

### Rationale

1. In our view, there is no evidence to justify a criminal investigation. However, in the spirit of openness and transparency, the matter is being reported to the Police, having regard to the fact that a number of Consultant Paediatricians are not satisfied with the very thorough investigations and reviews undertaken.
2. A Trust review had highlighted increasing levels of activity and acuity, cross-referenced to lower than recommended staffing levels.
3. A 'deep dive' Trust investigation was undertaken using 'Silver Control' methodology.
4. The Trust commissioned a review by the Royal College of Paediatrics and Child Health (RCPCH), which included two experienced Neonatologists and a Barrister.
5. Whilst the RCPCH Review identified a number of areas for improvement, they did not identify a single causal factor for the deaths.
6. A further independent in-depth review was also commissioned by the Trust, which highlighted some areas for improvement. It did not identify a single causal factor or raise concerns regarding unnatural causes of death.
7. Twelve of the deaths have been subject to post mortem, but there have been no suspicious findings.
8. A secondary review of four deaths, by Pathologists at Alder Hey Children's Hospital, did not raise any concerns regarding unnatural causes of deaths.
9. HM Coroner for Cheshire has been kept fully informed of this matter from the beginning and has not directed any further action, save for holding three inquests; one of which has been held, when the conclusion was unascertained. The other two inquests are still to be held. Inquests have not been held in respect of the other deaths on the direction of HM Coroner.
10. The allegation against the nurse was based on her having been present on the unit disproportionately frequently, not necessarily caring for the baby, at the time of the collapse.
11. The nurse is one of a few who are full time and regularly worked overtime.
12. The nurse is highly qualified, so tended to look after the sicker babies.
13. There were no concerns regarding the nurse's performance – she had not been involved in any other incidents.
14. The Trust has demonstrated that it has taken the concerns raised seriously and has been open and transparent with the Coroner, its regulators, parents and the public.

**Stephen Cross**  
**Director of Corporate & Legal Affairs**  
**3 April 2017**