

Message

From: Linney Mike (Western Sussex Hospitals) [Mike.Linney@I&S]
Sent: 09/02/2018 3:04:56 PM
To: Judith Ellis [judith.ellis@I&S]; Melissa Milner [melissa.milner@I&S]; Jacqueline Fitzgerald [jacqueline.fitzgerald@I&S]; Graham Sleight [graham.sleight@I&S]; David Howley [david.howley@I&S]; Sue Eardley [sue.eardley@I&S]
CC: Modi, Neena [n.modi@I&S]
Subject: RE: Chester IR

Ok,

I think its something I need to get up to speed with. Lets discuss on your return

Mike

From: Judith Ellis [mailto:Judith.Ellis@I&S]
Sent: 09 February 2018 15:00
To: Melissa Milner; Linney Mike (Western Sussex Hospitals); Jacqueline Fitzgerald; Graham Sleight; David Howley; Sue Eardley
Cc: Modi, Neena
Subject: Chester IR

Just to update you all.

See email trail below:

Neena has today spoken to Stephen Brearey in Chester – all very sad and stressful with apparent failings from all involved.

I have discussed the situation with Sue, Jacqueline and Graham – all of whom can update you, if required, with the detail and all the recent discussions.

The police investigation is ongoing – apparently due to report around April so unlikely any press interest until that point.

Agreed action:

1. Neena is drafting a letter to go to Stephen advising him to write to the Trust Board, Governors and cc to CQC (raising his concerns about managements handling of what is a very complex situation and focusing on the ongoing stress and poor morale on the neonatal unit and the possible impact that it is having on clinical performance).

At the RCPCH :

2. Graham and Sue are going to work together on a chronology of events and RCPCH activity so we can calmly review what decisions were made when and the appropriateness of decisions made in light of facts known at that point.
3. Graham, Sue and Jacqueline are reviewing the RCPCH IR process: this will include reviewing:
 - a. Who decides the appropriateness of undertaking an IR rather than advising alternative action by the Trusts e.g. police referral
 - b. Who should sign off for the RCPCH at the point of agreeing the terms of reference for an IR (Dvaid H currently signs to agree costings)
 - c. Who should sign off the final report on behalf of the RCPCH

Mike the current process states that the Registrar has a key role in all of this (seen as independnet from the IR team but still a clinician who is also an EC member) but this does npot appear to have been happening. This is part of the review.

We can regroup when I return from Annual leave.

Thanks all

Judith

Professor Judith Ellis MBE
Chief Executive Officer
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5-11 Theobalds Road
London WC1X 8SH

Telephone: 00 **Irrelevant & Sensitive**

Email: Judith.ellis@ **Irrelevant & Sensitive**



RCPCH is celebrating 21 years of achievement in paediatrics.

Wish us a [happy birthday](#) and read about our [planned activities](#) throughout 2017.

Registered charity in England and Wales (1057744) and in Scotland (SCO38299)

From: "BREAREY, Stephen (COUNTESS OF CHESTER HOSPITAL NHS FOUNDATION TRUST)" <stephen.brearey@ **I&S**

Date: 8 February 2018 at 18:58:41 GMT

To: "Modi, Neena" <n.modi@ **Irrelevant & Sensitive**

Subject: RE: Countess of Chester Neonatal Unit Police Investigation

Dear Prof Modi,

Many thanks for replying. I understand your workload must be enormous. The problem with this case is that all the paediatricians have concerns regarding the integrity and competence of the "client", the medical director, who also happens to be our responsible officer. Therefore, the review team maintaining sole contact with him when he has not acted appropriately to our concerns is in some ways making our problems worse and is not in the interests of the parents of affected babies. I'm not sure who we should turn to for help?

I was not asking for you or the college to intervene in any way into the police investigation which is likely to go on for a number of months yet.

The purpose of my email was firstly to make you more aware of the what is happening here so the college is in a better position to react to future events which undoubtedly will have a high profile. It is impossible to convey everything by email which is why I offered to speak with you or meet you in person.

Secondly, it was to highlight the problem of a college report which had large sections deleted without anyone's knowledge before being made public by the Trust, thereby misleading the public and affected families, not to mention delaying the onset of the police investigation. Could the college have done more, particularly when the reviewers had spent many hours listening to our patient safety concerns?

Finally, we could really do with some advice from a very senior neonatologist please! We are working in a Trust where the lessons from 2 Kirkup reports and the Francis Inquiry report seem to have been ignored. The problems we faced when highlighting our concerns as a team of paediatricians have continued and are separate to the police investigation.

Many thanks again for your time and for all your efforts representing the interests of children. I have been heartened by your responses to the many political issues that we have all been affected by in recent years.

