



London Ambulance Service **NHS**  
NHS Trust

**Procedure for responding to enquiries from Coroners, Police, the IPCC and others in relation to interviews, the preparation of statements and giving evidence at Inquests and other Court Hearings.**

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## DOCUMENT PROFILE and CONTROL.

**Purpose of the document:** To set out the procedure for the preparation of statements and attendance at Court in relation to Inquests, Police Interviews and other Court proceedings/enquiries

**Sponsor Department:** Legal Services

**Author/Reviewer:** Head of Legal Services. To be reviewed by April 2017

**Document Status:** Final

Amendment History			
Date	*Version	Author/Contributor	Amendment Details
24/11/15	5.3	IG Manager	Document Profile and Control update
13/11/15	5.2	Head of Legal Services	Amendments to 14.1, Appendix 1 and Appendix 7 to specify that all statements must be typed.
17/06/15	5.1	IG Manager	Document Profile and Control update, committee amendment, and new Implementation Plan
20/05/15	4.2	Head of Legal Services	Renamed and updated to include reference to care proceedings to reflect organisational changes.
21/10/11	4.1	IG Manager	New S.8 re.document release added
12/08/10	3.2	Head of Legal Services	Added scope, responsibilities, sections 13.1, 14.1, Appendix 2, and other changes.
6/06/08	3.1	Head of Records Management and Business Continuity	Minor changes to Appendix 1 requested by CGC 2/6/08
28/05/08	2.2	Head of Legal Services	Minor additions/amendments
15/04/08	2.1	Head of Legal Services	Review: New sections 2,5 & 7

**\*Version Control Note:** All documents in development are indicated by minor versions i.e. 0.1; 0.2 etc. The first version of a document to be approved for release is given major version 1.0. Upon review the first version of a revised document is given the designation 1.1, the second 1.2 etc. until the revised version is approved, whereupon it becomes version 2.0. The system continues in numerical order each time a document is reviewed and approved.

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<b>Ref. No.</b>	<b>Title</b>	<b>Version</b>
TP/009	Policy for Access to Health Records	1.0
TP/013	Claims Handling Policy and Procedure	

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## 1. Introduction

Due to the nature of the Trust's work from time to time LAS staff may be asked to provide evidence for legal proceedings, this could include but is not limited to

- HM Coroners' inquests
- Criminal trials
- Civil claims and trials
- IPPC investigations
- Family proceedings

### Coroner's Inquest

A Coroner's Inquest is a court hearing to establish the details surrounding an individual's death. The Coroner hears evidence to assist him/ her in their enquiry into the means and circumstances of the death, including who died, where, when and how they died. If a person dies in an accident, or suspicious/unknown circumstances, an inquest is usually held. An inquest must be held if the cause of death is unknown or if the person possibly died a violent or unnatural death or died in prison or police custody.

The ambulance staff's role in these proceedings is primarily to provide independent evidence of the circumstances surrounding the death, as witnessed by them. As ambulance staff are usually among the first people to attend the scene, they may be called on as witnesses to provide evidence of their recollections.

The statements requested by the Coroners are concerned with the condition of the patient, any interventions carried out and any pertinent information regarding the scene of death. Statements need to be produced as quickly as possible to ensure that staff can still recall detailed information about the incident in question. Most enquiries will be made by the Coroners' Officers but some will be conducted by the Independent Police Complaints Commission ('IPCC') or Police Officers acting as Coroners' Officers.

The Coroner uses the statements to decide who to call as a witness. If it is not clear from a witness statement whether the witness was involved in a particular event then they may be called to give evidence about the events described. Staff may also be called if the statement they give does not corroborate evidence, or contains key evidence related to the death. In many cases the statements provided will be sufficient evidence for the Coroner and the individuals will not be called to give evidence at the Inquest.

In the majority of cases, there is no criticism of the London Ambulance Service NHS Trust (LAS) or the treatment provided by the crews. Occasionally, if the Coroner or the family of the deceased feels that there was a delayed response time or there are questions about the treatment provided, the Coroner will ask for the crew and/or other representatives from LAS to attend the inquest.

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## Other proceedings

The Police request interviews with, and statements from, LAS staff in order to gain further evidence/insight into a particular incident the LAS was called to/ attended. This may lead to LAS staff attending court to give evidence.

In addition, there are occasions where other bodies/solicitors (e.g the IPCC or Local Authority Solicitors) may request statements from LAS staff in relation to particular incidents which may result in Court proceedings as part of their investigations.

### **2. Scope**

This procedure sets out the arrangements for responding to enquiries from Coroners, the Police, Solicitors and other external bodies requesting information, interviews, witness statements and/or Court attendance.

### **3. Objectives**

1. To ensure, effective communication takes place with the Coroners/ Police and all relevant information is obtained.
2. To establish time scales for producing requested information.
3. To obtain clarity at the outset as to whether there is any criticism of the LAS.
4. To put in place clear mechanisms after receiving a call or written enquiry from the Coroner/ Police to ensure that appropriate action is taken.
5. To ensure that if statements are required, staff are notified as soon as possible.
6. To ensure that if staff are required to attend a Coroners Inquest/ Police interview/other Court proceedings they feel fully supported by the LAS.
7. To ensure LAS staff are appropriately supported when providing a statement or giving evidence

### **4. Responsibilities**

**The Clinical Safety and Standards Committee** will receive details of any Prevention of Future Death Report received by the LAS. The Committee is responsible for monitoring any recommendations and actions identified to ensure the Trust learns from any concerns identified by the Coroner.

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**The Medical Directorate or nominated senior clinician** will advise on the standard of care provided, compliance with training and protocols and causation in a particular case.

The **Head of Legal Services** will decide whether the Trust/member of staff requires legal representation at the inquest or interview under caution and will guide the Trust on its appointment of legal representatives.

**Legal Services** are responsible for liaising with the Coroners' Officers; co-ordinating the Trust's response and ensuring that appropriate legal support is provided when necessary for staff attending an inquest.

The **Patient Experiences Department (PED)** will co-ordinate requests for solicitors to obtain records and interview staff where proceedings against the Trust are not contemplated. Where appropriate, they will signpost to the relevant team, e.g safeguarding.

The **Safeguarding Team** will co-ordinate requests for statements in relation to care proceedings.

The **Emergency Operations Centre (EOC)** will ensure that operational staff are stood down from duty to complete witness statements, as requested by the relevant Management Team or as arranged by the Resource Centre.

**Operational Line Managers** are required to arrange for a manager to accompany staff called to give evidence at an inquest or other Court hearing. This is independent of any other support that is in place. As appropriate other support may be arranged from the below teams

- Legal Services
- Communications Department
- Medical Directorate
- Control Services

Operational Line Managers are also required to check witness statements written by their staff are compliant with this policy but not alter the content of the statement, (using the checklist at Appendix 1), prior to the statement being sent to Legal Services or external agency/party requesting the witness statement. When permitted by the Police a copy of the witness statement should be held securely on the personnel file.

