INFECTED BLOOD INQUIRY

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**THIRD WRITTEN STATEMENT OF LOUISE WILLIAMS, ON BEHALF OF
LOTHIAN HEALTH BOARD**

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I, Louise Williams (LHSA Archivist), on behalf of Lothian Health Board, will say as follows:

This document is a response from Lothian Health Services Archive to the Rule 9 request of 9 June 2022. It covers arrangements, actions and procedures relating to Lothian Health Services Archive (hereafter 'the Archive'). I have been LHSA Archivist since March 2014. This statement is written from both this practical experience and examination of electronic and paper files relating to the operation of the Archive.

1. ***In your previous written statement dated 1 December 2020 you provided LHSA's 'De-accessioning & Disposal procedure'. In the time period 1980-present, how often was this procedure (or previous, similar procedures and policies) reviewed and who was responsible for reviewing and updating the policies in place?***

   1.1. LHSA's 'De-accessioning & Disposal procedure' was provided to the Inquiry in electronic form (Microsoft Word document). This version was first written in April 2015 (from file metadata about its creation) and has been

reviewed three times to date (December 2015, March 2020, and January 2022). The most recent version of this procedure is provided as an exhibit to this statement (WITN4690015).

1.1.1. Earlier versions of this procedure have been superseded by the example previously provided to the Inquiry (updated December 2015). However, earlier versions of disposal procedure / policies are referenced in LHSA's 2014 application to achieve Archive Service Accreditation (see 2.5), and in cataloguing procedures from 2012. Following a manual search, I cannot locate an LHSA disposal procedure in the older, paper LHSA filing systems.

1.2. LHSA keeps Microsoft Access databases of de-accessions and disposals (along with individual Microsoft Excel accession disposal lists) dating back to 2000, showing evidence of adherence to legacy procedures. These give details of items disposed of on or before transfer / donation to the Archive and (in very rare cases) the removal of items already catalogued. Decisions on disposal of particular items in larger donations can sometimes be documented when box listing (as was the case in a series of large transfers on the re-location of the Royal Infirmary of Edinburgh in 2002 - 2004, for example). Please see my written statement of December 2020 for an explanation of the processes of archival appraisal that lead to disposal and de-accession.

1.3. Internal LHSA de-accessioning and disposal procedures are written and reviewed by the LHSA Archivist, and approved by the LHSA Manager. Holders of parallel posts would have been responsible for writing, reviewing, and approving any such LHSA procedures written prior to when I took up my post in 2014.

1.4. In addition to internal procedures, LHSA decisions on disposal and de-accession are (and have been) led by sector-appropriate records management guidance (such as that issued by NHS Scotland, the Scottish Government, and predecessor bodies). The review of these documents is

the responsibility of their creators, though LHSA recently advised on the latest version of the Scottish Government Records Management: Health and Social Care Code of Practice (Scotland) 2020:

- Scottish Government Records Management: Health and Social Care Code of Practice (Scotland (2020) (RLIT0001150);
- Scottish Government Records Management: NHS Code of Practice (Scotland) Version 2.1 (January 2012) (RLIT0001152);
- Scottish Government Records Management: NHS Code of Practice (Scotland) Version 2.0 (March 2010) (RLIT0001151);
- Scottish Government Records Management: NHS Code of Practice (Scotland) Version 1.0 (June 2008) (RLIT0001146);
- HDL (2006) 28 - The Management; Retention and Disposal of Administrative Records (RLIT0001153);
- MEL (1993) 152 - Guidance for the Retention and Destruction of Health Records (SCGV0000038_042);
- ECS(A) 21/1969 - Disposal of Records That Have Lost Their Value (WITN4690016);
- SHM 58/60 - Scottish Hospital Service Destruction of Hospital Records (PRSE0000552).