Steve

Dr SP Brearey
Consultant Paediatrician and Neonatal Lead
Countess of Chester NHS Foundation Trust
Liverpool Road
Chester
CH2 1UL

Tel 01 [redacted] **Irrelevant & Sensitive**
Fax 01 [redacted]
Sec: Sue Morgan 01 [redacted] **Irrelevant &**

From: Modi, Neena [[mailto:n.modi@\[redacted\]](mailto:n.modi@[redacted])] **Irrelevant & Sensitive**
Sent: 08 February 2018 18:00
To: BREAREY, Stephen (COUNTRESS OF CHESTER HOSPITAL NHS FOUNDATION TRUST)
Cc: Judith Ellis; '[mike.linney@\[redacted\]](mailto:mike.linney@[redacted])' **I&S**
Subject: RE: Countess of Chester Neonatal Unit Police Investigation

Dear Dr Brearey

Thank you for writing to me. I am aware of the involvement of the RCPCH in conducting a review for the Countess of Chester NHS Foundation Trust and that the matter moved to a police investigation which is ongoing. RCPCH strives to ensure that the process around the conduct of a review is open and transparent, and our Invited Reviews manager maintains contact and follow up with the "client", in this case the Medical Director. You will appreciate that we do not have authority over what actions are taken by Trusts as a result of our reviews. Did you have something specific in mind when you referred to "*supported by the college in a more positive way*"? Please do be aware that given this is now a police investigation it would not be appropriate for us to intervene. I do sincerely appreciate how difficult and stressful such matters can be and hope that these are resolved soon.

With kind regards

Neena

Neena Modi MB ChB MD FRCP FRCPCH FFPM
Professor of Neonatal Medicine
Imperial College London

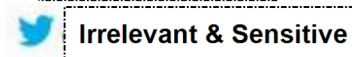
Consultant in Neonatal Medicine
Chelsea and Westminster NHS Foundation Trust

PA: [surbhi.shah@\[redacted\]](mailto:surbhi.shah@[redacted]) **Irrelevant & Sensitive**
02: [redacted] **Irrelevant &**

President
Royal College of Paediatrics and Child Health

EA: Christine.turner@Irrelevant & Sensitive

02: Irrelevant &



From: Christine Turner [<mailto:christine.turner@Irrelevant & Sensitive>] On Behalf Of President

Sent: 06 February 2018 09:17

To: Modi, Neena <n.modi@Irrelevant & Sensitive>

Cc: Judith Ellis <Judith.Ellis@Irrelevant & Sensitive>; mike.linney@Irrelevant & Sensitive <mike.linney@Irrelevant & Sensitive>

Subject: FW: Countess of Chester Neonatal Unit Police Investigation

Importance: High

Dear Neena

Please see Dr Brearey's e-mail below.

Kind regards

Christine

From: BREAREY, Stephen (COUNTESS OF CHESTER HOSPITAL NHS FOUNDATION TRUST)

<mailto:stephen.brearey@Irrelevant & Sensitive>

Sent: 05 February 2018 11:38

To: President <President@Irrelevant & Sensitive>

Subject: Countess of Chester Neonatal Unit Police Investigation

Importance: High

Dear Prof Modi,

Please accept my apologies for contacting you by email. You may be aware of the on-going police investigation that started in May 2107 following an increased number of unexpected and unexplained neonatal deaths and sudden collapses on the neonatal unit in Chester. It continues to cause a great deal of stress and upset for the nursing and medical staff on the neonatal unit and the affected parents. The reason for emailing you, is to share my reflections of the College's involvement and help you prepare for any further media interest that is quite likely.

Following the 13th neonatal mortality in 13 months, Clinicians raised concerns in July 2016 and a number of actions were made by the Trust at the time which I would be happy to discuss with you in person. An invited RCPC college review took place in September 2016 and the report was sent to the Trust in December. The report was modified by the Trust before it was shared with the public and the paediatricians. As body of paediatricians, we did not consider that the Trust was responding to our concerns and had not investigated the deaths or collapses properly. We were supported by the Cheshire and Merseyside Neonatal Network in expressing our concerns. It took a further 5 months before the police became involved and they took very little time in deciding to start an investigation.

I do have a number of concerns regarding the way the college responded to our concerns, particularly after the invited review report was submitted to the Trust. The modified report, which did not include any of our concerns, was utilised by the Trust to follow a plan that gave us all considerable patient safety concerns and was a stressful time for all of us. It is quite possible that if the college had intervened at that stage and provided support to its members (the consultant

body), then the police investigation might have started earlier. The affected parents were also given information by the Trust in January 2017 regarding the report which was later different to the information given in May 2017.

In summary, I feel the paediatricians and the affected parents could have been supported by the college in a more positive way. When dealing with such a serious case as this it is not really acceptable to produce a report and have no further involvement in the case. I would be happy to discuss the problems we are having in person and at the college if you wish. Although we are still waiting for the police to complete their investigation, it seems sensible that the college could reflect on its own role and be ready to respond to any new media interest.

Many thanks for your time particularly at the end of your tenure as president.

Best wishes,

Dr SP Brearey
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