

Our Ref: Irrelevant & Sensitive

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**PRIVATE & CONFIDENTIAL**

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**I&S**

Lucy Letby

**Personal Data**

24 March 2017

Dear Lucy,

Following the meetings with Alison Kelly, Director of Nursing & Quality, Karen Rees, Head of Nursing Urgent Care, Hayley Cooper, RCN Representative and Staff Side Chair, and myself, please find this letter as a summary of our recent meetings which have taken place from 10 January 2017 until 22 March 2017.

The notes have been provided from each of the planned or unplanned meetings that have taken place, and this letter supports the previous correspondence which you have been issued.

I trust this provides an accurate reflection of our meetings and should there be any additional information to add or amendments to these notes, then please do advise.

In addition, I know both Alison and I recognise this remains a difficult time for you Lucy. Consequently, we would again like to reiterate our support for you and that you can access Occupational Health and Wellbeing support, either via Kathryn de Beger, Occupational Health and Wellbeing Manager, or via the wider service. This can be accessed by contacting 01

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Yours sincerely,

**Personal Data**

**Sue Hodgkinson**  
Executive Director of People & Organisational Development

To contact my PA, please contact Debbie Cleverley on:

☎ 01 **I&S**

✉ debbie.cleverley@ **I&S**

**Meeting undertaken on 10<sup>th</sup> January 2017 with Tony Chambers (Chief Executive), Alison Kelly, Lucy Letby, Karen Rees and Hayley Cooper**

Following discussion between Hayley and Mr Chambers on the morning of 10<sup>th</sup> January 2017, a meeting was arranged for the afternoon of the 10<sup>th</sup> January. This followed the meeting with members of the Board of Directors. Mr Chambers provided an overview of the meeting which commenced with Alison reading out your personal statement, which Mr Chambers thanked you for and adding it was very impactful. He advised that the Royal College report had been shared with the Board in addition to the recommendations of your grievance hearing. Mr Chambers advised you that the Board were absolutely clear in their support for you to return to the Neonatal Unit, in the requirement of the Doctors to make an apology to you and in supporting the recommendations of your grievance. Mr Chambers advised that if the doctors didn't make an apology, there would be other elements to consider.

Mr Chambers advised that the next key meeting would be with the Doctors when the review report would be shared. He outlined the key themes of the report being about governance, communication, doctor/nurse relationships, culture, escalation and disempowerment of the nursing team. Reassurance was given that there was nothing in the report about you. The meeting with the doctors was to be arranged for w/c 23<sup>rd</sup> January (after Mr Chambers returns from leave), final pathology feedback were awaited on 3 cases, Mr Chambers explained that it would be worth waiting one more week for this in order to get absolutely all the relevant information together. Mr Chambers advised that the unit would not be resorting back to a Level 2 unit at this stage due to a number of recommendations within the report, but also as there were much wider network and strategic decisions to be made.

Hayley advised that deadlines would need to be agreed for doctors' actions (Mr Chambers and Alison agreed). Mr Chambers agreed that we would fix a date by the end of that week and communicate this to you.

**Meeting undertaken on 11<sup>th</sup> January 2017 with Alison Kelly, Lucy Letby, Karen Rees, Hayley Cooper & Sue Hodkinson (12.45pm)**

At the start of the meeting, Alison and Sue asked how you were, to which you replied ok. Alison then provided an overview of the previous day's meeting in which Mr Chambers position was reiterated in today's Executive Directors Group meeting. A date for a meeting with the medical team was being arranged, with a date of the 26<sup>th</sup> January 2017 being considered, on the back of key people's attendance being confirmed. A follow up meeting would be arranged if needed and there will be a strong directive from the Medical Director, Mr Harvey, to attend.

You asked in relation to what will happen with the mediation and the apology as part of the recommendations from the grievance as part of this meeting. It was explained that the meeting would start with Karen Rees, reading out your statement, as we had previously discussed and agreed. As part of the extraordinary board meeting, Sue had read this out on your behalf and this had been extremely impactful.