2. *In your previous statement you provide a detailed explanation of the archiving system for the Edinburgh Haemophilia and Thrombosis Centre. What archiving policies were/are in place for the other organisations that make up the NHS Lothian Trust? Please supply copies of any policies from the time period 1980-present.*

2.1. Please note that the archiving policies referenced in this response are those created by LHSA, in its role as the archive for NHS Lothian (NHSL). Individual departments inside NHSL do not generate their own policies on what material should be sent to the Archive (or how that should be managed), but adhere to retention schedules in the records management guidance referenced in 1.4, which also guide LHSA's own practice.

2.2. As the archive for NHSL, LHSA's policies and procedures governing the accessioning, conservation, storage, management, and public access to one collection generated by NHSL (such as that of the Edinburgh Haemophilia and Thrombosis Centre) apply across all NHSL collections ('LHB' collections). These procedures also apply to collections relating to healthcare in the Lothian region donated by individuals and organisations ('GD' collections).

2.3. Policies governing the management of LHSA collections are provided as exhibits to this statement:

- LHSA Collection Policy (WITN4690017);
- LHSA Collections Development Policy (earlier version provided as WITN4690002 in my written statement of 1 December 2020) (WITN4690018);
- LHSA Collections Development Plan (WITN4690019);
- LHSA Collections Management Policy (earlier version provided as WITN4690003 in my written statement of 1 December 2020) (WITN4690020);
- LHSA Collections Information Policy (WITN4690021) (initial 2015 version also supplied as WITN4690022);
- LHSA Preservation and Conservation Policy (WITN4690023);
- LHSA Collections Care and Conservation Plan (WITN4690024);

2.4. More detailed procedures for the practical steps involved in specific archive management tasks (such as accessioning and cataloguing) are described in the LHSA Operational Manual (a section of LHSA electronic files recording policy and procedural documents for each aspect of LHSA business).

2.5. LHSA is an Accredited Archive Service (since 2014). Archive Service Accreditation is the UK standard for best practice in archive services, launched in June 2013 (RLIT0001147). The scheme is managed by The National Archives, Kew, in partnership with UK-wide national archives and

professional associations. Versions of the above policies and selected procedural documents have been submitted as part of LHSA's initial successful Accreditation application. This indicates professional-body acceptance of their appropriateness for an archive of LHSA's scale. Reviewed versions have been submitted as part of LHSA's required re-application (2022, assessment visit pending).

2.6. LHSA's continued engagement with records management best practice (essential to ensuring the right records come to the Archive) is evidenced in continued engagement with NHS Lothian. LHSA representatives currently sit on the NHSL Information Governance Working Group, the NHS Scotland Records Management Forum, and are members of Health Archivists in Scotland (a network of archivists holding records from NHS Scotland and its territorial boards).

2.7. Previous LHSA Archivists were engaged in issues of records management and archive policies for NHS Scotland territorial boards, and were involved in the development of records management procedures for the NHS in Scotland. Evidence of this earlier engagement is present in the 'Records Management' section of LHSA's (paper) departmental files. Since there is a large volume of documentation this section of the LHSA departmental files (dating from 1984), a finding aid to its subject-based folders is provided as an exhibit to this statement (WITN4690025).

2.8. The writing of policy has been relatively recent for LHSA. However, the absence of a long history of written policy does not signal that staff were unaware of issues in archive management, or were unqualified to manage archival material, as evidenced by:

- the existence of detailed procedures for tasks in archive management;
- professional qualifications of LHSA staff in information management and training in specific LHSA practice;

- engagement with NHSL (and predecessors) and the local and national archive sector over a number of decades;
- use of other policies and guidance, such as that produced by Scottish Government and NHS (see 1.4), and by the managing body, University of Edinburgh (UE), such as risk management, for example
- LHSA Advisory Committee (active until LHSA's staffing restructure in 2012) provided a formal management structure prior to the writing of LHSA's policy documents, ensuring best practice was followed (representatives from LHSA, National Records (then 'Archives') of Scotland, NHSL, and UE sat on the Committee). Prior to the foundation of LHSA in 1980, a similar group operated (the Medical Archive Centre Advisory Committee: the earliest meeting minutes held on file date from 1977).

The codification of operations in written policy is a relatively recent phenomenon in non-national archives, and LHSA is no exception to this.

