
STATUTORY INSTRUMENTS

2009 No. 3112

The Care Quality Commission (Registration) Regulations 2009

PART 4

REGISTRATION REQUIREMENTS

Notification of death of service user

16.—(1) Except where paragraph (2) applies, the registered person must notify the Commission without delay of the death of a service user—

- (a) whilst services were being provided in the carrying on of a regulated activity; or
- (b) as a consequence of the carrying on of a regulated activity.

(2) Subject to paragraph (4), where the service provider is a health service body, the registered person must notify the Commission of the death of a service user where the death—

- (a) occurred—
 - (i) whilst services were being provided in the carrying on of a regulated activity, or
 - (ii) as a consequence of the carrying on of a regulated activity; and
- (b) cannot, in the reasonable opinion of the registered person, be attributed to the course which that service user's illness or medical condition would naturally have taken if that service user was receiving appropriate care or treatment.

(3) Notification of the death of a service user must include a description of the circumstances of the death.

(4) Paragraph (2) does not apply if, and to the extent that, the registered person has reported the death to the National Patient Safety Agency⁽¹⁾.

(5) This regulation does not apply where regulation 17 applies.

⁽¹⁾ The National Patient Safety Agency is a Special Health Authority established by the National Patient Safety Agency (Establishment and Constitution) Order 2001 (S.I. 2001/1743), to which there are amendments which are not relevant to these Regulations.