You then asked if all of the Board were in support of these actions. Both Sue and Alison advised you that all of the board were full supportive as they were objective individuals and whilst they were challenging as you would expect in their roles, your statement emphasised the impact this has had on you. They also recognised the wider cultural and external factors identified within the wider

report. We all agreed that we would provide you with an update following the meeting undertaken on the 26<sup>th</sup> January 2017. The meeting closed at approximately 1.20pm.

**Meeting undertaken with Lucy Letby, Hayley Cooper and Sue Hodgkinson 17<sup>th</sup> January 2017 (11.45am)**

Sue had spoken with Karen Rees and Hayley Cooper earlier in the morning of the 17<sup>th</sup> January to advise that she had received a call from Mr John Letby on the evening of 16<sup>th</sup> January and had offered to update you on the back of this call. Therefore, this meeting was convened.

Sue talked through the conversation that she had undertaken with Mr Letby the previous evening. She made it clear that you are a trust member of staff and so the onus on us is to have correspondence with you first and not your parents, no matter how difficult this may be for them. This was reiterated two or three times. It was explained that a date for a rearranged meeting was being planned for 6<sup>th</sup> February 2017 and that this would be confirmed in a letter in due course.

Sue reiterated to both of you that any correspondence would need to include you, so that it was all focused on you as our member of staff and to ensure you were kept aware. Sue went on to add that she was concerned in relation to the wellbeing of your Mum, Sue, during the call as she was very upset. We discussed if further support was needed at the time for your Mum and that you would follow up with Kathryn de Beger, Occupational Health and Wellbeing Manager, as necessary.

In addition, we discussed the process of mediation and Sue explained that we were progressing in obtaining two mediators from Cheshire & Wirral Partnership NHSFT and Kathryn was leading on this and could discuss this further with you, which you were going to pick up.

We all agreed that this was a helpful update and that Sue was to call Mr Letby back following our meeting and to provide an overview of this meeting. We also agreed that if there was anything further in the way of correspondence from your parents, that an update would be provided to you at the earliest opportunity. The meeting ended at approximately 12.00pm.

**Meeting with Lucy Letby, Alison Kelly, Sue Hodgkinson, Karen Rees, Kathryn de Beger 26<sup>th</sup> January 2017 (2.30pm)**

The meeting was arranged to provide an overview of how the meeting had gone with the Medical team earlier that day. In addition, it was a follow up to discussions that had taken place in the morning regarding a statement which you wished to issue to medical colleagues.

Kathryn advised on your behalf that you had made the decision not to send the statement out by email today. Alison thanked Kathryn for updating everyone on this and advised that the content may not be helpful at this time but that we all recognised that this was extremely difficult for you. She continued by saying that you had come so far and that you were incredibly resilient but that we were concerned that you could compromise your position as a nurse working on NNU with this in any actions going forward. She recognised that this had been an incredibly difficult afternoon for you and everyone involved and that there had been a series of conversations with the RCN as well. However, the most important element was your wellbeing but also professionally we wanted to mitigate any risk for you in this message being construed or mis-managed.

Kathryn reiterated on your behalf that you just want to get back on the unit and we all want to help you get there. Alison thanked Kathryn for this and went on, alongside Sue to provide an overview of how the meeting with the medical team had went that afternoon.

Alison provided details of the structure of the meeting and who was in attendance, which included Rachel Hopwood as one of the Trust's Non-Executive Directors and Dr Sean Tighe, who is a local representative for the British Medical Association and an equivalent to Hayley's role. Sue and Alison added that the last elements of the review had been received today, in relation to secondary clinical review and the deep dive of records, and this was shared as part of the communication plan. We advised about the impact of sharing your statement and thanked you for allowing Karen to do this on your behalf. Mr Chambers shared the recommendations from the report, the recommendations of the grievance hearing and particularly the element about you returning back to the unit, which was referred to on a number of occasions.

