

**Assessment by midwife
(07HDC14036, 31 October 2008)**

Lead maternity carer ~ Midwife ~ District health board ~ Assessment ~ Fetal heartbeat ~ Communication ~ CTG ~ Handover ~ Transfer of care ~ Rights 4(2), 5(2)

A lead maternity carer (LMC) booked her patient for an induction delivery at hospital ten days after her due date. However, assessment by a back-up midwife indicated that the patient was in early labour and induction was not required. The back-up midwife did not listen to the fetal heartbeat. The patient returned to hospital the following morning, but the fetal heart could not be heard and the baby had died. The patient and her family were concerned about the level of professionalism demonstrated by the LMC during the day and requested that hospital staff manage the delivery.

It was held that the back-up midwife did not complete an adequate assessment of the patient and breached Right 4(2).

It was also held that the LMC breached Right 4(2) in not ensuring that clinical responsibility for the patient was formally transferred to the hospital team. In addition, the LMC failed to maintain an adequate environment for effective communication and breached Right 5(2).