

# Maternity & Neonatal Governance Meetings

## December 2024

<b>Agenda item</b>				
<b>Report Title</b>	CNST MIS Safety Action 10 – MNSI and NHS Early Notification Scheme			
<b>Executive Lead</b>	Paula Gardner, Interim Executive Director of Nursing			
<b>Report Author</b>	Silje Almklow, Divisional Quality Governance Lead Trisha McSkeane, Head of Legal Services			
	<b>Link to strategic goal:</b>		<b>Link to CQC domain:</b>	
	Our patients and community	√	Safe	√
	Our people		Effective	√
	Our service delivery	√	Caring	√
	Our governance	√	Responsive	√
	Our partners		Well Led	√
	<b>Report recommendations:</b>		<b>Link to BAF / risk:</b>	
	For assurance	√	<b>Link to risk register:</b>	
	For decision / approval			
	For review / discussion			
	For noting			
	For information	√		
	For consent			
<b>Presented to:</b>	Maternity and Neonatal Governance Meetings December 2024			
<b>Executive summary:</b>	<p>SaTH is a participant in year 6 of the Clinical Negligence Scheme for Trusts (CNST) Maternity Incentive Scheme (MIS), which is operated by NHS Resolution (NHSR) and supports the delivery of safer maternity care.</p> <p>This paper sets out SaTH’s completion status against safety action 10 which must be approved by the Board of Directors.</p>			
<b>Recommendations for the Committee</b>	<p>The Committee is asked to:</p> <p>Receive the report in line with Safety Action 10.</p>			
<b>Appendices</b>	N/A			

## 1.0 Introduction

- 1.1 SaTH is a member of the Clinical Negligence Scheme for Trusts Maternity Incentive Scheme (CNST MIS). Which is regulated by NHS Resolution (NHSR) and is designed to support the delivery of safer maternity care.
- 1.2 The scheme incentivises ten maternity safety actions. Trusts that can demonstrate that they have achieved all ten safety actions will recover the element of their contribution relating to the CNST maternity incentive fund and will also receive a share of any unallocated funds.
- 1.3 The purpose of this paper is to provide the Board of Directors with an update against safety action 10: "Safety action 10: Have you reported 100% of qualifying cases to Maternity and Newborn Safety Investigations (MNSI) programme and to NHS Resolution's Early Notification (EN) Scheme from 8 December 2023 to 30 November 2024?"

## 2.0 Required Standards

Safety action 10 is made up of the following standards which need to be evidenced against. The Trust's reporting will be cross referenced against the MNSI database and the NHS Resolution database for the number of qualifying incidents recorded for the trust and externally verify that standard a), b) and c) have been met in the relevant reporting period:

- a) Reporting of all qualifying cases to MNSI from 8 December 2023 to 30 November 2024.
- b) Reporting of all qualifying EN cases to NHS Resolution's EN Scheme from 8 December 2023 until 30 November 2024.
- c) For all qualifying cases which have occurred during the period 8 December 2023 to 30 November 2024, the Trust Board are assured that:
  - I. the family have received information on the role of MNSI and NHS Resolution's EN scheme; and
  - II. there has been compliance, where required, with Regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 in respect of the duty of candour.

## 3.0 Minimum Evidence Required for Trust Board

- ✓ Trust Board sight of Trust legal services and maternity clinical governance records of qualifying MNSI/ EN incidents and numbers reported to MNSI and NHS Resolution.
- ✓ Trust Board sight of evidence that the families have received information on the role of MNSI and NHS Resolution's EN scheme.
- ✓ Trust Board sight of evidence of compliance with the statutory duty of candour.

All criteria to be self-certified by the Trust Board and submitted to NHS Resolution using the Board declaration form by 3 March 2025.

Trusts' reporting will be cross-referenced against the MNSI database and the National Neonatal Research Database (NNRD) and NHS Resolution database for the number of qualifying incidents recorded for the Trust and externally verify that standard A) and B) have been met in the relevant reporting period.

In addition, for standard B and C (i) there is a requirement to complete field on NHS Resolution’s Claims Reporting Wizard (CMS), whether families have been advised of NHS Resolution’s involvement, completion of this will also be monitored, and externally validated.

#### 4.0 Qualifying cases

Reference	Criteria	Case opened	Outcome	Duty of Candor	ENS referral
MI-036812	HIE/cooling	12/02/2024	Rejected	Yes	n/a
MI-036832	HIE/cooling	15/02/2024	Rejected	Yes	n/a
MI-037050	HIE/cooling	09/04/2024	Rejected	Yes	n/a
MI-037179	HIE/cooling	15/04/2024	Investigation in progress	Yes	Yes, NHSR awaiting outcome of MNSI investigation
MI-037285	Early neonatal death	22/04/2024	Investigation completed – 3 safety recommendations received	Yes	n/a
MI-037530	HIE/cooling	04/06/2024	Investigation in progress	Yes	Yes, NHSR awaiting outcome of MNSI investigation
MI-037627	HIE/cooling	08/07/2024	Investigation in progress	Yes	Yes, NHSR awaiting outcome of MNSI investigation
MI-039067	Intrapartum Stillbirth	18/11/2024	Investigation in progress	Yes	n/a

#### 5.0 Summary

5.1 Of the eligible cases, all have been reported to MNSI and 3 of those cases were also eligible and reported to NHS Resolution as required under the scheme.

5.2 Of the 4 cases which did not meet the ENS referral criteria, 3 were rejected by MNSI due to not meeting their criteria following assessment. These 3 cases were all HIE/cooling cases where the babies had normal MRI results following therapeutic hypothermia. The 2 cases which did not meet the ENS referral criteria were an early neonatal death (within 7 days of birth) and an intrapartum stillbirth.

5.3 All the families received information regarding MNSI and NHSR and gave consent for referral to be made, thereby meeting part c, element 1 of the scheme.

5.4 The Trust has complied with Regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 in respect of the duty of candour for each of the cases meeting criteria for reporting.

## **6.0 Actions requested of the Board**

6.1 The Board of Directors is asked to note the content of the paper which evidences delivery of the required standards to achieve safety action 10 of Year 6 of the CNST Maternity Incentive Scheme.