

Title: Near Misses, Incidents, and Serious Untoward Incidents Policy

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This document relates to:

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# Policy Summary

This policy and related documents (listed in section 2) set out Syncora’s approach to near misses, incidents, and serious untoward incidents. Collectively, they ensure that our services comply with applicable legislation, guidance, and best practice in their fields.

* + A near miss is any situation that could have caused harm, loss, or damage, but did not do so.
  + An incident is any situation which occurs and results in harm, loss, or damage - to staff, customers, or other persons, or to property.
  + A serious untoward incident (SUI) is an incident (as above) which may or has resulted in: death or serious injury, a life threatening event, a hazard to public health or significant infection outbreak, significant damage to reputation, serious disruption to service provision, significant damage to property, buildings or assets, fraud or suspected fraud, claims for damages, concerns regarding Article 2 of the ECHR (arguable breach of duty to protect life), or severe criticism from an external body (Coroners, Mental Health Act Commissioners, Ombudsman’s).

Practicing efficient incident reporting and management is critical to:

* + the provision of high-quality services,
  + compliance with our legislative, regulatory, and contractual requirements,
  + learning, development, and continuous improvement,
  + timely and effective reporting to statutory agencies where required,
  + the promotion of a fair and transparent culture,
  + the right people knowing of such events at the right time,
  + the promotion of a culture of accountability without blame,
  + a standardised approach across multi-agency services,
  + the minimisation of loss to reputation or assets.

We will ensure that:

* + our incident and serious untoward incident systems and processes remain compliant with applicable legislation and guidance,
  + our people understand their responsibilities in relation to this policy, and know how to recognise and report a near miss, incident, and serious untoward incident,
  + all near misses, incidents and serious untoward incidents are investigated effectively and appropriate action is taken,
  + both as individual businesses and collectively across the organisation, we will learn from these events, to:
    - proactively reduce the risk of harm within our services
    - continuously improve and quality of our services
    - communicate to our workforce where there has been good practice or where there are lessons to learn,
  + our incident and serious untoward incident systems and processes are regularly reviewed to ensure they remain effective.

# Legislation and Guidance

This policy should be read in conjunction with the following documents:

* + Incident/SUI procedure for the relevant service/company
  + Group Safeguarding policy and procedures
  + Keeping Safe Procedures including Personal Safety and Lone Working
  + Group Health and Safety Policy
  + Group [Accident](https://quip.calico.org.uk/Interact/Pages/Section/ContentListing.aspx?subsection=3130), Injury, and First Aid Policy

Together, these documents encompass our requirements in relation to:

* + [NICE](http://www.legislation.gov.uk/ukpga/2014/23/contents) Guidance
  + BMJ
  + Care Quality Commission (Registration) Regulations 2009
  + The Care Quality Commission (Registration) and (Additional Functions) and the HAS 2008 (Regulated Activities) Regulations 2012
  + [The Health and Social Care Act 2008 legislations](http://www.legislation.gov.uk/uksi/2014/2936/contents/made)
  + Children (and Young Persons) Acts
  + The Care Act 2014
  + The Controlled Drugs (Supervision of Management and Use) Regulations 2013
  + Misuse of Drugs legislations
  + [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted) and GDPR
  + Equality Act 2010
  + Human Rights Act 1998
  + Mental Capacity Acts and Mental Health Acts and Codes of Practice
  + Protection of Freedoms Act 2012
  + [Safeguarding Vulnerable Groups Act 2006](http://www.legislation.gov.uk/ukpga/2006/47/contents)
  + Health and Safety legislations including workplace regulations and RIDDOR, and
  + Medical Devices Regulations 2002 and 2012.

# Roles and Responsibilities All staff

* + All staff have a role to play in preventing harm and in taking action when near misses, incidents, or serious untoward incidents occur.
  + All staff must take steps to ensure they understand their role and responsibility in relation to this policy and associated documents, and must seek support from their manager if they are unsure.
  + Upon joining Calico, all staff undertake an induction programme that includes bespoke training and area specific process information. All staff are made aware of their individual responsibilities to recognise and report near misses, incidents, and serious untoward incidents via this induction process and continuously via annual mandatory training. Completion of mandatory training within Syncora is monitored by the Learning & Development Department, in conjunction with the Head of Governance and Assurance – Syncora. Reporting of training completion

passes through each Company’s Senior Leadership Team meeting, to

the Care Governance Group.

# Managers

* + Managers are responsible for ensuring that staff teams and services have access to the relevant policies, procedures and reporting forms, and that their staff are supported to escalate concerns**.**
  + A culture of reporting must be facilitated by providing an open, honest and safe environment for staff.
  + Staff should be provided with the opportunity for reflection time and discussion as part of the supervision or My-Time process.
  + Learning from near misses, incidents, and serious untoward incidents should be shared by managers in team meetings and supervisions appropriate. This should then be escalated and shared within the monthly managers meeting and to SLT as appropriate.
  + All managers across the company are provided with Leadership Training to understand how to support their staff appropriately and must actively participate in such training and development.
  + Managers are responsible for ensuring their staff teams are supported to access regular training, and that there are opportunities to increase knowledge and understanding of how to keep our services safe.

# Senior Leadership Team (SLT)

* + Each company’s SLT is responsible for ensuring that systems and processes operate effectively within their individual companies, and that learning takes place from near misses, incidents, and serious untoward incidents to:
    - proactively reduce the risk of harm within services
    - continuously improve and quality of services
    - provide feedback where there has been good practice or where there are lessons to learn.
  + SLT’s are responsible for ensuring that investigations into near misses, incidents and serious untoward incidents are conducted thoroughly and that recommendations and actions are appropriate and completed.
  + SLT’s must monitor staff training and competencies and provide assurance to the Care Governance Group that all staff mandatory training is in date.

# Care Governance Group (CGG)

* + The CGG is responsible for enhancing the learning taking place within each company, by holding collective group-wide discussion on near misses, incidents, and serious untoward incidents.
  + This Group is also responsible for identifying group-wide trends and opportunities for further shared learning and development.
  + The CGG escalates appropriate information to the Group Governance & Regulatory Committee and Syncora Board via the quarterly Governance and Assurance report submitted by the Head of Governance & Assurance

– Syncora.

# Systems and Processes

Each company/service operates their own procedure (process document) that lists the steps that should be followed to recognise and report a near miss, incident, or serious untoward incident.

Staff understanding of process is managed within each service. Instances of non-compliance with this policy or related procedure is dealt with via our company HR policies and procedures.

Assessment of compliance against policy is overseen by the Head of Governance and Assurance and conducted via our audit process. This includes consideration of the learning taking place within each area and collectively as a group of companies.

The Head of Governance and Assurance - Syncora reviews this policy as part of a monitored policy review process. Reviews will also take place upon the release of new or amended legislation/guidance, or newly identified improvements to practice. Each area will review their company/service procedures in line with the policy review schedule, monitored by the Head of Governance and Assurance – Syncora.

All documents are readily available on the company intranet, ensuring that staff always have immediate access.