**Operational Information and Archives Department** co-ordinate requests from Police Officers to obtain health/call records and interview staff. They will also forward any requests from the IPCC to interview staff to the Head of Legal

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Services or PED and will handle the disclosure of any health/call records in conjunction with Legal Services/PED.

**Station/Bank Staff Administrators** will ensure that statements completed by staff are passed to Legal Services and notify staff if they are required to attend an inquest.

**Senior Managers (AOM / DSO / PTS Operations Manager / Support Services line manager)**, when notified that a member of staff is to be interviewed under caution, will manage this process.

## 5. Coroners' Inquests

5.1 Any enquiries that come in from Coroners' Officers should be directed to Legal Services. Legal Services will then ascertain the nature of the information required by the Coroner's Officer, including when it is required and whether there is any criticism of the LAS.

## 6. Inquests where there is no criticism of the LAS

6.1 All records relating to the case will be obtained by Legal Services from the "search calls" database and then sent to the Coroner's Officer. This should ordinarily include a search for previous calls at least 72 hours before attendance to the particular patient at the same location.

6.2 Legal Services will request a review of the Call Logs from a member of the Control Services Governance and Quality Assurance Department.

6.3 If statements are required from staff, Legal Services will put the request in writing and send the request (along with the relevant Patient Report Form 'PRF') to the appropriate Station/Bank Staff Administrator. The request will set out which members of staff are required to make statements and will provide a deadline for receipt of the statement. Typically, it is necessary for the first member of staff on scene and the most senior clinical member of staff to provide a statement. However, in some cases statements are requested from all staff who attended the scene, as well as those who handled the call in EOC. Unless an urgent request is received it is expected that statements will be prepared within 2 weeks. If the Coroner's Officer has indicated the date of the inquest and that staff may be required this information will also be provided to the Station/Bank Staff Administrator at this stage.

6.4 Legal Services will provide the appropriate Station/Bank Staff Administrator with a copy of 'Request for Inquest statement - Guidance for staff' (Appendix 1) to be passed to the member of staff asked to prepare the

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statement. This includes reference to the witness statement being prepared on the Trust's template (Appendix 2), a checklist of points to consider when preparing the statement and the fact that it should be checked by Complex/ Management Team prior to the statement being sent to Legal Services.

- 6.5 If there are any difficulties in obtaining a statement or with the potential attendance of the member of staff at the inquest, the Station/Bank Administrator will advise Legal Services as soon as possible in order that Legal Services can notify the Coroner's Officer.
- 6.6 When the statements have been received Legal Services will send these to the Coroner's Officer. A guidance note for staff asked to attend an inquest can be found in Appendix 3.
- 6.7 If LAS staff are required to attend the Inquest, Legal Services will notify the Station/Bank Staff Administrator giving details of the date, time and place along with a copy of the Inquest Feedback form (Appendix 4). They will also provide an acknowledgement slip for the witness and the accompanying manager to sign and return to Legal Services. It is the responsibility of the Operational Management Team to arrange for a suitable manager to accompany staff at an Inquest and for the accompanying manager to complete the Inquest Feedback form and return to Legal Services within 10 days of the conclusion of the Inquest.
- 6.8 On the day of the Inquest the member of staff called to give evidence should attend Court with a copy of their witness statement and the relevant PRF and/or call logs.
- 6.9 The Manager accompanying the witness is responsible for notifying the Head of Legal Services if any concerns are raised by the Coroner or another Interested Party during the hearing as soon as possible in order that these may be considered as appropriate. In addition, they are to complete and return to Legal Services within 10 days of attending the Inquest a copy of the 'Inquest Feedback form' (Appendix 4).

## **7. Inquests where there is criticism of the LAS**

- 7.1 Legal Services will find out from the Coroner's Officer what the central issues are and what the criticism of LAS is. The line manager of the staff members involved will be advised.
- 7.2 Legal Services will take steps to obtain all relevant documents prior to the inquest, for example call logs, patient report forms, statements and transcripts.

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- 7.3 Legal Services will refer the case to the Medical Directorate or another nominated senior clinician, for a view on: the standard of care provided, compliance with training, and protocols and causation.
- 7.4 Where appropriate Legal Services will also refer the case to the Control Services Governance and Quality Assurance Department for a view on call handling/dispatch.
- 7.5 Legal representation will be obtained in accordance with best practice and advice from the NHS Litigation Authority (NHSLA). Where appropriate, Legal Services will make an application to the NHSLA for 'Inquest Funding' in accordance with the NHSLA's 'Inquest representation funding under CNST guidance'. The criteria for obtaining legal advice will include:
- when it is advised that the inquest is being held before a jury
  - where the other parties are legally represented and criticism against the LAS may be expressed
  - where there is a possibility that the inquest will be followed by a claim against the LAS
  - where necessary so that the parties are on an equal footing.
- 7.6 When operational staff are required to attend an inquest, support will be provided by the line manager or equivalent who will accompany the member of staff. Additional support maybe offered by one or more of the below:
- Legal Services
  - Communications Department
  - Medical Directorate
  - Control Services
- 7.7 Where staff are required to attend the inquest, the accompanying manager will maintain on-going liaison with Legal Services, who will in turn keep the Coroner's Officer informed.
- 7.8 The accompanying manager will attend the inquest with the staff. Managers attending the inquest to provide support should be aware that they may be asked questions by the Coroner. Control Services Governance and Quality Assurance Department will provide support and

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advice in respect of questions about EOC. The Medical Directorate will provide support when issues around patient care are highlighted. Legal Services will provide support in explaining the court rules and order of proceedings, and ascertaining the line of questioning and possible concerns in relation to the LAS of the inquest. Communications' role will be to support the LAS in case of any media presence at the inquest.

- 7.9 A meeting between all relevant staff and support services may be required prior to the inquest. The manager accompanying the member of staff called to give evidence at the inquest is also required to attend these meetings to ensure staff are appropriately supported throughout the process.
- 7.10 At the conclusion of an inquest the Coroner has a duty to consider whether he/she should make a 'Prevention of Future Death' Report. If such a report is made to LAS, the Head of Legal Services will co-ordinate the response signed by the Chief Executive on behalf of the Trust Board to the Coroner in accordance with the 56 day time frame. A copy of the Prevention of Future Death Report and response will also be put before the Clinical Safety and Standards Committee to ensure that progress against any actions and recommendations is appropriately monitored.
- 7.11 The Manager accompanying the witness is responsible for notifying the Head of Legal Services if any concerns are raised by the Coroner or another Interested Party during the hearing as soon as possible in order that these may be considered as appropriate. In addition, they are to complete and return to Legal Services within 10 days of attending the inquest a copy of the 'Inquest Feedback form' found at Appendix 4.

