

E mail re returned proforma outside remit

6/2/14

Dear XXXXX

Thank you for contacting the Investigation and for completing a proforma detailing your experiences.

Whilst the Panel has considered the information you have shared and is extremely grateful for your contribution, unfortunately it does not consider your individual case to be within its remit. This is because the Investigation's terms of reference form the guiding principles for its work and all of the evidence it receives must be considered against the terms of reference to determine its pertinence. The information you have supplied however, has been useful for the Panel to bear in mind in the broader context of the Investigation.

The sensitive nature of the information you have supplied means the Investigation is unable to forward it for the attention of any other organisation. You have stated that you have already reported the incident to the University Hospitals of Morecambe Bay NHS Foundation Trust and that you are shortly going to be contacting CQC. You might also wish to consider contacting the following organisations about your concerns:

- The Citizens Advice Bureau can also be a source of useful information and the Public Law Project website provides guidance on making a complaint. Their website can be found at <http://www.publiclawproject.org.uk/resources/5/making-an-effective-complaint-to-a-public-body>
- NHS England and/or the local Clinical Commissioning Group are the organisations that commission health services. If you are who you are not satisfied with the services being provided you can advise them of your concerns. <http://www.nhs.uk/choiceintheNHS/Yourchoices/hospitalchoice/Pages/Hospitalcomplaints.aspx>
- An option to consider if you are not happy with a hospital's response would be to refer your case to the Parliamentary Health Service Ombudsman who offer a resolution centre that is independent of Government and the NHS. All complaints that are sent to the Ombudsman must be provided in writing or by using their complaints form that can be downloaded from their website. The Ombudsman will only get involved once you have given the hospital the opportunity to respond to your concerns. You should expect to receive a final response from the Hospital before referring to the Ombudsman. For more specific guidance please refer to the Ombudsman website <http://www.ombudsman.org.uk/make-a-complaint/how-to-complain>. Complaints should generally be registered straight away and normally be referred to the Parliamentary Health Service Ombudsman within 12 months of the incident occurring, these are the same guidelines as the NHS complaints procedure (however timescales can be extended dependant on the circumstances).

I do hope you find this information helpful.

Yours sincerely

Oonagh McIntosh

Secretary to the Investigation

Email exchange with a family that completed a proforma

7/2/14

Good Afternoon,

I can confirm that once the report has been submitted to the Secretary of State for Health, all evidence submitted to the Investigation by any organisation or member of the public, which will form part of the Investigation's working papers, will be destroyed. We will retain the information securely until the Investigation has completed its work in case there is a need to refer back to this information, however, I can assure you that all documentation will remain confidential.

Kind regards

[REDACTED]  
Executive Secretariat Support, Morecambe Bay, Investigation  
Third Floor – Park Hotel, East Cliff, Preston, PR1 3EA  
E: [REDACTED]@mbinvestigation.org | T:01772 536388

**From:** XXXXXXXXXXXXXXXXXXXXXXXX  
**Sent:** 06 February 2014 17:53  
**To:** [REDACTED]  
**Subject:** RE: Proforma

Dear Mr [REDACTED]

Thank you for letting me know and yes, please do keep me informed when the report will be made public.

I am disappointed, but understand there is a date range specified in the Terms of Reference.

I trust the copy of my complaint letter requested by the investigation will be destroyed or remain confidential.

Regards,  
XXXXXXXX XXXXX

**From:** [REDACTED]@mbinvestigation.org  
**Sent:** 06 February 2014 10:55  
**To:** XXXXXXXXXXXXXXXXXXXXXXXX  
**Subject:** FW: Proforma

Dear Mrs [REDACTED]

Thank you for supplying the Investigation with details of your XXXXXXXX care in the form of the completed proforma. Please accept our apologies for the delayed response.

The Investigation has carefully reviewed the material you provided. Whilst the Panel are interested to consider cases such as your XXXXXXXX, you will appreciate the Investigation has been charged with reviewing cases that arose in a certain time period. Regrettably the Panel cannot include a review of your XXXXXXXX case as the incident occurred at a time that is outside of the Investigation's terms of reference.

The Investigation is nevertheless interested to learn about the difficulties and frustration you faced in trying to obtain the details of your XXXXXXXX care whilst XXXXX was a patient at the Trust. The Investigation has noted references from other people about the difficulty in obtaining answers when a complaint is raised and this may well be referred to in the Investigation's Report to the Secretary of State for Health.

I recognise this may be disappointing news but the Investigation will keep you informed when its Report will be made public.

