



Resolution

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February 2020
FOI_4235

The following information was requested on 14 January 2020:

Please accept this email as my request for information in respect of the NHS Resolution's Early Notification Scheme.

From 1 April 2017 NHS Resolution members have been required to report (to the Early Notification Scheme) all maternity incidents of potentially severe brain injury within 30 days of the event.

Q1. How many reports have there been since that time?

Q2. Have families been sign-posted to specialist clinical negligence lawyers under the remit of this scheme?

Q3. If so, how many?

Q4. Does a panel or list exist (either informally or informally) enabling families being supported in the ENScheme to access specialist clinical negligence lawyers for advice and support?

Q5. If this panel or list exists, please provide a copy.

Q6. If the panel or list exists, please provide the application/membership/procurement criteria.

Q7. If the panel or list does not exist, what criteria is being used to sign-post families.

Our Response

From 1 April 2017 NHS Resolution members have been required to report (to the Early Notification Scheme) all maternity incidents of potentially severe brain injury within 30 days of the event.

Q1. How many reports have there been since that time?

2054 cases have been reported under the EN scheme since 1 April 2017. A further 91 cases have been reported under EN scheme but did not meet the EN Scheme Criteria.

Q2. Have families been sign-posted to specialist clinical negligence lawyers under the remit of this scheme?

NHS Resolution does not signpost families to specialist clinical negligence lawyers. The correspondence produced and approved by NHS Resolution at the conclusion of our investigations advises families to seek independent legal advice and recommends that they contact AvMA for assistance and/or the Law Society.

Q3. If so, how many?

N/A

Q4. Does a panel or list exist (either informally or informally) enabling families being supported in the EN Scheme to access specialist clinical negligence lawyers for advice and support?

No.

Q5. If this panel or list exists, please provide a copy.

N/A

Q6. If the panel or list exists, please provide the application/membership/procurement criteria.

N/A

Q7. If the panel or list does not exist, what criteria is being used to sign-post families.

Families are currently being signposted to AvMA and/or the Law Society when NHS Resolution write to the families directly. We cannot comment on what Trusts signpost to the family when writing to them.

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Tinku Mitra](#), Head of Corporate and Information Governance for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

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Water Lane
Wilmslow
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