## **8. Inquests - Releasing Documentation**

- 8.1 Documents for use in connection with Coroner's inquests are released by Legal Services to members of staff as required. Details of the documents released, and to whom, are recorded on the DATIX Risk Management system against the individual case file. A memorandum is sent out with the documents to remind staff to keep this information safe, secure, and confidential at all times. Documents required by crew members are released to Station/Bank Staff Administrators who pass them on to the appropriate member of staff. Station/Bank Staff Administrators log the issue and return of the documents and keep copies on the relevant personal files. Copies no longer required are confidentially shredded.
- 8.2 Where a Serious Incident Investigation has been undertaken, Legal Services will liaise with the Governance and Assurance Department to ensure that the Serious Incident Investigation Report is shared with LAS witnesses at the earliest opportunity.

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## 9. Police Enquiries – Responding to Enquiries

- 9.1 **Any information recorded about a patient may not be disclosed to the Police without the patient’s consent or a Declaration Form for Data User (Police) LA414 being completed and being approved by Operational Information and Archives or, if urgent and out of office hours, the AOM/incident delivery manager.** Copies of the declaration form can be obtained from the LAS’ intranet, and when completed, emailed or faxed to the Operational Information and Archives Department at Union Street.
- 9.2 The Police must contact Operational Information Department (Mon-Fri 09.00 to 17.00) in order to identify the ambulance staff involved and when requesting information such as incident related call records and /or audio recordings of calls (see Part 1 paragraph 5.2 ‘Disclosing Patient Information to the Police’ in TP/009 Policy for Access to Health Records).
- 9.3 Operational Information and Archives Department will raise an Enquiry Form LA411 and provide the Police with a Declaration Form for Data User (Police) which must be completed and returned to the department by email ([archive@londonambulance.nhs.uk](mailto:archive@londonambulance.nhs.uk)) or fax (020 3069 0308), along with a 172 which is the Police form for Patient/Next of Kin Consent.
- 9.4 On receipt of the completed Declaration Form for Data User (Police), the Operational Information and Archives Department will retrieve the necessary records from archives and pass the relevant documents and staff details to the Police. The Operational Information and Archives Department will also notify the relevant station/bank staff administrators and Operational Management Team of the nature of the request where staff details have been provided in order that management can ensure that the appropriate level of support is provided to staff in respect of any subsequent request for statement/interview. If there is any suggestion that the Police are investigating a concern about a member of LAS staff then consideration must be given to whether the staff member should in fact be interviewed under caution in accordance with paragraph 11 below. If there is any doubt the Head of Legal Services should be contacted for advice.
- 9.5 Outside of office hours all urgent requests for access to health records by the Police will be referred to the AOM/incident delivery manager who will ensure that the Declaration form for data user (Police) has been completed appropriately before any information is disclosed.
- 9.6 From time-to-time the Police may request DNA and/or finger prints from LAS staff for the purposes of elimination as part of their criminal investigation. The relevant member of LAS staff should be notified of this request as soon as possible and be given the opportunity to ask the

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Police any questions about the storage/use of the samples provided before they consent to samples being taken. The Police shall provide the member of staff with written confirmation that the sample will be retained for the purposes of the particular investigation and destroyed afterwards.

- 9.7 If the Police query relates to a request for a statement/interview as part of a Police investigation into a death also being investigated by the Coroner then the Operational Information and Archives Department and/or the Complex Management team must notify Legal Services before any arrangements are made.

## **10. Arranging Police Interviews with Staff**

10.1 If there is any suggestion that the Police are investigating a concern about a member of LAS staff then consideration must be given to whether the staff member should in fact be interviewed under caution in accordance with paragraph 11 below. If there is any doubt the Head of Legal Services should be contacted for advice.

10.2 For EOC staff,

10.2.1 Operational Information and Archives will:

- ascertain the purpose of the interview/statement and provide Police with an LA414 Declaration Form for Data User (Police) which must be completed and returned to the department by email ([archive@londonambulance.nhs.uk](mailto:archive@londonambulance.nhs.uk)) or fax (020 3069 0308), along with a 172 (police form for patient/next of kin consent) if appropriate
- notify the police of the EOC Resource Centre email address (EOC.ResourceCentre@lond-amb.nhs.uk) at which the operational staff may be contacted via the EOC manager/AOM
- notify EOC Resource Centre that a request for police statements has been received and an LA414 Declaration Form for Data User (Police) has been completed and returned, the staff members who may be requested for interview and the purpose of the interview/statement

10.2.2 The appropriate watch manager will:

- authorise the stand down of staff members concerned and ensure that the staff member is supported by an appropriate manager

10.2.3 Control Services will:

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- be responsible for actioning the stand down of the member of staff at the pre-arranged time

10.3 For operational staff,

10.3.1 Operational Information and Archives will:

- ascertain the purpose of the interview/statement and provide Police with an LA414 Declaration Form for Data User (Police) which must be completed and returned to the department by email ([archive@londonambulance.nhs.uk](mailto:archive@londonambulance.nhs.uk)) or fax (020 3069 0308), along with a 172 (police form for patient/next of kin consent) if appropriate
- notify the Police of the ambulance station, email address and telephone number at which the operational staff may be contacted via the Group Station Manager/AOM
- notify the ambulance station that a request for police statements has been received and an LA414 Declaration Form for Data User (Police) has been completed and returned, the staff members who may be requested for interview and the purpose of the interview/statement

10.3.2 The Group Station Manager/AOM has responsibility for ensuring the following actions as appropriate:

- arranging through the Resource Centre an appointment time and the venue for the interview,
- notifying the operational staff of the time, date, venue and purpose of the interview,
- notifying the police and confirming the arrangements,
- ensuring ambulance staff are accompanied and supported by an appropriate member of the Complex Management Team at the interview,
- notifying Operational Information and Archives via email that a request for statements has been received and requesting the relevant call records from the Operational Information and Archives Department in line with the administrative procedure for 'Requesting PRFs for Police Statements' (Appendix 5).

10.4 The Resource Centre will notify the out of service desk of the arrangements made with the Police for the staff interviews.

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- 10.5 For all staff, EOC will comply with the request and ensure that the staff are stood down from duty at the appropriate time and venue. EOC shall not interrupt the interview unless a major incident is declared. Should a crew be interrupted, EOC must arrange for the crew to complete their interview at the earliest opportunity.
- 10.6 From time to time, the Police may ask to make an audio recording of the interview with LAS staff. The member of LAS staff being interviewed should be made aware of the request but ordinarily LAS will agree to this request.
- 10.7 At the conclusion of the interview it is the responsibility of the operational staff to report their availability directly to EOC / PTS site control.
- 10.8 Should the Police enquire directly to an ambulance station or EOC out of hours and at weekends, an LA414 -'Declaration Form for Data Users (Police)' – may be given to the Police for completion and e-mailed or faxed to Operational Information and Archives (see 3.3). This form can be located on the Pulse.
- 10.9 At no time should PRFs, copies and access to recordings of calls be provided or released to the Police without a signed LA414 having been approved by the Operational Information and Archives Department or, if out of hours and urgent, the AOM/Incident Delivery Manager as this could not only jeopardise the court case but also leave the LAS member of staff open to criticism.

