

Actions to take by a provider of a regulated activity when someone dies in your care in a suspicious or unexpected manner



It is recognised that when someone dies in the care of a regulated provider it can be a stressful time when you have to notify various statutory agencies and support family and other loved ones of the deceased. It is therefore important that staff from the provider seek support from their organisation (please see section 5 below).

The information below relates to the actions needed following a death of someone in your care whose death may have occurred in a suspicious manner.

If someone dies in a suspicious manner, and they are in the care of a provider of a regulated activity then providers must notify the police immediately and then the Care Quality Commission (CQC) using the online form or by email, ensuring all information is provided accurately (please see Resources section below).

What is a death in a suspicious or unexpected manner?

A death is considered suspicious when it is sudden, unexpected, or the cause is unclear, requiring further investigation.

There are crucial and immediate steps to take if the person who dies is directly in the provider's care (i.e. they are in a premises where the regulated activity takes place or representatives of the provider are in attendance of that person in the community or a private dwelling when the suspicious or unexpected death happens).

1. Steps to follow:

Call 999 Immediately:

- **Report the death:**
Explain the situation clearly and state that the death is unexpected or suspicious.
- **Follow instructions:**
The operator will guide you on what to do, including whether to attempt resuscitation.
- **Leave the scene untouched:**
Unless you are instructed otherwise, do not move the body of the person or disturb the scene.
- **Police attendance:**
Police will attend all reported violent and unnatural deaths. These include:
 - Death due to accident/trauma
 - Death due to suicide
 - Death relating to accident in the workplace
 - Sudden death of a child under 18
 - Death following neglect or self-neglect

- Death in a hospital/care setting where staff caring for the deceased are accused of neglect/malpractice
- Death due to suspected substance misuse
- Deaths where third-party involvement is expected i.e. murder/manslaughter

Sudden/unexpected natural deaths would not necessarily be treated as suspicious and cause police to attend. Ambulance would attend in the first instance and call if anything was deemed to be suspicious.

Therefore, when ringing 999 it would be important to be clear about the circumstances as best you know them and any concerns you may have.

2. Police and Ambulance Response:

The 999 operator will assess the most appropriate agency to attend based on the circumstances

If the matter is deemed to be unexpected, but due to natural causes. The ambulance will attend solely.

If the Death is deemed to be violent/unnatural/suspicious:

- **Ambulance and Police:** Both will be dispatched to the scene.
- **Scene Preservation:** The police will take charge of the scene including the deceased person and will preserve it for investigation. They will guide you through their requirements.

3. After the Police and Ambulance Arrive:

- **Cooperate with authorities:** Answer their questions and provide any relevant information requested, please support and encourage staff to do the same
- **Scene Examination** police will need to preserve and examine the scene. The extent of the scene will be carefully considered and kept to a minimum. Depending on the circumstances the examination can be for a matter of minutes up to several days.
- **Family Liaison Officer (FLO)** – If a crime is suspected, police may allocate a FLO to the next of kin. They will act as a conduit between the police investigation and the family. They are able to assist the family with explaining processes and helping them access emotional support.
- **Bereavement Support:** Further information in relation to bereavement support can be accessed here:

Shropshire Council area <https://next.shropshire.gov.uk/public-health/healthy-shropshire/mental-health/bereavement-support/>

Telford and Wrekin Council area

<https://livewell.telford.gov.uk/Search?CategoryId=1612&SM=ServiceSearch&SME=True>

- **The representative of the provider should seek support from and inform senior managers:** This is to ensure you will be able to access support from your managers and to ensure that all records are safely stored.

4. Coroner's Involvement:

- **Report to the Coroner:**

If the death was unexpected, but believed natural, ambulance will inform the coroner if they are the sole emergency service in attendance.

If the death was deemed to be violent, unnatural, or suspicious, the police will inform the coroner.

- **Post-mortem:**

The coroner may agree a post-mortem examination to determine the cause of death.

