



Member Documentation

Duty of Candour Guidance for Members

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Introduction



The Duty of Candour is a professional, ethical, and legal obligation that ensures honesty, transparency, and openness in professional practice. It requires healthcare professionals to be truthful when things go wrong, particularly where harm has been caused or could potentially arise.

This guidance document is designed to support BSHAA members, including HCPC-registered hearing aid dispensers and HCAs or other clinical support roles employed by them, in understanding and adhering to their responsibilities under the Duty of Candour and should be read in conjunction with BSHAA's [Record Keeping Guidance](#) and [Professional Practice for Hearing Aid Dispensers](#).

Together, these documents provide a comprehensive framework for ensuring the highest standards of care, professionalism, and safeguarding practices within hearing care services.

BSHAA encourages all members to familiarise themselves with this guidance and seek support where necessary to ensure full compliance.



BSHAA: membership@bshaa.org

What Is the Duty of Candour?

Definition

The Duty of Candour is both a statutory and ethical requirement that applies to all healthcare professionals. In essence, it mandates that professionals:

- Be honest when something goes wrong.
- Apologise to the patient (or their representative).
- Offer a full and clear explanation of what happened.
- Outline any steps taken to prevent recurrence.

The Duty of Candour is central to building and maintaining trust in the profession. By embracing openness, honesty, and accountability, hearing care professionals can build stronger relationships with patients while upholding the highest standards of professional practice.

Legal Basis

Under UK law, the statutory Duty of Candour applies to organisations (e.g., care providers regulated by the Care Quality Commission). However, professionals regulated by the HCPC must meet individual obligations under their standards of conduct, which align with these principles. The HCPC Standards of Conduct, Performance, and Ethics (2024) explicitly require registrants to:

- "Be open and honest when things go wrong" (Standard 8).
- "Apologise and take action where appropriate."

When Does the Duty of Candour Apply?

The Duty of Candour is applicable when:

1. **An unintended or unexpected incident occurs, and:**
 - The incident has caused harm to a patient.
 - The incident could lead to future harm.
2. **Harm includes:**
 - Physical injury.
 - Emotional distress.
 - Loss of trust due to a professional error.

Examples in Hearing Care Practice

- A misfitted hearing aid causing significant discomfort or skin damage.
- Incorrect calibration of a hearing aid device resulting in worsened hearing outcomes.
- Failure to identify a serious auditory or medical condition during assessment.

Steps to Follow Under the Duty of Candour

1. Acknowledge the Incident

- Recognise the issue immediately when it occurs or becomes apparent.
- Report it internally following your organisation's protocols.

2. Communicate with the Patient or Representative

- Arrange a face-to-face discussion where appropriate.
- Use clear, empathetic, and non-technical language.
- Explain the facts honestly, outlining what occurred and why.

3. Apologise

- Offer a genuine apology. For example:

"We are deeply sorry that an error occurred during your hearing aid fitting. We acknowledge the discomfort this has caused and are committed to addressing the issue promptly. Please rest assured we are reviewing our processes to ensure this does not happen again."

4. Rectify and Mitigate

- Take immediate steps to correct the issue or minimise harm.
- Outline the actions being taken to prevent similar incidents in the future.

5. Document Thoroughly

- Record all details of the incident, including:
 - What happened.
 - Actions taken.
 - Communication with the patient.
- Ensure records comply with BSHAA's Record Keeping Guidance.

Integrating Other Guidance

Guidance on Record Keeping

Accurate, comprehensive, and timely documentation is critical when responding under the Duty of Candour. Ensure all records of incidents and communications are factual and free from opinion or speculation.

Professional Practice for HADs and Members and Professional Guidance for HCAs

Maintain professionalism and ethical integrity when responding to incidents. This includes safeguarding the patient's well-being and addressing concerns promptly.

Best Interests and Capacity Decisions

Where the patient lacks capacity to make decisions, involve a representative and always ensure actions and communications align with the patient's best interests.

Support for Members

Accessing Resources

BSHAA members can seek additional guidance and advice from:

- BSHAA's Members area of our website.
- HCPC's Website
- Local employer support systems.

Practical Communication Tips

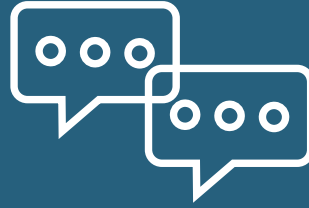
- Remain calm and empathetic.
- Avoid defensiveness or over-explaining.
- Focus on resolution and reassurance.

References

[Record Keeping Guidance](#)

[Professional Practice for RHADs & Members](#)

[HCPC Standards of Conduct, Performance & Ethics \(2024\)](#)



Queries & Questions

BSHAA has taken all reasonable steps to ensure that the information in this guide is accurate and up to date.

BSHAA does not accept any liability for any errors or omissions, or for how it might be interpreted or used.

The Society welcomes comments on this document or if you have any questions or queries, please contact us through:



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