## 11. Interviews under caution

- 11.1 Where staff are interviewed under caution, they have a right to be accompanied by a legal representative. In the event that a legal representative cannot be obtained through membership of a trade union or professional body, a legal representative will either be obtained by the authority interviewing under caution or by the LAS. If the LAS is arranging a legal representative to be appointed on behalf of the member of staff, this will be done under the instruction of the Head of Legal Services.
- 11.2 When notification is received that a member of staff is to be interviewed under caution the Group Station Manager/AOM will:
  - 11.2.1 Inform the Deputy Director of Operations / other Director as required who will consider whether TP/006 The Serious Incident Policy should be invoked.
  - 11.2.2 Ascertain whether the member of staff can arrange to be accompanied and supported at the interview by a legal representative.

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- 11.2.3 Arrange for the member of staff to be stood down at the interview.
- 11.2.4 Request a copy of the signed witness statement from the interviewer.
- 11.2.5 Arrange for immediate and ongoing support to the member of staff interviewed under caution.

## **12. Requests from the Independent Police Complaints Commission**

12.1 All requests from the Independent Police Complaints Commission (IPCC) for a statement from/interview with LAS staff should be directed to the Head of Legal Services or Head of Patient Experiences Department who will ensure that:

- A copy of LA414 -‘Declaration Form for Data Users (Police)’ – is completed,
- A record of the request and, the LA414 and the paperwork sent is logged on Datix, and
- the arrangements to conduct any interviews are made in accordance with the Joint Protocol between the London Ambulance Service and the Independent Police Complaints Commission (Appendix 6). This will include ascertaining the purpose of the interview/statement which will be passed to the AOM/Group Station Manager.

12.2 The Group Station Manager/AOM is responsible for ensuring the following actions as appropriate:

- arranging through the Resource Centre an appointment time and the venue for the interview,
- notifying the operational staff of the time, date and venue of the interview,
- notifying the IPCC and confirming the arrangements, including the anticipated length of the interview
- ensuring ambulance staff are accompanied and supported by an appropriate member of the Complex Management Team at the interview,
- notifying Operational Information and Archives via email that a request for statements has been received and requesting the relevant call records from the Operational Information and Archives department in

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line with the administrative procedure for 'Requesting PRFs for Police Statements' (Appendix 5).

- 12.3 The Resource Centre will notify the out of service desk of the arrangements made with the police for the staff interviews.
- 12.4 For all staff, EOC will comply with the request and ensure that the staff are stood down from duty at the appropriate time and venue. EOC shall not interrupt the interview unless a major incident is declared. Should a crew be interrupted, EOC must arrange for the crew to complete their interview at the earliest opportunity.
- 12.5 From time to time, the IPCC may ask to make an audio recording of the interview with LAS staff. The member of LAS staff being interviewed should be made aware of the request but ordinarily LAS will agree to this request .
- 12.6 On no account should a member of staff be interviewed by the IPCC without the prior knowledge of the Head of Legal Services/PED. In the unlikely event that the IPCC wish to take a statement in the immediate period after an incident this should be passed to the AOM/incident delivery manager prior to the statement being taken.

**13. Miscellaneous enquiries – Local Authorities, Solicitors, Insurance Companies and members of the public**

- 13.1 The Policy for Access to Health Records, Disclosure of Patient Information: Protection and Use of Patient Information (TP/009) should be referred to for all requests for patient information.
- 13.2 When statements are requested in relation to care proceedings, they will be handled by the LAS safeguarding team who will contact the relevant members of staff. Solicitors acting for parties other than the Local Authority must be referred to the Patient Experiences Department (PED), Cody Road, in the first instance so that the right to access the requested information can be established.
- 13.3 On occasion enquiries are made direct to ambulance stations / EOC requesting ambulance staff making a statement or seeking information and records. All such enquiries must be referred to PED. PED will refer solicitors to ambulance stations to make the arrangements for staff to provide statements/be interviewed as appropriate.

**14. Procedure for the preparation of Witness Statements**

- 14.1 Where staff are required to prepare a written statement, either for a Coroner's inquest, in response to a Police enquiry where an interview is

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not being held, or in relation to other requests covered by this policy staff will be stood down to prepare the statement at a time designated by their management team. All statements must be typed.

- 14.2 EOC will comply with the request and ensure that the operational staff are stood down from duty at the appropriate time and venue. EOC shall not interrupt the crew member unless a major incident is declared or an immediately life threatening call (RED 1) is being held in the local area.
- 14.3 Before the statement is forwarded to Legal Services, the Safeguarding team, the Police or other third party, it shall be checked by a member of the operational management. The member of management shall ensure that the checklist in Appendix 1 or 7 as appropriate has been completed in relation to the statement. If any concerns are identified in relation to the care provided the manager shall notify Legal Services.
- 14.4 A copy of any written statement should be securely retained at the main station or on the PTS staff member's file at Sector.
- 14.5 All staff who are asked to prepare a statement should be advised that they may be asked to attend the subsequent Court hearing to give evidence in person. Guidance on how to prepare a Witness Statement can be found at Appendix 7.

## **15. Court attendance: criminal and civil hearings**

- 15.1 Staff may be called to attend a court hearing in connection with criminal or civil proceedings and must be supported throughout by their line management (this includes being accompanied to the hearing by a member of line management or equivalent) .
- 15.2 When called to attend a criminal trial as a witness on behalf of the Crown it is customary for the local Criminal Justice Unit to write directly to the member of staff being called as a witness several months before the trial. On receiving such a letter operational staff must inform their line manager so that arrangements can be made to provide appropriate and necessary management support. It is strongly recommended that the offer of witness liaison support is carefully explored. Such support may include visiting the court before the hearing and providing an explanation of the relevant court procedures pertinent to the witness. Nearer to the hearing when the arrangements to call witnesses have been finalised a further communication informing the witness of the date and time they are required to attend court may be received, and staff must inform their line manager about this information.

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15.3 Queries about legal support for staff called to attend a court hearing in connection with criminal or civil proceedings should be raised with Legal Services at the earliest opportunity.

## **16. Review and Monitoring**

16.1 The Inquest feedback form at Appendix 4 will be used to help guide what changes are required to the inquest elements of this Policy by allowing review of the feedback from those members of staff and managers attending inquests on behalf of LAS. In addition, staff asked to provide statements/undergo an interview with the Police/IPCC and others will, from time-to-time, be asked to comment on how well they felt supported, and whether and how this could be improved in the future. Staff comments will inform the updating of this Procedure.

16.2 The effectiveness of the arrangements in this Procedure will be reviewed by the Head of Legal Services two years after issue or following any relevant legislative changes, whichever is the sooner.

