

Dear Ian

Following our conversation last week regarding CHIs access to the clinical notes of the recently deceased, I thought it useful to set out CHIs position. It is important that we agree a way forward quickly so as not to hamper the production of the CHI report.

Firstly, under CHIs statute, we do not need next of kin consent to enable the CHI clinical note review group to review the notes. As I explained however, CHI believes that in terms of good and open practice, it is important to ensure that relatives are made aware of this piece of work and are given the opportunity to raise an objection if they do not wish notes to be used for this purpose.

I appreciate and share your concern around contacting the recently bereaved and the potential this piece of work may have on the public's confidence in the Gosport War Memorial Hospital. As we discussed, if the trust does not gain consent prior to this piece of work, I must be assured that any contact with relatives regarding the clinical note review after the publication of the investigation report is handled by the trust or the successor Primary Care Trust.

We do not need notes to be anonymised as the patients are deceased, if however, you wish to do this please do so. In terms of sample size, we would like to look at the medical, nursing and therapy notes for the patients last admission, together with prescription charts (Linda is there anything else??), of 15 out of the 49 patients. Julie Miller will follow up with Fiona Cameron the method we will use to determine a random sample of 5 from each ward.

Thank you for working with CHI to take this piece of work forward. I have attached the term of reference we will work to on the clinical note review. I would also like to assure you that the notes will be treated with the utmost regard for their confidentiality and will only be seen by those named on the terms of reference.

Yours sincerely,

Dr LP etc