



*Protecting human rights
in childbirth*

Registered address:
Birthrights
Union House
111 New Union Street
Coventry CV1 2NT
0300 400 30 400

23rd April 2020

Dear Jacqui, Matthew, and Stephen

I am writing to you on behalf of Birthrights to raise our concerns about the proportionality of decisions that have been taken by maternity services since the start of the coronavirus outbreak, and to ask you to do all you can to increase transparency over these decisions.

Just this week we have heard that Cheshire and Merseyside will be suspending their home birth service due to concerns about the availability of ambulances and availability of staff. No information has been provided about the levels of staff shortages and how this corresponds with the thresholds set out in RCM/RCOG guidance, or the nature of the issues with the ambulance service. We are aware that the decision does not have unanimous internal support, and indeed it is hard to understand how a decision that does not take into account the differing resource situations between Trusts could be considered proportionate, if legally challenged. We are writing to Cheshire and Merseyside separately. We are aware that it is the role of Regional Midwifery Officers (RMOs) to scrutinise these decisions (we would be grateful if you could share a list of names and contact details for all the RMOs). We hope that this process will prove effective but are conscious that RMOs have no formal powers.

We understand that the decisions faced by Trusts in order to run a safe and effective service are not easy in the current pandemic, and that the situation is constantly evolving. We believe the best way to ensure decisions are evidence based and robust is to ensure that Trusts are open and transparent in their decision making. This will ensure that their reasoning is well understood and easily communicated, and that disparities across the country can be properly examined.

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We are very conscious of the huge amount of valuable time being spent by a large number of organisations, Maternity Voices Partnerships and concerned individuals, trying to establish: the risk assessment undertaken to reach a decision, whether all the relevant factors were looked at, what weight was given to each factor, who made the decision (including whether service users were involved), and when the decision will be reviewed. Trusts are required to provide details of services that have been withdrawn to the Department for Health and Social Care on a weekly basis and are required to notify any escalation plans that include withdrawing services to NHS England & Improvement. We ask you to publish these details as soon as possible as a first step towards transparency, and to continue to publish updates as they are received. We are asking you to do this on an informal basis but you will be aware that these documents would be subject to Freedom of Information requests.

We are keen to do all we can to support services to make lawful decisions that place women at their heart, whilst also respecting the exceptional pressures on services at the present time, and would be pleased to discuss this further with you.

Kind regards,

Maria Booker
Programmes Director - Birthrights

Cc Julia Cumberlege

