

The second report: The evolution of the Early Notification Scheme

Overview

Our new Strategy from 2022 to 25 includes a specific priority to collaborate to improve maternity outcomes and continue to support the National Maternity Safety Ambition.

The Early Notification (EN) Scheme proactively investigates specific brain injuries at birth to establish if clinical negligence has caused harm. We do this by requiring our Clinical Negligence Scheme for Trusts (CNST) members to notify us of maternity incidents which meet a certain clinical definition.

The EN Scheme is a key initiative supporting the delivery of safer maternity care, providing a more rapid, caring response to families in cases of severe harm, and supporting a learning culture.

Improvements in timeframe

18
MONTHS

Approximately 18 months from birth to admission of liability on EN cases analysed (for non EN cases it is almost 7 years)

What's changed since the first EN report?

- We have adopted an expert summit process which allows for multiple similar cases to be discussed simultaneously
- We've made changes to the EN reporting criteria, focusing efforts where they are both needed most and will provide the greatest impact
- We've set up a Maternity Voices Advisory Group to build closer links with families, to support the development of the scheme.

Our resources to support you in practice

- [Faculty of Learning](#)
- [EN case stories](#)
- [Saying sorry leaflet](#)
- [Duty of Candour animation](#)
- [Being Fair guidance](#)
- Coming soon - eLearning maternity module



#ImprovingMaternityOutcomes

The estimated clinical negligence cost of harm was £13.3 billion, with maternity claims making up 60% of this¹

Key clinical themes from the second report



Delayed delivery with problems arising from delays in escalation



Problems with fetal heart rate monitoring



Uterine rupture in women opting for vaginal birth after caesarean



Family experience

"The EN Scheme worked very well for our son and for us as a family. It accelerated the investigation process and resulted in an early admission of liability, which meant we received interim payments as our son's claim continued. This was so helpful as it meant we could access support and rehabilitation for him when it was needed. It was really beneficial to be able to put in place care, therapy, aids and equipment, and accommodation at an early stage."

Quote from a family member involved in our EN Scheme

¹NHS Resolution's Annual report and accounts 2021/22

Recommendations from this report

NHS Resolution will support the work of royal colleges and wider stakeholders to:

- a) improve antenatal counselling before trial of vaginal birth after caesarean section
- b) improve awareness in relation to response to harm for families and staff

NHS Resolution will support the work with NHS Providers and wider stakeholders, encouraging a joined up approach between trust legal services and maternity and risk teams.