3. *To the best of your knowledge, were any records disturbed, misplaced or destroyed because of an incident that occurred to the storage environment, for example, fire, flooding or otherwise unforeseen events. If so, were the policies/guidelines governing storage of medical records subject to review following any such incidents so as to prevent any future recurrences?*

3.1. The following response assumes that this question centres on any records of potential relevance to the Inquiry. It has been collated with reference to both LHSA electronic and paper filing systems (dating back to the foundation of LHSA). The response is also confined to current and former storage areas controlled by LHSA (that is, it does not include NHSL record storage areas, over which LHSA does not have - and has never had - control).

3.2. A flood affected LHSA collections in storage in the UE Main Library in 1997. Files affected related to Royal Infirmary of Edinburgh administration and (un-referenced) uncatalogued accessions. Amongst the range of Royal Infirmary of Edinburgh administrative files documented as having been affected, some were found to be of potential relevance, and have been accessed by the Inquiry research team in the course of their visits to LHSA (items in LHB1/80 and LHB1/81). I have not been able to find evidence of the source or scale of the 1997 flood, or whether it prompted changes in policy in itself.

3.3. A shelf collapse occurred in LHSA stores (UE Main Library) on 6 November 2006, when LHSA collections were housed in a different area of the UE Main Library from their current, post-2008 storage, and on different shelving. This affected archival case notes, objects, uncatalogued accessions, and some GD (Gift and Deposit) collections. At the time of the collapse, preparations were in place for a planned collections move while building improvements were carried out (including improvements to storage environments). An imbalance in the weight placed on different sides of shelving at that time caused the collapse.

3.3.1. To the best of my knowledge, no patient case notes, accessions, or objects of relevance to the Inquiry were affected by the collapse.

3.3.2. Of the GD collections affected, some (most related to Edinburgh's response to HIV) were subsequently seen on Inquiry visits to LHSA (2019 – 2021):

- GD1/12 – Save the Children Scotland: HIV/AIDS;
- GD1/85 – Social Work Department of Royal Infirmary of Edinburgh: HIV/AIDS;
- GD21 – CRUSAID Scotland;
- GD22 – Take Care Campaign;
- GD24 – Lothian Health Board Regional AIDS Team;
- GD25 – Helen Zealley, Director of Public Health;

- GD36 – Waverley Care Trust; and
- GD14 – Edinburgh and South East Scotland Blood Transfusion Service

At the time of the collapse, some of the above collections related to HIV were in different housing and/or were not catalogued to their present standard.

The scope of GD14 can be found here:

https://www.lhsa.lib.ed.ac.uk/collections/GD14/gd14_index.htm (RLIT0001149).

Finding aids to collections related to HIV can be found here:

https://www.lhsa.lib.ed.ac.uk/source/HIVAIDS_index.htm (RLIT0001145).

3.3.3. As a result of the collapse, relevant staff involved in recovery met the following day to agree procedure. An action plan and risk assessment were drawn up (involving staff from LHSA, UE Estates & Buildings, and moving contractors), and a method of recovery was written. No records were irretrievably lost through this collapse.

3.3.4. Subsequent to the collapse, a post was created within LHSA to re-order and produce finding aids to affected case note collections (the main volume of records affected, and the most difficult order to reconstruct). The incident occurred as a result of moving collections to shelving that then met (and continues to meet) the relevant British Standard for archive stores (which was BS5454 then, now BS EN 16893:2018). Another incident of this type, therefore, could not re-occur.

3.3.5. To the best of my knowledge, this 2006 incident was handled under established UE procedures of disaster and risk management, and did not prompt any changes in disaster response and recovery methods in itself. However, there is now a greater awareness of uneven shelf loading when

managing space, and the type of shelving that fell is no longer used to house archival material.

3.4.   After 2006, one incident affected LHSA collection stores:

3.4.1. Water ingress into an LHSA store in the UE Main Library, 24 December 2020. The incident was managed and affected collections treated in accordance with the UE Disaster Response and Recovery Plan (see below), with the response beginning on the day of the incident. No collections of relevance to the Inquiry were affected (affected collections had a latest date of c.1950s), and no collection items were lost. A very small proportion of overall LHSA holdings were affected by the ingress and were made stable for immediate access and use.