16.3 In accordance with paragraph 7.10 should the Trust receive a Prevention of Future Death Report this will be considered by the Clinical Safety and Standards Committee.

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<b>IMPLEMENTATION PLAN</b>				
<b>Intended Audience</b>	For all LAS staff who are responsible for creating or managing Health Records and/or who may be approached for a statement in relation to court proceedings during the course of their work and/or may be required to support other staff in relation to the above.			
<b>Dissemination</b>	Available to all staff on the Pulse			
<b>Communications</b>	Revised Procedure to be announced in the RIB and a link provided to the document			
<b>Training</b>	To be provided as and when required			
<b>Monitoring:</b>				
<b>Aspect to be monitored</b>	<b>Frequency of monitoring AND Tool used</b>	<b>Individual/ team responsible for carrying out monitoring AND Committee/ group where results are reported</b>	<b>Committee/ group responsible for monitoring outcomes/ recommendations</b>	<b>How learning will take place</b>
Compliance with Legal Services Inquest handling procedures	Monthly random audit of open inquests	Head of Legal Services will report at the Legal Services team meetings and sector/Control service governance meetings	N/A	Audit will enable review of working practices and to identify any individual/wide r learning on handling of inquests
The relevance and effectiveness of this Policy will be reviewed in conjunction with key stakeholders and upon review of the Inquest Feedback	The Head of Legal Services will report annually to the Director of Corporate Affairs on the effectiveness of this Policy	Head of Legal Services	N/A	Further to discussion with Director of Corporate Affairs

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forms completed by the Managers attending inquests in support of staff giving evidence				
Receipt of any Prevention of Future Death Reports will be reported to the Clinical Safety and Standards Committee	Reporting as and when Prevention of Future Death Reports are received	Head of Legal Services and Clinical Safety and Standards Committee	Clinical Safety and Standards Committee and Quality Governance Committee	Clinical Safety and Standards Committee is responsible for ensuring any learning is disseminated within the Trust

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## Request for Inquest statement - Guidance for staff

### Support for staff asked to prepare a witness statement for the Coroner

You will be able to access support in relation to a request to provide a witness statement in relation to an Inquest from your line manager/other member of the management team as well as the Legal Services team. This will include:

- being given time to prepare your statement;
- being accompanied to any meetings in relation to the Inquest by your line manager/other member of the management team, and
- being able to approach Legal Services for support/guidance in relation to any queries you may have about your involvement in the Inquest.

All staff have access to the Employee Assistance Programme providing confidential information, advice, and support on a 24 hour year round basis should you feel you wish to obtain additional support.

Please be aware that on occasion it can take some time for the Coroner to assess whether he/she needs to hear from an individual. Should you have any questions at any point about the progress of an Inquest please contact the Legal Services team.

### What is an Inquest?

An Inquest is a hearing by held by a Coroner to primarily determine the answer to 4 questions: who, when, where and how (i.e. in what circumstances) the deceased came about their death.

There are prescribed circumstances when a Coroner must investigate a death and if an individual dies in an accident, or suspicious/unknown circumstances, an inquest is usually held. An Inquest must be held if the cause of death is violent, unnatural, or remains unknown following a post mortem examination.

In order to answer these questions the Coroner will consider evidence whether documentary (i.e. a written statements) or oral (a witness attending to give evidence) and will reach a conclusion (formerly known as a verdict).

Conclusions can be 'short form' including: accidental death, natural causes or suicide, otherwise they will be a narrative conclusion. This is a short paragraph summarising the events leading to the death.

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The Coroner sits in an open court which means the public can attend and in certain circumstances (e.g. where the death occurred in custody, or the deceased was detained under the mental health act) the Coroner may be assisted by a jury.

An Inquest is not concerned with matters of criminal or civil liability. However, the Coroner does have a duty to make a 'Prevention of Future Death Report' to a person, organisation, local authority or government department or agency where s/he believes action should be taken to prevent future deaths.

### **Why have I been asked to prepare a statement?**

Ordinarily a statement is requested from LAS staff to provide independent evidence of the circumstances surrounding the death, as witnessed by them. As ambulance staff are usually among the first people to attend the scene, you may have been called on as witnesses to provide evidence of your recollection.

In the majority of cases, there is no criticism of the LAS or the treatment provided by our crews. Occasionally, if the Coroner or the family of the deceased feels that there was a delayed response time or there are questions about the treatment provided, the Coroner will ask for the crew and/or other representatives from LAS to address specific points and/or attend the inquest.

### **Preparing your witness statement**

When the Coroner requests a statement from a member of LAS staff Legal Services will approach the relevant Station/Bank Administrator or EOC Lead with the relevant paperwork and a copy of this guidance note.

The witness statement should be completed on the template provided by Legal Services, this can also be found on Pulse. All statements must be typed.

Once complete, you should provide a copy of your statement to a member of your management team or equivalent for checking before returning your statement to Legal Services. You should also retain a copy for yourself, bearing in mind the requirements of confidentiality. The manager cannot advise you on the content of your statement but will check it to ensure that it complies with service policy. For staff Band 7 and above the requirement to have a statement checked is not mandated.

Below is a checklist to help you prepare a full and detailed statement. Please read this before you prepare your statement and then check that you have covered all points referred to in the checklist before returning your statement to Legal Services.

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Staff should note that which witnesses are called to give evidence is a matter for the Coroner. That said, staff may be able to reduce the likelihood of giving evidence simply by clarifying or expanding upon a point made in their witness statement if they provide a full and detailed statement.

Staff may also be called to give evidence if the statement they give does not corroborate other evidence, or if it contains key evidence relating to the death.

### **Witness Statement Checklist:**

All statements must be typed.

Key information included:

- Full Name and Job Title
- Length of Service with the LAS and period of time in current role
- Work address

Details of the call

- Times recorded on the Call Log, Patient Report Form e.g. time of despatch, arrival etc.
- Description of call made/received on MDT
- Any difficulty encountered in locating the patient/location or entering premises
- Brief details (where known) of other people present on scene with the patient
- Details obtained about the patient's condition from the patient, relatives, friends or bystanders
- Details of conversations recalled with the patient and others on scene
- As much detail as you can provide about the patient's condition, the advice and treatment you gave and the rationale for the decisions made and any differential diagnosis reached
- Details of the treatment provided to the patient, measurements taken, drugs/oxygen administered etc. from your arrival on scene until the patient was handed over to hospital staff
- If appropriate, details of any contact made with the clinical hub for clinical advice.
- If appropriate, the rationale behind non-conveyance including discussions with the patient about this and any advice/steps taken in relation to accessing services within the community
- Comments on any criticisms made about your involvement/address specific points raised by Legal Services, if appropriate

Review:

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- Have I used the statement template?
- Is the statement typed?
- Have I prepared the statement on my own? Statements cannot be prepared jointly with someone else. The statement needs to reflect your recollection so you can answer questions on your actions/observations if required to at Court.
- Have I presented the information in chronological order?
- Have I been factual and not included any speculation or opinion- for example a reference to drug or alcohol abuse or other comments which cannot be substantiated, e.g. 'he was drunk'.
- Have I set out the full term/explanation for all abbreviations used.
- Have I arranged for a member of management team or equivalent to check my statement?
- Have I signed and dated each page of the statement?
- Have I retained a copy for my records, having been mindful of confidentiality.