The Investigation recognises that you are in correspondence with senior managers at the Trust but hopes that the following information about the ways a complaint can be made about care received in the NHS, may be helpful:

- There is a Patient Advice and Liaison Service in all hospitals that can offer information on where/who to direct your complaint to and who should deal with it, this service should also help you understand the complaints process and offer support. The Citizens Advice Bureau can also be a source of useful information and the Public Law Project website provides guidance on making a complaint.
- NHS England and/or the local Clinical Commissioning Group are the organisations that commission health services. If you are who you are not satisfied with the services being provided you can advise them of your concerns.
- An option to consider if you are not happy with a hospital's response would be to refer your case to the Parliamentary Health Service Ombudsman who offer a resolution centre that is independent of Government and the NHS. All complaints that are sent to the Ombudsman must be provided in writing or by using their complaints form that can be downloaded from their website. The Ombudsman will only get involved once you have given the hospital the opportunity to respond to your concerns. You should expect to receive a final response from the Hospital before referring to the Ombudsman. For more specific guidance please refer to the Ombudsman website.
- Complaints should generally be registered straight away and normally be referred to the Parliamentary Health Service Ombudsman within 12 months of the incident occurring, these are the same guidelines as the NHS complaints procedure (however timescales can be extended dependant on the circumstances)
- The Care Quality Commission has been established to make sure hospitals, care homes, dental and GP surgeries, and all other care services in England provide people with safe, effective, compassionate and high-quality care, and they encourage them to make improvements. The Commission will not investigate your individual complaint, but have an overarching role to assess if there are trends emerging that they consider need further, system-wide investigation.

Below are links to the websites referred to above:

<http://www.ombudsman.org.uk/make-a-complaint/how-to-complain>

<http://www.nhs.uk/choiceintheNHS/Yourchoices/hospitalchoice/Pages/Hospitalcomplaints.aspx>

<http://www.cqc.org.uk/>

<http://www.publiclawproject.org.uk/resources/5/making-an-effective-complaint-to-a-public-body>

Thank you again for taking the time to contact the Investigation and sharing your experiences.

Kind regards

[REDACTED]  
Executive Secretariat Support, Morecambe Bay Investigation  
Third Floor – Park Hotel, East Cliff, Preston, PR1 3EA  
E [REDACTED]@mbinvestigation.org | T:01772 536388

Dear

Over the last ten months you will have received communications from the Morecambe Bay Investigation. You emailed on 19 January and volunteered to share some information, in confidence, with the Investigation Panel. The Investigation has not heard from you since this date.

As you may be aware the Investigation will be reporting to the Secretary of State in February 2015 and it is now at a stage where it is cross referencing the evidence it has received with the material supplied by a number of organisations to ensure that all of the cases that were brought to its attention have been given due consideration.

The Investigation has not, yet, had the opportunity to talk to you in confidence about the birth of your XXXXXX and the care your family received at the University Hospitals of Morecambe Bay NHS Foundation Trust.

Should you still want to share your experiences with the Investigation perhaps you would contact me on 01772 536376 and a time will be arranged where you and I can have an initial conversation before the case is considered further. I am offering this simply because there is a possibility that the case of your XXXXXX and her care at the Trust may well have already been considered by the Investigation Panel and the Investigation would not wish to place an unnecessary burden on you by asking for information it already holds. An important element of this is knowing the name of your XXXXXX and hXX date of birth.

As I stated earlier, the Investigation is in the final phase of its work and therefore if we do not hear from you within the next two weeks the Investigation will conclude that you and your family do not wish your nieces case to be considered in any further detail.

I hope this is helpful. The Investigation looks forward to hearing from you.

Yours sincerely,

Donagh McIntosh  
Secretary to the Investigation.

**Heaps, Nick**

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**From:** Heaps, Nick  
**Sent:** 24 April 2015 12:52  
**To:** McIntosh, Oonagh  
**Subject:** Letter from University Hospitals of Morecambe Bay NHS Foundation Trust  
**Attachments:** 23 April 2015 - Ltr to families re Investigation.pdf; Biography Cath Broderick 2015.pdf

Good Afternoon

The Trust has asked the Investigation to send the attached letter.

Regards

Nick

Deputy Secretary

Morecambe Bay Investigation  
1st Floor Park Hotel  
East Cliff  
Morecambe  
LA4 3EA

0772 536393

[nick.heaps1@mbiinvestigation.org](mailto:nick.heaps1@mbiinvestigation.org)

# University Hospitals of Morecambe Bay

NHS Foundation Trust

**Sent Via Email**

Our Ref: JD/MC  
23 April 2015

Chair and Chief Executive's Office  
Westmorland General Hospital  
Burton Road  
Kendal  
LA9 7RG

Tel: 01539 716695  
Web: [www.uhmb.nhs.uk](http://www.uhmb.nhs.uk)

Dear Sir/Madam

I am writing further to the letter of apology you received from the Trust in March 2015 following the publication of the Report of the Morecambe Bay Investigation.