Alison explained Mr Chambers added that some of the issues were around behaviours and that whilst it was a particularly emotive and difficult time for everyone, some of the behaviours were not acceptable at the time. He also advised that the unit currently needs to maintain its status quo. You asked what this would mean. Alison explained that this would be until maintaining its status as a Level One unit for the time being. The expectations were that we were drawing a line under this and would be looking for everyone to work together to co-create an action plan with clinical teams owning the actions the moving forward in relation to communication, teamworking, cultural, governance and the wider network support going forward.

She went on to add that Mr Chambers had stated that he had provided an apology to you and your parents in a separate meeting and that his expectation was that you would return to the unit. He explained how that under the circumstances involved, a decision was taken to take you out of the unit to protect you. Whilst it was recognised that we were not as open and transparent as we should have been in communicating this decision, it was about protecting you, the unit and the babies in the general sense.

Sue added that Dr Jayaram had reiterated the support from the team in taking the actions forward and that they were very supportive. Alison advised that Dr Brearey had stated that there was a lot of information to take in within the hour and they needed to reflect as a team and Dr Jayaram will support them with this. We then talked about that we always wanted you to have sight of the report at an early stage and had previously looked for your receive sight of it today. However, we all agreed, with you confirming, that with everything that had taken place today, we would rearrange this for another more convenient time.

You asked if Mr McCormack was at the meeting. Alison advised that it was focused on the Paediatricians and that the Obstetricians would be a separate conversation.

You also asked about what would be happening with progressing the receipt of an apology. Sue advised that Mr Harvey is following up with this.

Karen asked on your behalf if we could continue with fortnightly meetings with both Sue and Alison, which we both confirmed by advising "Absolutely". Alison added that it was a good opportunity to think about the type of messages you may want Alison to say on your behalf when having meetings with the nursing teams, as we are looking to arrange a meeting with them. It is important the nursing team are there to support you and we need to be clear on how they will wrap around you when you go back. On the back of this, Karen agreed for you, Hayley and Kathryn to discuss this further with you the following week.



We discussed around the key points to be conveyed at a meeting with the nursing teams and you asked when the invite would go out about this meeting. Alison advised that would probably happen on 30<sup>th</sup> January 2017. We talked through a plan for the coming days following this meeting, with Mr Harvey to undertake individual medical meetings and that we had arranged to meet with your parents and yourself, as a follow up to the meeting before Christmas, alongside Mr Chambers and Mr Harvey on 6<sup>th</sup> February 2017.

Kathryn asked when it was likely that you would be returning to the unit. Alison advised that we would be guided by you but being mindful of the recommendations from the grievance and the meetings that were due to take place w/c 6<sup>th</sup> February. Alison reiterated that it was still our intention for you to return to the unit and the set of actions were not lost. A number of steps were in quick succession and when those have happened, the plan then starts. Kathryn advised that this has felt like a long time without end for you and was concerned. Alison and Sue both acknowledged this and reiterated that we were still working towards you returning to the unit. We thanked everyone for meeting and the meeting closed approximately 3.30pm.

**Meeting undertaken on 31<sup>st</sup> January 2017 with Alison Kelly, Lucy Letby, Karen Rees, Hayley Cooper & Sue Hodkinson (12.00pm)**

This meeting was arranged in order to share the Royal College of Paediatric and Child Health report with you, as agreed at our previous meeting. Karen advised that there were some concerns regarding the status of the unit and we had a discussion re the unit being level one status.

You advised that you had send out your statement to the nursing team and that you had not utilised that wording that had been provided as an alternative. However, you had revised the statement to say some consultants instead of four. Alison and Sue thanked you for advising us of this but were concerned in how we could manage the support for you around this, particularly if there was any press interest in relation to the statement.

You stated that you were not aware that the press may be interested in your statement and how it would get into their hands. Alison and Sue explained that we could not guarantee that it would not be used in by someone which wasn't supportive but recognised that it was your decision and your statement.