### **What next?**

Your statement will be provided to the Coroner and you will be contacted by Legal Services if the Coroner asks you to attend the Inquest.

Due to the large volume of statements handled by Legal Services you will not routinely be contacted again unless you are called to give evidence. However, you should feel free to contact Legal Services if you have any questions/want an update further to providing a statement.

If you are called to give evidence you will be sent an acknowledgement slip via your Station/Bank Staff administrator. This will contain the date and time of the hearing along with the address of the Court. You and the manager accompanying you to the hearing will need to sign and return this to Legal Services. You will also be referred to 'Guidance for staff asked to attend a Coroner's Court as a witness' (Appendix 3) of TP/015 and on Pulse.

When contacting Legal Services about an Inquest it would greatly assist if you could provide the Inquest reference number so that your query can be dealt with promptly.

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**Witness statement template – Inquests**

*Staff are referred to TP/015 ‘Responding to enquiries from Coroners, Police, the IPCC and others in relation to interviews, the preparation of statements and giving evidence at Inquests and other Court Hearings’ which sets out a guidance note on the preparation of statements for Inquests. A copy of the below statement template is available on Pulse.*



London Ambulance Service  
NHS Trust



**Statement for Her Majesty’s Coroner**

**Witness Statement of [YOUR FULL NAME]**

**Inquest touching upon the death of [Name of deceased]**

Statement of: [Your full name]  
 Job Title: [Your job title]  
 Station/base: [Your station or base]  
 Length of Service: [Years]  
 Legal Services Ref: [Number provided by legal]

1 (number each paragraph)

2

This statement is true to the best of my knowledge and belief

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Guidance note for staff asked to attend a Coroner’s Court as a witness**

**Preparation**

Before attending Court you should make sure you have a copy of your witness statement and relevant PRF and/or call logs to take with you and make arrangements to meet the member of managerial staff who will be accompanying you at Court.

You should attend Court in your LAS uniform and arrive in good time.

Depending on the circumstances of the call and your involvement you may wish to pass your condolences to the family at the hearing. This is entirely a personal decision and should you wish to and the situation presents itself then there is no legal reason why you should not (unless the Court has adjourned part way through your evidence, see below).

**Giving evidence**

When called to give evidence you will be directed to the witness box and asked if you would like to give your evidence on oath by swearing on a holy book or by affirming to tell the truth. You will be provided with a card (and holy book if appropriate) to read the oath/affirmation from.

Some Coroners may ask you to read your statement as your evidence, others may ask you questions to elicit information from your statement. Once the Coroner has finished asking you questions other Interested Persons (e.g. family/hospital representative) may also ask you questions.

Things to remember:

- You should stand unless/until you are invited to take a seat by the Coroner
- Listen carefully to the question asked of you and answer that question
- If you do not understand the question/hear the question asked, then ask for it to be re-phrased or repeated
- If you cannot remember or if you are unsure you can say so, do not guess/assume – if appropriate ask to refer to the PRF/call logs or your witness statement
- If you are asked a question outside of your expertise, you should say that it goes beyond your expertise

Ordinarily, the Coroner will confirm at the end of your evidence whether you should stay or if you can leave the Court. Subject to your manager’s agreement, it is a matter for you if you choose to stay or leave. You should be aware that if you stay it is open to the Coroner to re-call you and ask you further questions.

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If you would like to know the Conclusion but are permitted to leave after giving evidence you can contact Legal Services to ascertain the Conclusion for you.

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**Inquest Feedback form**

This form is to be completed by the manager accompanying a member of LAS staff asked to give evidence at an Inquest. The purpose of this form is to centrally capture any learning from the Inquest. It must be returned to Legal Services within 10 days of the Inquest by fax: 020 7783 2009, internal post or by email to [inquest.legal@lond-amb.nhs.uk](mailto:inquest.legal@lond-amb.nhs.uk)

*To be completed by Legal Services:*

<b>Deceased's name:</b>	
<b>Inquest date:</b>	
<b>LAS witness(es):</b>	
<b>Legal Services reference:</b>	

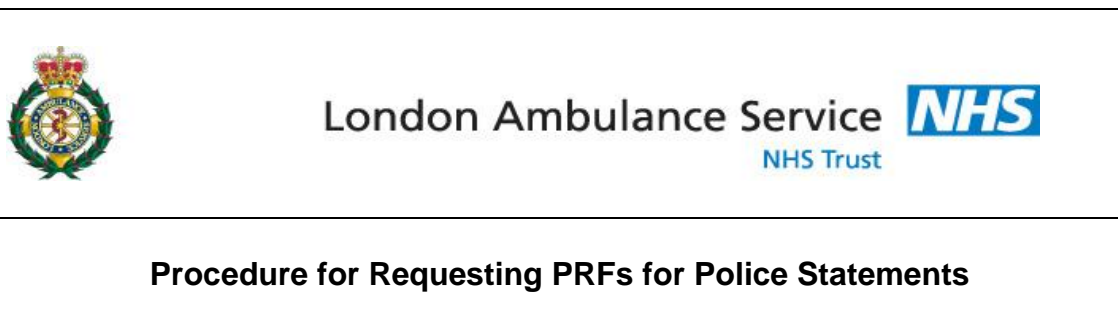
*To be completed by Manager accompanying witness:*

<b>Inquest conclusion (if known, if not known please specify reason):</b>	
<b>Any concerns highlighted about LAS staff/practice by the Coroner or other parties:</b>	
<b>Any expressions of thanks or good practice highlighted by the Coroner or other parties in relation to LAS:</b>	
<b>Is there any further support/information that would have been of assistance if available before the Inquest</b>	
<b>Any other comments</b>	

**Manager's name:**

**Date:**

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## Introduction

Station Administrators are responsible for co-coordinating the response to requests from police for statements from crew staff.

This document defines the approved method for requesting PRFs from Operational Information and Archives (OIA) when they are required for this purpose.

### 1. Email from Operational Information and Archives

When OIA receive a request from the Police for information and/or statements you will be copied in to the email informing the Police who needs to be contacted. The subject of the email will have the OIA reference number.

Save this email as you will require it later if the Police contact you for a statement.

### 2. Direct Contact from Police

If you are contacted by the Police requesting a statement from members of staff on your station check your file of emails from Operational Information and Archives (OIA). If you have received initial notification from OIA then proceed with point 3.