Again this letter has kindly been forwarded by The Morecambe Bay Investigation team to all those who contacted them regarding the Trust, and who may have had concerns regarding the services we provide.

In our earlier letter we provided some detail on how the Trust plans to take forward the actions that will ensure the findings and recommendations in Dr Kirkup's report are fully implemented and embedded so that the failings identified cannot happen again.

We have now made some progress in putting the plans in place and central to this work is to ensure that those who have been affected by the previous failings in the services investigated by Dr Kirkup have the opportunity to influence and contribute towards the improvements that the Trust is committed to implementing. Additionally we know that it is important for people to be assured that plans are being put in place and to be kept up to date on progress.

Our approach emphasises that the Trust really values and respects the important contribution that users of the service make in the development of service improvements and there is already some work taking place which involves a small number of families and their contribution is very much appreciated.

We want to build on this and are keen to make sure the opportunity to influence and be involved is open to all families and individuals in a way that suits you. We appreciate that some people will not want to have any involvement at all and this is understood and respected.

However if you would like to be involved we are very interested in hearing from you and exploring the ways in which you would prefer to make a contribution and/or receive information. We know this can be difficult to think about or to know what the options are so the Trust has engaged Cath Broderick an independent expert with a lot of experience in patient and public engagement, consultation and facilitation. A short biography for Cath is enclosed and you will be able to see she has a real passion for working with people to make sure that their involvement makes a difference and can influence change in organisations.

Westmorland General Hospital  
Burton Road  
Kendal  
LA9 7RG  
Tel: 01539 732288

CHAIR: PEARSE BUTLER  
CHIEF EXECUTIVE: JACKIE DANIEL



If you would like to discuss with Cath any questions you may have or ideas you would like to suggest about how you would like to be involved and informed please could you contact her on the following email [REDACTED]

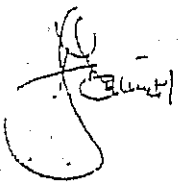
Alternatively, I appreciate that many of you will already have been in touch with Directors, clinicians or other members of Trust staff, and some of you will have made new contact following the previous invitation to meet and discuss the report or your experiences with the Trust. You may wish to talk with contacts you already have in the Trust and I am aware that this week some families have met with Sascha Wells, Head of Midwifery and Sue Smith, Executive Chief Nurse. I too have been in communication with some families but we want to make sure that everyone who has been affected can be involved in a way that suits them personally.

We fully intend to work with Cath to establish a wide range of opportunities for involvement with the Improvement work, options include attending the sub-committee as a representative of families, setting up an 'expert' reference group, being involved in training and patient stories or involvement in some of the projects we are putting in place. These are suggestions only and I hope that if you feel able to be involved with this in any way, that you will make contact with Cath.

Alternatively if you want to just receive updates on progress please let me, your current contact in the Trust or Cath know.

Please be aware that the Trust does not have the names or details of all the families or people involved in the work of the Investigation. Therefore if you wish to be involved in any way, please do share your contact details with us. However I can assure you that progress with implementing the recommendations will be available both on the Trust Website and in publically available reports.

Yours sincerely



Jackie Daniel  
Chief Executive

Westmorland General Hospital  
Burton Road  
Kendal  
LA9 7RG  
Tel: 01539 732288

CHAIR: PEARSE BUTLER  
CHIEF EXECUTIVE: JACKIE DANIEL

Dear

I am writing to you further to the Investigation's email of 3rd March where I explained that the information you provided in the proforma would be shared with the Investigation's panel of experts.

The Panel have now had the opportunity to review the details that you shared with the Investigation and would like to look into your case in greater detail. To assist them in this they have asked the Investigation's secretariat to request your full medical records from the Trust. In order for the Trust to provide your records it will be necessary for you to give your consent to them being released to the Investigation. We would be grateful, therefore, if you could provide written consent that we can forward to the Trust along with our request for the medical records.

For the Trust to be able to locate your records it would be very helpful if you could provide the Investigation with some additional information. Please can you provide your date of birth and confirm your baby's date of birth as this will help the Trust to locate your records. If you also have your NHS number, please can you let me have this too as this will make your records easier to identify. If your baby's surname is different to yours, please can you confirm his/her full name.

If you have any questions or concerns regarding the information that is being requested from the Trust, please do not hesitate to contact the Investigation on this email address. If you would prefer to have a telephone conversation, please let me know and I will arrange for a member of the secretariat to ring you at a convenient time.

Kind regards

[REDACTED]  
PA/Executive Secretariat Support, Morecambe Bay Investigation  
Third Floor – Park Hotel, East Cliff, Preston, PR1 3EA  
E: [REDACTED]@mbinvestigation.org | T:01772 536376  
(Postcode for Sat Nav systems PR1 3JT)