

Witness Name: Caroline Leonard

Statement No.: WITN3449095

Exhibits: WITN3449096 -

WITN3449099

Dated: 30 August 2022

INFECTED BLOOD INQUIRY

SIXTH WRITTEN STATEMENT OF CAROLINE LEONARD, ON BEHALF OF BELFAST HEALTH & SOCIAL CARE TRUST

I provide this statement in response to a request from **GRO-D** from the Infected Blood Inquiry team for the production of documents and information under Rule 9(2) of the Inquiry Rules 2006 dated 30 May 2022.

I, Caroline Leonard, will say as follows: -

Section 1: Introduction

- 1.1 My name is Caroline Leonard. My date of birth is known to the Inquiry. My professional address is BHSCT HQ, "A" Floor, Belfast City Hospital, Lisburn Road, BT9 7AB.
- 1.2 I am the Director of Cancer and Specialist Services at Belfast Health and Social Care Trust (BHSCT); as such, I have responsibility for services provided at NI Cancer Centre, some medical specialities, renal transplant surgery, laboratories and pharmacy. The Regional Haemophilia Comprehensive Care Centre falls within my Directorate and as such, I was nominated by my Chief Executive, Dr Cathy Jack, to undertake a coordinating role in support of the Infected Blood Inquiry on behalf of BHSCT.

- 1.3 In order to address the questions posed in the Rule 9 request of 30 May 2022, I have received considerable assistance from the current Senior Records Managers in the Trust and the Information Governance Manager, who were able to supply information and the exhibits referenced herein.
- 1.4 In drafting this statement, I have also referred to previous statements and exhibits supplied to the Inquiry in 2019.

Section 2: Response to Questions

1. What policies, if any, relating to the destruction or retention of medical records did the Belfast Health and Social Care Trust, or the individual hospitals that now make up the Trust, have in place during the time period 1980-present? If so, please supply copies of any such policies.

- 2.1 I would refer to my statement to the Inquiry WITN3449007 dated 15 August 2019 and exhibits WITN3449008 – WITN3449031 therein. This outlines an account, as then requested, of the BHSCT records retention and destruction policies from 1948 to that date.
- 2.2 At paragraphs 2.2 and 2.3 of the statement referenced above I advise that the Department of Health document 'Good Management Good Records' (GMGR) is the definitive records management guidance document informing BHSCT records management policy and that of all other Northern Ireland health and social care organisations. GMGR was first issued in December 2004, and further reviewed in 2011.

- 2.3 Since the submission of my statement to the Inquiry in 2019, in August 2021 the BHSCT Records Retention and Disposal Schedule (Exhibit WITN3449017 previously submitted to the Inquiry) was further updated in accordance with the release of a further revision of 'Good Management Good Records' (GMGR 2017) in January 2021. Exhibit WITN3449096 contains a copy of the current BHSCT Records Retention and Disposal Schedule at time of writing.
- 2.4 The GMGR 2017 Disposal Schedule is attached as Exhibit WITN3449097. It should be noted that this revised GMGR document was in 2016 referred to the NI Minister for Communities, as Keeper of the Records, seeking approval for it to be laid before the NI Assembly as the Disposal Schedule for the records of the Department of Health, Social Services and Public Safety (DHSSPS) and those working under contract to them. However, GMGR 2017 received only 4 of its legislative 10 statutory sitting days before the collapse of the NI Assembly in January 2017. The NI Assembly collapse and the subsequent Covid-19 pandemic resulted in the requirement to have GMGR 2017 laid before the Assembly for 10 sitting days only being met in 2021. Consequently, the revised GMGR 2017 was uploaded to the Department of Health website in January 2021 and officially launched by the Department of Health in July 2021. The BHSCT issued a revised Records Retention and Disposal Schedule to account for the new guidance in August 2021.

2. Were there any archives which backed up records which were subsequently destroyed, for example on microfiche or elsewhere?