You asked if there was any update on the mediation and when it would be taking place. We advised that we could provide more of an update on this following the medical meetings which were due to take place w/c 6<sup>th</sup> February, due to Mr Harvey's annual leave.

Finally, you advised how you have been liaising with a colleague based at Alder Hey to view theatres lists and to have an observational contract. We agreed that you would work with Karen to come back with a plan around this within the next week. The meeting closed at approximately 12.30pm.

**Meeting undertaken on 6<sup>th</sup> February 2017 with Alison Kelly, Lucy Letby, Karen Rees, Hayley Cooper & Sue Hodkinson (10.30am)**

At the start of the meeting Alison and Sue both asked how you were. You advised that you had concerns regarding the communication involved in finding out about the article in the press. You were advised that you would receive the statement or report but at 6pm, you had still not received it.

Alison explained that we were not clear on how the information had got to the press. We know that this is not an internal issue but it may have been via one of the families and their support from a solicitor. However, we wanted to ensure that any member of staff referenced in the report were contacted to advise so they were aware over the weekend. Sue's team supported in this.

Karen advised that it was her judgement call not to call you and so that was why there was a delay. However, we needed to inform all of our regulators on the Friday, which we did. Others on the list of communication included Colm, from an RCN perspective and Alison advised that she had spoken with Colm late on the Friday and that Colm had received the report by email.

You asked if each of the deep dive reports had gone out to each parent. Alison advised that this was planned, once discussed with the clinicians there would be a separate meeting with each of the families. Dr Brearey, Dr Jayaram and Mr Harvey were to discuss the clinical case review. She added that each of the patients families were each contacted on Friday night and a briefing for the wider clinical teams was undertaken. Sue added that any redactable information in the report that has been issued by the Trust was in relation to patient or staff identifiable information.

Hayley asked for assurances if your name was raised within the press. Alison and Sue reiterated that media handling lines were already prepared around maintaining confidentiality. However, if you had any concerns at any time, you could contact us for support. In addition, we both advised that if there was any rumours or uncertainty then please come back to us at any time.

We concluded by adding that we would be meeting with your family and yourselves late that day, at 3.00pm, and was there anything we need to be aware of in advance of this meeting. Karen, Hayley and yourself confirmed that there was nothing to what had been previously discussed with an update on the actions being provided. The meeting ended at approximately 11.15am.

**Meeting undertaken on 6<sup>th</sup> February 2017 with Mr Tony Chambers (Chief Executive), Mr Ian Harvey (Medical Director) Alison Kelly, Lucy Letby, Karen Rees, Hayley Cooper & Sue Hodkinson (3.10pm)**

Notes of this meeting have been previously circulated on 22<sup>nd</sup> February 2017.

**Meeting undertaken on 8<sup>th</sup> February 2017 with Alison Kelly, Lucy Letby, Karen Rees, Hayley Cooper & Sue Hodkinson (12.40pm)**

Alison and Sue thanked you again for meeting with them. We discussed about your statement and how the meeting had gone with your parents on Monday. Both yourself and Hayley advised that you had received a lot of positive feedback from colleagues on the back of your email out.

As we had discussed within the meeting with your parents on the 6<sup>th</sup> February 2017, Sue provided an overview of the mediation process. We discussed how copies of the report had now been provided to all stakeholders, both internally and externally, that the website had been updated, that briefings had been undertaken to all staff with specific briefings for NNU, Maternity and for those manning any potential phone lines. In addition, the communications team were managing any external publicity.

You asked if anyone was undertaking any interviews. Both Sue and Alison advised that we were not encouraging anyone to undertake interviews.

You asked where we were up to with the consultant apology. Sue advised that Ian was managing the conversations but was aware that Mr McCormack was **I&S** so this would delay this conversation. However, to be assured that Mr Harvey was following these actions up and recognised the need to progress this.

We agreed that if you need any out of hours support over the coming days, then Hayley and Karen would be able to provide this. Meeting closed at approximately 1.20pm.