- **Inquest:**

The coroner may open an inquest to investigate the circumstances of the death.

- **Funeral Restrictions:**

A funeral cannot be held until the Coroner is satisfied that the deceased's body is no longer required for the purposes of the investigation.

5. Support for staff during any police investigation

It is recommended that when the police are investigating an incident in a care setting, the organisation should consider steps they would wish to take to support staff without impeding the police's enquiries. Supporting staff could involve providing a safe space for them to share their experiences, offering guidance on legal rights and responsibilities, and ensuring they have access to confidential support. It also includes respecting the investigation process while ensuring staff's well-being is addressed.

Immediate Support and Communication:

- **Create a safe space:**

Ensure staff feel comfortable sharing their experiences, whether through one-on-one conversations, team meetings, or support groups.

- **Be clear about the investigation:**

Explain what will happen, who is involved, and what the staff's roles are in the investigation.

- **Stay informed:**

Keep staff informed about the progress of the investigation but avoid providing information that could compromise it.

Legal and Procedural Guidance:

- **Legal advice:**

Advise staff to consider seeking legal support if they are interviewed by the police or if they feel their rights are being violated.

- **Understand their roles:**

Explain their obligations to cooperate with the police investigation while respecting their privacy.

- **Protect confidentiality:**

Ensure all communication is handled confidentially and in line with data protection regulations.

Well-being and Support:

- **Offer confidential support:**

Consider access to occupational health services to address any trauma or stress related to the incident.

- **Address job security:**

Ensure staff's employment is not jeopardised solely based on the police investigation, and address any concerns they have about their job.

Ongoing Communication and Review:

- **Regular updates:**

Provide regular updates on the progress of the investigation and any changes to their roles or responsibilities – seek police advice on what may be shared.

- **Review processes:**

Consider your own review of the incident, identify areas for improvement, and share learnings with staff. This may also include a Safeguarding Adult Review or other learning process.

- **Learn from the experience:**

Utilise the experience to enhance safety protocols and improve the overall care environment.

Respecting the Investigation:

- **Cooperate fully:**

Ensure your organisation cooperates fully with the police investigation

Avoid influencing the investigation:

Prevent any actions that could be seen as interfering with the police investigation, such as discussing the case with the media.

- **Focus on learning:**

View the investigation as an opportunity to learn from the incident and improve care practices.

Notification to the CQC:

- **Use the online form:** Providers should use the CQC's online form to notify them of the death.
- **Create an account or sign in:** If you don't have an account, you'll need to create one to use the online form.
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- **Provide all necessary information:** Ensure the form is completed accurately and completely.
- **Email the completed form:** If you cannot use the online form, you can email the completed form to HSCA_notifications@cqc.org.uk.
- **Statutory notification:** Providers must use the CQC's form to make notifications under this regulation.
- **Don't delay:** Notifications about deaths must be sent to CQC without delay.
- **CQC can prosecute:** CQC can prosecute for a breach of this regulation or a breach of part of the regulation.

Notification of the public body who commissions your service

- **Alert the organisation that has commissioned the care:** This will usually be the Local Authority or Integrated Care Board and this should be done when you are informing the CQC

Other Important Considerations:

- Notify the GP of the person's death. If the death is in hospital: The hospital should notify the patient's GP of the death within a short time.
- Inform other healthcare providers: Inform anyone who was providing healthcare services to the deceased.
- Cancel appointments: Cancel any booked appointments.
- It maybe appropriate to remind the family of the process to inform other agencies via the Tell Us Once service to inform all the relevant government departments when someone dies.

Resources:

- Death of a person using the service – notification form: [CQC website](#)
- Regulation 16: Notification of death of service user: [CQC website](#)
- Guidance for registered medical practitioners on the Notification of Deaths Regulations: [GOV.UK](#)
- Learning from Safeguarding Adult Review for “Lou” [please see the SAR](#) and [7-minute learning brief](#)