will be handled under the PHSSL Whistleblowing / Speaking Up Policy and applicable law.

19. External Notifications and Cooperation

Depending on the circumstances, a matter may require notification or cooperation with a client, safeguarding authority, police, Information Commissioner's Office, professional regulator, employment enforcement body or another competent authority. Management will determine the appropriate route based on the facts and applicable legal duties.

20. Record Keeping

PHSSL will maintain accurate records of significant incidents and candour-related communication. Records should show what occurred, immediate actions, persons informed, information provided, apologies or explanations given, investigation activity, findings, corrective actions and relevant follow-up.

21. Confidentiality

Openness does not mean unrestricted disclosure. Information about workers, candidates, clients or third parties must only be shared where there is a legitimate and lawful reason. Staff must balance transparency with privacy, safeguarding, employment rights and fair investigation requirements.

22. Learning and Improvement

- Review root causes and contributory factors.
- Identify weaknesses in recruitment, compliance, allocation, communication or supervision.
- Update procedures, forms or systems where required.
- Provide additional training or supervision where appropriate.
- Share anonymised learning across the organisation where useful.
- Track corrective actions to completion and review whether they were effective.

23. Staff Responsibilities

- Report significant incidents, mistakes and concerns promptly.
- Be truthful and cooperate with investigations.
- Do not conceal, destroy or falsify relevant information.
- Communicate respectfully and within the limits of authority.
- Maintain confidentiality.
- Follow safeguarding and emergency procedures where required.
- Implement learning and corrective actions relevant to their role.

24. Management Responsibilities

- Ensure significant incidents are assessed promptly.
- Determine who needs to be informed and by whom.
- Coordinate with clients and external bodies where appropriate.
- Ensure affected persons receive appropriate factual communication and updates.
- Protect fairness for workers and others subject to investigation.
- Ensure records are complete and corrective actions are monitored.
- Review trends and learning through governance processes.

25. Related PHSSL Staffing Policies

- A01 Governance and Quality Assurance Policy.
- A02 Business Continuity and Emergency Planning Policy.
- A03 Records Management, Confidentiality and Data Protection Policy.
- A04 Complaints, Concerns and Service Feedback Policy.
- B01 Safeguarding Adults Policy.
- B02 Safeguarding Children and Young People Policy.
- B03 Whistleblowing / Speaking Up Policy.
- C01 Recruitment, Selection and Safer Employment Policy.
- C02 DBS, Right to Work, References and Pre-Employment Checks Policy.
- D03 Placement, Booking, Allocation and Cancellation Policy.
- D05 Timesheets, Pay, Holiday Pay and Payroll Policy.

26. Monitoring and Review

PHSSL will monitor significant incidents, complaints, safeguarding matters, data breaches and service failures through governance processes to identify themes and learning. This controlled policy will be reviewed at least annually, or sooner following significant legal or regulatory change, a serious incident, audit findings or identified learning.

Approved by	Lade Awosika
Position	Director
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