- 2.5 I am advised that to the best of the knowledge of the Senior Records Managers presently working in BHSCT, there exist several archives of microfilm and microfiche records from Trust legacy organisations relating to Belvoir Park Hospital, Musgrave Park Hospital and Purdysburn Hospital mental health facility (now known as Knockbracken).

a) If so, please outline:

i) the nature of records held in these archives;

- 2.6 Microfilm records relating to the Belvoir Park Hospital Oncology service contain copies of admissions, discharges and deceased patient records; the hard copy originals were destroyed in adherence to retention and disposal guidance at that time.
- 2.7 Microfilm records are available that relate to Musgrave Park Hospital Orthopaedic service, and contain copies of admissions, outpatients, discharges and deceased patient records; the hard copy original records were destroyed in adherence to retention and disposal guidance at that time.
- 2.8 Microfiche records exist that relate to Purdysburn Hospital mental health facility; these contain copies of admissions, discharges and deceased patient records; hard copy original records having been destroyed in adherence to retention and disposal guidance at that time.

ii) To which period the records kept refer to (for example patient admissions dated X-Y);

- 2.9 Microfilm records in respect of Belvoir Park Hospital date from 1950 – 2006. Microfilm records for Musgrave Park Hospital relate to 1991 – 1992. No start date for microfiche records for Purdysburn Hospital mental health facility can be confirmed, however the microfiche records ended in 1990.

iii) The projected time frame to maintain these archives.

- 2.10 As outlined in paragraph 5.4 of my statement WITN3449007, in August 2015, the Trust suspended the destruction of any records at the request of the Health and Social Care Board in order to ensure the preservation of any information relevant to the Historical Institutional Abuse Inquiry. This suspension of the destruction of records remains in place.

2.11 In addition to the medical records archives referenced above, a project is currently underway where microfiche records relating to County Welfare Department and Adoption Services records from the 1950's onwards are being digitised. The digitised records are being catalogued and cross-referenced with hard copy records maintained at an offsite storage facility; the hard copy and digitised records will then be reviewed by the Public Records Office of Northern Ireland (PRONI).

3. How often were the relevant practices reviewed and who was responsible for reviewing and updating the policies in place?

2.12 Practices are reviewed on an ongoing basis. Exhibit WITN3449018 supplied to the Inquiry in August 2019 lists a summary of the chronology of the legislation, circulars and policy governing the management of records in NI since 1923. This document was drafted in order to provide information to patients and families when making subject access requests for medical records. The BHSCT Director of Planning Performance and Informatics is the director with overall responsibility for the development and review of policies relating to records management. As stated in paragraph 2.2, regional and national good practice guidelines and legislation mainly direct the timing of when these policies are updated.

4. 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?

2.13 To the best of the collective organisational memory of Senior Health Records Managers and myself, listed below are the occasions when records were disturbed, misplaced or destroyed because of an incident that occurred to the storage environment:

- 2.14 In 2008 an old Portacabin on the Royal Victoria Hospital (RVH) site, which held fracture X-rays, started to decay and became infested with vermin. The X-rays, which were determined to be past their retention date, were confidentially destroyed and the Portacabin decommissioned.
- 2.15 In March 2010, the Trust became aware of images posted on the internet which were taken in the Belvoir Park Hospital that closed in March 2006 when oncology services relocated to the Belfast City Hospital site. The Trust moved to improve the security of the site and over the next year worked to clear the site of all materials. This work was hampered by the presence of disturbed asbestos in several parts of the site. Hard copy medical records were found to have been left at the site. Some records had to be immediately destroyed as a consequence of asbestos contamination. However, the majority of the records were recovered and viewed by PRONI and subsequently destroyed in accordance with the records retention schedule. Copies of these records exist on microfilm as referenced in paragraphs 2.6 and 2.9 above. The incident was reported to the Information Commissioner's Office (ICO).
- 2.16 In 2012, the 'Old Billiard Room' at the Sports Club on the RVH site was investigated as it was found to contain old records; the area was cleared of asbestos so the records could be accessed for assessment. The majority of the records were sent for confidential destruction in keeping with the records disposal schedule at that time with the remainder secured and sent to a contracted offsite records storage facility.