3.4.2. This incident was handled following the current UE Disaster Response and Recovery Plan, explained below (3.5).

3.5.   Disaster response and recovery policy and guidelines are reviewed regularly as part of routine LHSA operations. Should an incident occur affecting any collection under LHSA's care, robust procedures are in place, both within LHSA itself and within the Centre for Research Collections (CRC), UE, of which LHSA is part.

3.5.1. The UE Disaster Response and Recovery Plan includes LHSA collections housed on UE curtilage. It was commissioned and authorised in 2011 by the then Director of University Collections, and guides a response (or salvage operation) to any incident that affects, or has the potential to affect, the physical condition of rare/unique items. It was developed by Library & University Collections (L&UC) curatorial staff, led by the LHSA Manager, in close collaboration with the Head of UE Security and senior colleagues from Estates & Buildings. It has since been enhanced, streamlined for efficacy and maintained by the CRC's Preventive Conservator, and approved by the L&UC Senior Management Team.

3.5.2. This process of continual improvement extends to the materials and equipment made available for a salvage operation, which has also been reviewed, streamlined and made accessible across all UE sites holding rare / unique material.

3.5.3. The Plan is communicated in full, abridged and pocket-sized versions as appropriate, and a summary version is available to all staff via the UE Information Services Group wiki. A 'roadshow' approach is used to engage and inform the wider UE community, and the Plan is communicated to the emergency services via UE Security. The Plan has been tested in desk-top environments and reviewed following any implementation.

3.5.4. Annual review is led by the CRC's Preventive Conservator. It is read with UE's Business Continuity Plan, which covers staff activity and service provision, and used in conjunction with membership to Harwell Document Restoration Services. The CRC, and the LHSA Manager, are members of the Edinburgh Collections Response Network - a source of support and shared learning for local cultural heritage institutions on disaster response/recovery.

3.5.5. The CRC's Preventive Conservator provides regular training on both the content of the Plan and its effective execution. The Plan was reviewed in March 2020 and has been temporarily modified to accommodate Covid-19- related restrictions and considerations. The CRC also hosts a Microsoft Teams channel for fault reporting across archive stores, to which LHSA staff have access.

3.5.6. Since the Plan is an internal document, featuring information integral to the security of collections across UE, it has intentionally not been included as an exhibit to this statement.

3.6. As a result of this water ingress, a number of actions have been taken:

3.6.1. Modifications to CRC-wide store management processes have been made, with increased visual inspections from once each fortnight to three times each week. There is no expectation that this inspection rate will be reduced.

3.6.2. A regular and formal meeting structure has been created between building occupants / collection custodians and UE Facilities staff to improve building maintenance, communication on outstanding improvement actions, and the response to any future incidents.

3.6.3. The ageing of the UE campus and quality of storage for unique material is now the subject of a current UE Estates working group, and risk associated with this has been escalated through the L&UC Risk Register. The Risk Register has also been reviewed to consider increased risk around water ingress and the ageing UE campus.

3.6.4. As a result of the ingress, the LHSA Manager made a successful request to include LHSA collections in the UE insurance policy, covering records for restoration / conservation work should they be damaged.

4. **In relation to changes, updates and improvements of the policies over the time period, please explain to the best of your knowledge what these were driven by, for example any Government guidance provided.**

4.1. My response assumes that 'policies' in the context of this question refers to all policies referenced in answers to questions 1 – 3.

4.2. LHSA policies around archive management are changed, updated, and improved in response to a number of drivers:

4.2.1. Sectoral best practice guidelines and standards over time have influenced the development and update of policies, such as those published by the Scottish Council on Archives, the National Records of Scotland, The National Archives, the Archives and Records Association, the Institute of

Conservation, and the International Council on Archives. Examples of site-specific archive management and conservation policies are also published by both national repositories (such as The National Archives, the British Library, and the National Records of Scotland), and regional and specialist repositories. Some of these have been consulted as examples / precedents, and shaped to LHSA's specific circumstances.