**Meeting undertaken on 14<sup>th</sup> February 2017 with Lucy Letby, Karen Rees, Hayley Cooper & Sue Hodgkinson (12.05pm)**

Sue asked how you were at the beginning of the meeting and you advised you were okay. A briefing was then provided on the current status in relation to the press enquiry and that no further follow up around this at this stage. Kathryn is progressing the mediation and Sue is aware that Mr Harvey has had a series of conversations with medical colleagues and that as far as she was aware, the mediation was proceeding. The key next step was to agree dates.

You asked if any apologies had been received at this stage and Sue advised that none had been received but this was being followed up.

Sue advised that it would be helpful if you could start thinking about what you wanted out of the mediation and what success looked like as part of this as the mediator may ask you to describe this as part of the process. Kathryn was obtaining clarity on the mediation process with CWP so you could be clear on how exactly it would work and we would confirm this in due course.

We discussed around the plans being put in place for your return to the unit and Karen, Hayley and yourself advised that these were progressing well. We closed the meeting at approximately 12.35pm.

**Meeting undertaken on 23<sup>rd</sup> February 2017 with Lucy Letby, Karen Rees & Sue Hodgkinson (3.30pm)**

We discussed how you were and you said you were okay, although Karen advised that she was providing a lot of support to you in planning for you returning to the unit. We discussed a possible date for your return to the unit and that you were both planning for a date of the 3<sup>rd</sup> April 2017.

We discussed the concerns around the mediation. Firstly, that we were very disappointed to hear that unfortunately Kathryn had heard from Gloria, in CWP Staff Support that she felt unable to undertake the mediation. Sue explained that whilst Kathryn had informed you of this, we were all disappointed but that Kathryn had now had confirmation that Jane Jones could complete the meetings.

Sue advised that she wanted to make sure you were aware of the possible dates for the meetings and the process. The available dates were 7<sup>th</sup> March (pm) 16<sup>th</sup> March (am or pm) and 17<sup>th</sup> March (pm). In terms of the process, there would be meetings with all three members of staff individually, with the exact timings needing to be agreed with everyone's availability. There then needed to be a meetings with and one Consultant together and then you with another Consultant for approximately half a day each.

You asked if it was reasonable to ask for the mediation to happen in March. Sue advised that it was but recognised that this was a difficult and emotive process for everyone and most importantly we needed to ensure you had support wrapped around you, which Karen supported and said she and Hayley were ensuring this.

We talked again about what you wanted out of the mediation and that you were going to give this some thought.

You asked if an apology had been received from the consultants and Sue advised that following correspondence received from the consultants, a response had been provided by Mr Chambers which advised that whilst they had agreed that it was appropriate to send a letter of apology to you, we needed to understand how and when they would be doing this. We would provide a further update around this hopefully at our next meeting. Our meeting ended at approximately 4.05pm.

**Meeting undertaken on 1<sup>st</sup> March 2017 with Lucy Letby, Karen Rees, Alison Kelly & Sue Hodgkinson (12.30pm)**

Alison and Sue both asked you how you were and you advised not good. We asked if there was anything further we could do at this stage. Nothing was noted in terms of action.

Sue advised that she had received a letter for her attention to be passed on to you which had been received this morning whilst in Exec meeting. You advised that you would open this after our meeting.

Alison went on to explain that clinical meeting took place yesterday, which was convened and chaired by Mr Harvey. This didn't get completed but was looking at outstanding clinical records. Part of this discussion included a discussion with Dr Brearey and Dr Jayaram and following up on the process related to the mediation. Whilst we were not party to the discussion we understand it was a robust conversation.

You advised that you have received an email from Wendy Banham to say that the 7<sup>th</sup> March is inconvenient. What other day could it take place? You also said that you spoke with Dee about this earlier this morning and that you were concerned what was happening.

Sue advised that Mr Harvey is following up by the end of the week at the latest. There has been no discussion on any other dates but that she was aware that Kathryn was struggling to obtain a suitable venue for the 7<sup>th</sup>.

