

## **Stage 2 Independent Investigation Report: ‘Right First Time’**

### Overview and outline of Trust response

#### **Introduction**

On 6 February 2020 the Independent Investigation Report (conducted by Mr Nigel Pascoe, QC) was published. The background to the report is the tragic death of five people who were in the care of the Trust in the period 2011-2015, and the Trust’s response to the families of those who had died.

Three of the patients had been under the care of the community adult mental health services, one under the care of community older people’s mental health services, and one was living at home with support of the Trust’s then Social Care Division.

The Trust was unable to address the families concerns in the period up to 2019.

The Trust sought the advice of NHS England/Improvement (NHSEI) to consider what else might be done to work with the families. NHSEI suggested that they would liaise with the families. It was then agreed with the families that there should be an independent review of all of the investigations that had already been undertaken.

Mr Nigel Pascoe, QC was commissioned to undertake an Independent Review of the Trust’s response to each of the five deaths.

The Stage 1 Review Report, published on 6 February 2020, was very critical of the Trust. The Trust accepted in full the Stage 1 Review Report findings and issued full and unreserved apologies to each of the families.

A recommendation of the Stage 1 Review Report was that there should be a Second Stage Investigation examining the themes that were identified in the Stage 1 Review Report and what learning and progress had taken place.

Mr Pascoe engaged with the families about their wishes for a Second Stage Review and what the Terms of Reference should be.

The investigation hearings, which were originally intended to be held in Spring 2020, were delayed by the onset of the Covid-19 pandemic. Further consultation on the Terms of Reference took place in August 2020. The final agreed Terms of Reference were issued on 23 September 2020.

The scope of the review as set out in the Terms of Reference was to cover the following policy areas:

1. Reviewing the need for a new independent investigative process
2. The handling of complaints
3. Communication and liaison with families
4. Action plans
5. Supervision by West Hampshire CCG of those issues.

The Stage 2 Public Investigation was conducted by: Mr Nigel Pascoe, QC as the Independent Chair, and a Panel of three experts, Dr Mike Durkin, former National Director of Patient Safety at NHSEI, Dr Hilary McCallion, former Executive Director of Nursing and Mental Health Nurse, and Priscilla McGuire, Ofsted Inspector, CCG Vice-Chair and a Patient and Public Voice Partner.

The Stage 2 Investigation took place over 23 days, from 4 March to 29 April 2021. The Panel heard written and verbal evidence from 53 witnesses, including users and others with experience of engaging with the Trust, professional experts and Trust staff. The Panel took place virtually online due to the Covid-19 pandemic restrictions.

The Second Stage Review Report, '*Right First Time*', was published by NHSEI on 9 September 2021.

### **Trust Response to the Stage 2 Investigation Report**

The Trust Board accepted in full the report and the findings. The Trust again apologised to the families for the distress that had been caused. The Trust thanked those who had been involved in the process and contributed to the Report.

The Trust welcomes the report, which will contribute to bringing about further improvement in the delivery of Trust services.

### **Next Steps**

The Trust is preparing a response and action plan describing how the organisation will respond to the recommendations in the report and where progress has already been achieved. This will be discussed at the Trust Board meeting on 30 November 2021. The Trust will then share the action plan with partners, including Scrutiny Committees.

### **Further information**

The full report (including an Easy Read version) and the Trust's public statement (issued on the day of publication), can be found on the Trust website here:

<https://www.southernhealth.nhs.uk/about-us/news-and-views/second-stage-review-southern-health-published-today>

Additional information, including the Terms of Reference for the review, can be found on the NHSE/I website here: <https://www.england.nhs.uk/south-east/publications/ind-invest-reports/southern-health/>