4.2.2. Compliance with the Archive Accreditation standard (see 2.5) has driven the development and updating of LHSA archive management policies. For example, certain named archive management policies and/or procedures are required to be uploaded as supplementary evidence in the application process.

4.2.3. Conservation and preservation procedures have been formulated in compliance with British Standards on the preservation and conservation of cultural heritage. Updates to these drive the revision and review of LHSA policy, for example:

- BS EN 16893:2018 – Conservation of Cultural Heritage
- BS4971:2017 – Conservation and the Care of Archive and Library Collections

4.2.4. Policies for managing archival material are developed and updated in response to the release of (and revisions of) legislation and guidelines relating to individuals' right of access to information. For example, current LHSA policies are written in the light of the following legislation and guidelines on public access to information:

- Scottish Government Records Management: Health and Social Care Code of Practice (Scotland (2020);
- Data Protection Act 2018 / General Data Protection Regulation 2016;
- Freedom of Information (Scotland) Act, 2002.

4.2.5. LHSA is NHSL's nominated archival repository under compulsory Element 7 of the Public Records (Scotland) Act 2011. The development of policy has been driven by this, and policies have been updated to reference the Act. The Act requires public authorities to have 'proper arrangements' in place for the archiving of public records, to which LHSA adheres (RLIT0001148).

4.2.6. LHSA's specific role and mission statement have shaped the development of policy, especially those related to what LHSA collects and outlining how collections will grow (see Collections Development Policy, and Collections Development Plan).

4.2.7. Finally, the development of archive management policies is driven by the expertise and professional training of LHSA staff, whether as archivists or conservators. Developing appropriate policy and procedure in response to changing sectoral and legislative drivers is a key part of both continual professional development, and embedding best practice for current and future custodians of the Archive.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed _____ GRO-C _____

Dated   01/09/2022

Table of exhibits:

Date	Notes/ Description	Exhibit number
January 2022	LHSA's 'De-accessioning & Disposal procedure'	WITN4690015

June 2020	Scottish Government Records Management: Health and Social Care Code of Practice (Scotland) 2020	RLIT0001150
January 2012	Scottish Government Records Management: NHS Code of Practice (Scotland) Version 2.1	RLIT0001152
March 2010	Scottish Government Records Management: NHS Code of Practice (Scotland) Version 2.0	RLIT0001151
June 2008	Scottish Government Records Management: NHS Code of Practice (Scotland) Version 1.0	RLIT0001146
February 2007	HDL (2006) 28 - The Management; Retention and Disposal of Administrative Records	RLIT0001153
December 1993	MEL (1993) 152 - Guidance for the Retention and Destruction of Health Records	SCGV0000038_042
18/12/1969	ECS(A) 21/1969 - Disposal of Records That Have Lost Their Value	WITN4690016
30/07/1958	SHM 58/60 - Scottish Hospital Service Destruction of Hospital Records	PRSE0000552
December 2021	LHSA Collection Policy	WITN4690017
August 2021	LHSA Collections Development Policy	WITN4690018
December 2021	LHSA Collections Development Plan	WITN4690019
August 2021	LHSA Collections Management Policy	WITN4690020
August 2021	LHSA Collections Information Policy	WITN4690021
Undated	LHSA Collections Information Policy (2015)	WITN4690022

August 2021	LHSA Preservation and Conservation Policy	WITN4690023
August 2021	LHSA Collections Care and Conservation Plan	WITN4690024
	Archive Service Accreditation Leaflet	RLIT0001147
Undated	LHSA Department Files (Record Management)	WITN4690025
Undated	LHSA GD14 Collection Summary and Catalogues	RLIT0001149
Undated	LHSA Edinburgh and Lothian HIV/AIDS Collection Summaries	RLIT0001145
September 2016	National Records of Scotland, Supplementary Guidance on Proper Arrangements for archiving Public Records	RLIT0001148