If you have no record of the request you must direct the Police to OIA so that the correct forms for data protection and next of kin consent are completed first.

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OIA can be contacted on 020 3069 0320.

### 3. Patient Report Form Request

When the Police contact you requesting statements and you have the OIA email confirming that the correct forms have been completed you can arrange statements.

- a. Retrieve the OIA email, add the declaration shown in point (b) below and forward it to **Archive Mailbox**.
- b. At the top of the email explain that you have now received a request for statements from the police and require the Patient Report Form, also copy the following declaration:

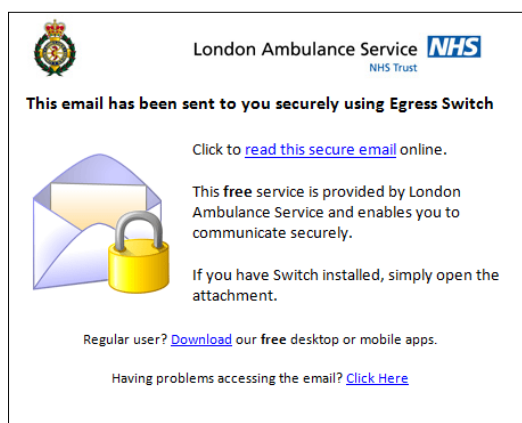
**I confirm that the personal data requested above is for the purpose stated; it will only be used for that purpose and will be held safely and securely in compliance with the Data Protection Act, 1998.**

The OIA reference number will tell them which PRFs you require without having to provide further information; but you must use the original email to make your request and include the declaration above.

### 4. Egress Switch

The PRF will then be sent to you via a secure email system call Egress Switch.

The email will contain the following link.



By clicking on the "Click to [read this secure email](#) online" link you will be directed to a service called Egress **Switch** where you will have to create an account.

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- a. The first screen will have the option to “Register for free” or “Sign in”. Click on the link to register if this is your first time using the system.



- b. The link will direct you to the “Sign Up” screen where you must enter your Email (Switch ID) which must be your LAS email address. Complete the other options for passwords and security information.

Please note you will require your password information to log into

### Sign Up

1 Please enter your details below to create a new Egress Switch user account.

Email (Switch ID):\*

First name:\*  If you have received a secure message, use the email address where you received it as your ID.

Last name:\*

Phone number:

We will not contact you unless you forget your password and security questions

Email me about product updates and services from Egress

2 Choose a strong password to protect your identity.

Password:\*

Confirm password:\*

Minimum 8 characters, with at 1 lower case and UPPER case / number

Question #1:

Answer #1:\*

Question #2:

Answer #2:\*

I have read and agree with the [Egress Privacy Statement](#) Create Account

the system on subsequent occasions so please retain the details.

- c. You will then be sent an email with an activation code which you can copy and paste into the box on the next screen. Click “Submit Activation Code”.

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**Almost Done**

A new Egress Switch account with Switch ID [alison.wilkinson@lond-amb.nhs.uk](mailto:alison.wilkinson@lond-amb.nhs.uk) has been created but is not active yet. A message with an activation code was sent to your address.

To activate your Switch account please click on the link contained in the email, or copy the activation code into the box below.

**Note:** If you don't get the email within 3-5 minutes, please check your Spam folder.

Activation code:

[Submit Activation Code](#)

- d. You will be informed you are about to join the LAS account. Click “Activate Switch Account”.

**Almost Done**

You are about to join the following Switch Business account:

Company name:	London Ambulance Service
Company ID:	SW-002785
Support contact:	Kishor Kerai ( <a href="mailto:kishor.kerai@lond-amb.nhs.uk">kishor.kerai@lond-amb.nhs.uk</a> )

[Activate Switch Account](#)

- e. From this screen you will now be able to access the PRF you have been sent.

**All Done**

You can now access Switch secure messages using your new Switch account:

[alison.wilkinson@lond-amb.nhs.uk](mailto:alison.wilkinson@lond-amb.nhs.uk)

Thank you for signing up with Egress Switch.

[Read your message now](#)

## Security

Please note that you will not be able to forward the Egress Switch email to anyone else as the access will only be given to you.

You will be able to download and print the PRF but you must not then attach it to a normal email or forward it to anyone else. The LAS email system is not secure and does not adhere to Information Governance standards. Sending PRFs through this system may compromise patient confidentiality.

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**JOINT PROTOCOL BETWEEN THE LONDON AMBULANCE SERVICE  
AND THE INDEPENDENT POLICE COMPLAINTS COMMISSION.**

**1. Background**

- 1.1 The Independent Police Complaints Commission, (IPCC), was established by the introduction of the Police Reform Act 2002 and became operational on the 1<sup>st</sup> April 2004. The purpose of the IPCC is to ensure that suitable arrangements are in place for dealing with complaints or allegations of misconduct against any person serving with the police in England and Wales. It carries, in doing so, the additional remit of increasing public confidence by demonstrating the independence, accountability and integrity of the complaints system and so contributing to the effectiveness of the police service as a whole.
- 1.2 The Police Reform Act 2002 sets out the way in which the IPCC deals with complaints and allegations of misconduct in relation to any person serving with the police, as referred to it by the police service. There are different types of referral, some mandatory involving death or serious injury and some voluntary. Referrals involving death or serious injury are such that the IPCC must consider whether or not the principles of the European Convention on Human Rights legislation set out in Articles 2 and 3 may be engaged. This is an important consideration as such matters may result in the IPCC undertaking its own Independent investigation. When a decision is made to carry out an independent investigation this is undertaken by the IPCC's own investigators who, for the purposes of conducting that investigation, and where there is suspected criminal conduct on the part of any person serving with the police, have the powers of a Constable.
- 1.3 In the case of an Independent investigation, where a criminal offence may have been committed by a person serving with the police, the powers held by the IPCC Investigator to interview and gather evidence will extend to individuals other than police officers. This could, and often does, include interviewing and obtaining evidence from Ambulance Staff. Recent cases reveal a level of confusion between the Ambulance Service and the IPCC in terms of respective roles and responsibilities. It has been agreed that it would be sensible to have in place a protocol that aids mutual understanding and creates mechanisms that will enable best evidence to be secured whilst providing support for those involved.

**2. Purpose**

- 2.1 The purpose of this protocol, therefore, is:-
  - To clarify the means by which the Ambulance Service can best assist the IPCC in furthering its investigations into complaints or

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allegations of misconduct against any person serving with the police.

- To clarify the process that the IPCC should follow in seeking to obtain the cooperation of Ambulance Service personnel in its investigations into complaints or allegations of misconduct against any person serving with the police.
- To aid understanding of the responsibilities of each organisation in the cooperation process.
  
- To set out a process that provides Ambulance Service personnel who are assisting with IPCC investigations into complaints or allegations of misconduct against any person serving with the police with the appropriate level of support and advice.