Both yourself and Hayley added that it would be helpful to know if the planned meeting dates would take place, which we recognised.

We talked about how the 7<sup>th</sup> March could be difficult as we had planned for a follow up meeting with your parents and that we may not get a pre-meeting in beforehand. We agreed that you would discuss this further with Hayley and Karen as to whether we would continue to go ahead with this meeting date. We also agreed that Sue and Alison would follow up with Mr Harvey.

We concluded the meeting by discussing your plans for transition back to the NNU. You had been working with Karen on dates of the 3<sup>rd</sup> April 2017 and 10<sup>th</sup> April 2017. You would have support from a number of buddies and Karen had spoken to the senior team around your competencies. Karen, Hayley and yourself then spoke about how you had gone on to the unit on your own last week and that this was a big step. Karen reiterated that she would be guided by you with shifts and would



work around the doctors rotas. Both Alison and Sue supported this step. We agreed to meeting the following week as planned. Meeting closed at approximately 1.05pm.

**Meeting undertaken on 8<sup>th</sup> March 2017 with Lucy Letby, Karen Rees, Alison Kelly & Sue Hodgkinson (12.15pm)**

Alison and Sue asked how you were at the start of the meeting. It was recognised that this was extremely difficult for you and offered our ongoing support. We discussed the challenges around the mediation process and asked how yesterday's meetings had gone. Karen advised that they were difficult but went as well as they could. They were a big step in getting you back on the unit.

Sue went on to explain the current status of the mediation and added how she had stepped in personally to progress the actions in relation to this. She added that Dr Jayaram had undertaken his first two parts yesterday afternoon. Dr Brearey had confirmed that he can undertake his first two parts of the process from 1.30 – 3.00 on Thursday 16 March. In addition, he has also confirmed his availability for the joint meeting on the 22<sup>nd</sup> March but we discussed the difficulty in him only providing availability for 1.5 hours whereas we believed he needed to provide longer availability that day. Sue agreed to follow this up. We then discussed how we were seeking alternative dates from Dr Jayaram for the joint meeting as his availability did not match with the mediator and your availability.

You suggested that it felt unfair regarding the availability the doctors are providing. Sue advised that whilst she recognised this we were progressing well and only had a number of elements to resolve.

You asked about what was happening with Mr McCormack's apology and Alison advised that she would follow this up (a letter of apology has subsequently been received and provided to you).

You asked when you would receive a copy of all of the notes from recent meetings and Sue provided you assurance that these would be provided to you. She added that she apologised that this has taken longer than was envisaged but due to the frequency of meetings and workload this had proved challenging.

Sue added that she would be providing a response to the email from Tony Milea (RCN regional officer) which she received the day before at her earliest opportunity.

We discussed the two dates when there were challenges around support for you, as Karen was on annual leave. We understood that Kathryn de Beger was supporting around this. Lastly we agreed that we would look to have a follow up meeting on the 23<sup>rd</sup> March. Sue had to leave the meeting early due to work commitments but Alison remained. The meeting closed at approximately XXX

**Meeting undertaken on 22<sup>nd</sup> March 2017 with Lucy Letby, Hayley Cooper, Kathryn de Beger & Sue Hodgkinson (3.50pm)**

An unplanned meeting was undertaken on the back of concerns raised regarding a delay in the mediation process with Dr Brearey and you requested to meet with either Alison or Sue. Sue was available and we met in Dr Benton's office, in the Education and Training Centre.

Within the meeting, Sue asked you what your concerns were and you advised that you had been informed that Dr Brearey had advised the mediator that it was not appropriate to continue with the mediation at this time, but that it may be in the future. You added how this had significantly distressed you and you did not know how the Trust was going to manage this. Sue advised that she would need to understand the reasons for Dr Brearey's decision. You asked if he could be met with today as he was still available as the session was planned in until 5pm that day.

Sue agreed to follow up with Mr Harvey and agree the next steps. We agreed that an update would be provided to Hayley, on your behalf, by the end of the day, which was actioned.