

**ESSEX PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST**

**Memorandum of understanding:** Investigating patient safety incidents involving unexpected death or serious untoward harm.

A memorandum of understanding is a protocol for liaison and effective communications between the National Health Service, The National Police Chiefs Council (NPCC) and the Health and Safety Executive.

The Memorandum of Understanding dated February 2006 sets out the precise procedure to be followed where an unexpected death or serious untoward harm requires investigation by the Police or the Police and HSE. This will generally be limited to incidents involving intentional harm, recklessness or gross negligence. The Memorandum provides for the decision to involve the Police usually being taken by a Senior Manager and for any subsequent investigation by the Trust to be reported to an incident co-ordination group involving representatives from these agencies. The Memorandum places emphasis on ensuring that investigations by the NHS are conducted in such a way as to avoid prejudicing any Police and/or HSE investigation. This MoU is still current but is due to be superseded by a local Essex based version on or around 01/04/2016.

For full details of the Memorandum of Understanding, February 2006 see Department of Health Publications and Statistics ([Doh.gov.uk](http://Doh.gov.uk)).

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**Published date:**

February 2006

**Primary audience:**

Professionals

**Gateway reference:**

5499

In support of the Memorandum of Understanding Investigating patient safety incidents involving unexpected death or serious untoward harm: a protocol for liaison and effective communications between the National Health Service, The National Police Chiefs Council and the Health & Safety Executive has been published.

Gateway ref: 7407 **November 2006**