- 2.17 In June 2012, flooding occurred at one of the Musgrave Park Hospital Libraries. The library was located in the basement of the Withers Orthopaedic Centre. This incident was the first occasion that flooding of this area had occurred since records were moved to this library in 1995. A small number of records were damaged due to the flooding and they were subsequently sent to Harwell Restoration in Oxford and were successfully restored. A further flooding incident in October 2014 was more significant across the Musgrave Park Hospital site; however, fortunately no records in this library were damaged on that occasion. Due to the potential for flooding to occur in the area again, the BHSCT Estates/Planning Service relocated the library to another area on the Musgrave Park Hospital site; flooding of the library areas has not occurred since. Both incidents were fully investigated by the Trust H&S Managers, Health Records Managers and Estates services.
- 2.18 In 2016 in the Royal Belfast Hospital for Sick Children (RBHSC), a plumbing contractor hit a water pipe that caused substantial damage to offices and medical records were water damaged. The records were sent to a specialist restoration company in England who were able to successfully restore the records.
- 2.19 In July 2019, BHSCT reported an incident to the Information Commissioner's Office (ICO), that Oasis, an offsite Records Storage contractor, had destroyed a box of patient records in error. The incident was fully investigated and the patients who were affected by this incident were each written to by the Trust and any recommendations made by the ICO followed up.
- 2.20 In September 2020, BHSCT were notified by the offsite Records Storage contractor Oasis, that flooding of their premises had occurred, resulting in one of the Trust boxes held therein being water damaged. Oasis replaced the box and the contents were checked by a service manager, who determined one of the records in the box had been water damaged. The record was sent to a restoration company and was professionally restored.

- 2.21 I can confirm that none of the incidents referenced in paragraphs 2.14 to 2.20 above are known to have affected patient medical records of relevance to the Inquiry.
- 2.22 The BHSCT Health Records Service has a Business Continuity Plan (Exhibit WITN3449098) which includes guidance (page 8 in particular) on what to do in the event of a fire or severe adverse weather resulting in flooding in which Health Records Libraries are affected. The Health Records Managers and the BHSCT Estates Service proactively complete Fire Safety checklists in Trust Library areas and staff are reminded of their responsibility to be vigilant and alert managers of any Health and Safety issues. Exhibit WITN3449010 submitted to the Inquiry in 2019 is the BHSCT Records Management Policy 2018-2023, which addresses the information governance requirements of secure record storage.

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

- 2.23 As referenced in paragraph 2.12 and illustrated in Exhibit WITN3449018, changes, updates and improvements of the Trust's policies over the time period have largely been driven by Government guidance provided and the requirement for robust business continuity planning. Exhibit WITN3449099 is an updated version of the brief summary document produced by the Trust for patients regarding the timeline of legislation and policy relating to the retention and disposal of records; it was updated in 2022 to include the most recent GMGR 2017 Retention and Disposal Schedule launched by the Department of Health on 21 July 2021.

Section 3: Other

Please provide any further comments that you wish to add on these matters

3.1 It may be helpful to draw attention to a further previous witness statement I supplied to the Inquiry on these matters. My statement WITN3449001 of 15 August 2019 and exhibits submitted therein gives an account of the exercise BHSCT conducted in 2018/19 to locate and compile the medical records for all patients that received infected blood and/or blood products and consequently contracted HIV and/or HCV. This was in anticipation that these patients and/or their families may request their medical records for the purpose of providing evidence to the Inquiry. Exhibit WITN3449002 illustrates the secure storage that these records are presently held in within the NI Cancer Centre.

For Inquiry record-keeping purposes we would require details of the searches conducted, including in relation to document retention and destruction policies of relevance.

3.2 My previous statements WITN3449001 and WITN3449007 of 15 August 2019 to the Inquiry, and correspondence from the then BHSCT Chief Executive to Mr Brian Stanton, Solicitor to the Inquiry, of 12 September 2018 and 10 October 2018, give an account of the searches conducted in BHSCT in respect of clinical and corporate records of relevance to the Inquiry and exhibit the relevant document retention and destruction policies therein.

3.3 Within the limitations of the documentation and other evidence available, I have endeavoured to assist the Inquiry to the best of my ability with the issues addressed in this Rule 9 request of 30 May 2022. The Inquiry may also find the range of material previously supplied by BHSCT to be helpful.

Statement of Truth

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

Signed _____

GRO-C

Dated _____

30 August 2022

Table of exhibits:

Date	Notes/ Description	Exhibit number
25 August 2021	BHSCT Records Retention and Disposal Schedule	WITN3449096
July 2021	DHSSPS 'Good Management Good Records' (GMGR 2017) Retention and Disposal Schedule 2017	WITN3449097
April 2022	BHSCT Health Records Service Business Continuity Plan	WITN3449098
2022	BHSCT Records Management Retention and Disposal Summary	WITN3449099