### 3. Working practice

3.1. **IPCC** – Where it is necessary for IPCC investigators to seek cooperation from London Ambulance Service personnel in relation to investigations into complaints or allegations of misconduct against any person serving with the police, the Investigator will: -

- Advise the Head of Legal Services or Head of Patient Experiences of their investigation and identify the names of those Ambulance Service personnel whose cooperation is requested.
- Where it is necessary to interview Ambulance Service personnel give notice, in advance, of their requirements for interviewing the staff concerned.
- Advise the nature of such interview(s) i.e. whether the relevant member of Ambulance Service personnel:
  - (i) is to be interviewed solely as a witness of an incident in relation to which a complaint or allegation of misconduct has been raised against a person serving with the police; or
  - (ii) is to be interviewed as a witness of an incident in relation to which a complaint or allegation of misconduct has been raised against a person serving with the police, but it is also suspected by the IPCC investigator that the relevant member of Ambulance Service personnel has committed an offence related to the incident in question which may be referred for investigation by the police through the usual channels<sup>1</sup>.

<sup>1</sup> Where a police officer and a member of London Ambulance Service staff are suspected of involvement in the same offence, the IPCC will progress the investigation in relation to both parties. If it becomes clear that the police officer in question is not guilty of misconduct, but the member of LAS staff remains under suspicion, the matter will be passed by the IPCC to the police for continuing investigation.

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NOT PROTECTIVELY MARKED

In such a case the interview will take place under caution, and the Ambulance Service employee will be advised of his/her right to take legal advice/have a solicitor present during that interview.

- Treat the individuals involved and the Ambulance Service senior manager(s) as interested parties and as such provide regular updates (at least monthly) on the progress of the investigation.
- Advise, as soon as practicable, whether criminal charges are likely to be brought against the person(s) serving with the police who is/are the subject of the complaint or allegation of misconduct, and where they are not, advise the Ambulance Service that it is free to conduct any internal investigation or identify any learning or discipline issues that it deems appropriate as a result of the involvement of Ambulance Service personnel in the incident to which the complaint or allegation relates.
- Determine, with the Ambulance Service's Head of Legal Services or Head of Patient Experiences, how the relationship between any internal investigation and the IPCC investigation is going to be effectively managed.
- At the conclusion of the investigation provide a redacted copy of the Investigating Officer's final report as soon as possible in order to aid the above process.

3.2. **Ambulance Service**– Where the IPCC seeks cooperation the Ambulance Service will: -

- Appoint a Senior Manager to liaise with the IPCC Lead Investigator.
- Facilitate the interviewing of any Ambulance Service staff, including removing staff from active duty for the duration of their interview. With the exception of any interview which is to take place under caution as described at 3.1(ii) above, staff will be removed from duty where, at the sole discretion of the Ambulance Service, it is considered appropriate to do so.
- Consult with the IPCC Lead Investigator prior to conducting any internal investigation or review so as to avoid compromising the wider investigation.
- Advise the IPCC of the details of any support or pastoral care it will provide to their staff member e.g. trade union; occupational health; legal.

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NOT PROTECTIVELY MARKED

- Advise the IPCC should it decide that a staff member is to be suspended or placed on restricted duties during the duration of the investigation.

#### 4. Managing External relations

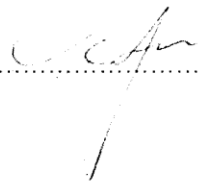
4.1 In an Independent investigation the IPCC is responsible for the management of all media communications. The appointed IPCC Communications officer will liaise with the Ambulance Service's Head of Legal Services, to ensure that such matters are appropriately managed, with the needs of each organisation considered.

4.2 For the avoidance of doubt, the relevant IPCC Communications officer shall obtain the approval of the Ambulance Service's Head of Legal Services prior to releasing, publishing or placing into the public domain any media communication which refers, directly or indirectly, to the Ambulance Service or any member of its personnel.

On behalf of the London Ambulance Service

Signed by  Date 7/7/10

On behalf of the Independent Police Complaints Commission

Signed by  Date 12/7/10

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**Request for witness statement from Police/IPCC/Solicitors etc- Guidance for staff**

Staff should be aware of TP/015 ‘Procedure for responding to enquiries from Coroners, Police, the IPCC and others in relation to interviews, the preparation of statements and giving evidence at Inquests and other Court Hearings’ available on Pulse. This includes the procedure for the release of patient information in relation to requests from the Police and IPCC and staff should ensure that the appropriate procedure has been followed before any information is disclosed.

Please note that there are separate guidance notes for statements to be prepared for Inquests (Appendix 1 TP/015) and for claims involving LAS (see Claims Handling Procedure TP/013).

**Support for staff asked to prepare a witness statement**

You will be able to access support in relation to a request to provide a witness statement in relation from your line manager/other member of the management team. This will include being given time to prepare your statement.

All staff have access to the Employee Assistance Programme providing confidential information, advice, and support on a 24 hour year round basis should you feel you wish to obtain additional support.

**Witness Statement Checklist:**

All statements must be typed.

Key information included:

- Full Name and Job Title
- Length of Service with the LAS and period of time in current role

Details of the call

- Times recorded on the Call Assignment Form, Patient Report Form e.g. time of despatch, arrival etc.
- Description of call made/received on MDT
- Any difficulty encountered in locating the patient/location or entering premises

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- Brief details (where known) of other people present on scene with the patient
- Details obtained about the patient's condition from the patient, relatives, friends or bystanders
- Details of conversations recalled with the patient and others on scene
- As much detail as you can provide about the patient's condition, the advice and treatment you gave and the rationale for the decisions made and any differential diagnosis reached
- Details of the treatment provided to the patient, measurements taken, drugs/oxygen administered etc. from your arrival on scene until the patient was handed over to hospital staff
- If appropriate, details of any contact made with the clinical hub for clinical advice.
- If appropriate, the rationale behind non-conveyance including discussions with the patient about this and any advice/steps taken in relation to accessing services within the community
- Comments on any criticisms made about your involvement/address specific points raised by the authority requesting the statement, if appropriate

Review:

- Have I used the statement template?
- Is the statement typed?
- Have I prepared the statement on my own? Statements cannot be prepared jointly with someone else. The statement needs to reflect your recollection so you can answer questions on your actions/observations if required to at Court.
- Have I presented the information in chronological order?
- Have I been factual and not included any speculation or opinion- for example a reference to drug or alcohol abuse or other comments which cannot be substantiated, e.g. 'he was drunk'.
- Have I set out the full term/explanation for all abbreviations used.
- Have I arranged for a member of Complex/Watch management or equivalent to check my statement?
- Have I signed and dated each page of the statement?
- Have I retained a copy for my records, having been mindful of confidentiality.

In the first instance questions about the preparation of a statement for the Police/IPCC/Solicitor should be directed to your line manager. Legal Services,

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Patient Experiences Department and Operational Information and Archives are happy to assist with any queries about a request as appropriate.

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