

Witness Name: Nicole Hornby

Statement No.: WITN4522001

Exhibits: None

Dated:19/01/2021

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF NICOLE HORNBY

I, Nicole Hornby, will say as follows: -

1. I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 2 November 2020.
2. I should make clear from the outset that this statement is based largely on my recollections of events, some of which took place a number of years ago. Unfortunately, my recollection in respect of some matters which took place a number of years ago is limited. Although the Inquiry has provided me with some documents that it says are relevant, I am relying on my recollection and there may be other documents available to the Inquiry which would shed further light on matters or show my recollection to be inaccurate.

Section 1: Introduction

3. My full name is Nicole Emily Hornby. My date of birth is GRO-C 1991. I live in GRO-C Essex.
4. In July 2011, I started a role working full-time for the Alliance House Organisations ("AHOs"). I think I was sent details of the role by a recruitment

agency and they arranged an interview on my behalf. Prior to this, between October 2007 and July 2011, I worked part-time in customer service roles including at my local Sainsbury's and BP. My highest qualifications are my A-levels. I studied Business Studies at University between September 2009 and June 2010 but I did not complete the full course.

5. I worked full-time for the AHOs until May 2017. I initially joined as an Office Assistant to support the AHOs (initially I acted as Welfare Assistant for CF and Support Services Assistant for MT) with the expected increase in workload due to the new charity CF being set up. I was then promoted to Welfare Officer at CF around January 2015. If my memory is correct, I was employed contractually by CF. I cannot be sure, but I think that all MT employment contracts were taken over by CF at some point.
6. As the Welfare Officer at CF, my role was to act as the main point of contact and support for beneficiaries of CF. One of my main responsibilities was to respond to grant requests from CF beneficiaries. This included seeking further information from beneficiaries in relation to grant requests, deciding whether to process grants through the office in line with Office Guidelines or whether to present the grant request to the National Welfare Committee ("NWC") for consideration, and notifying beneficiaries in writing of the decisions made in relation to their requests. As part of my role, I was required to provide some support to the Support Services Officer at MT as and when it was required.
7. I originally reported to the Support Services Manager, Rosamund Riley. However, she was made redundant and a Director of Operations was appointed. After the Director of Operations was appointed, I reported to them.
8. I did not attend CF or MT board meetings. However, I did attend CF NWC meetings. From memory alone, I had difficulty recalling how frequently NWC meetings took place. I thought it may have been every month or six weeks. I have had a look at the minutes that the Inquiry has sent me a copy of and from these it looks like the meetings took place every four to six weeks. I do not think I attended NWC meetings until becoming Welfare Officer but I think I would

have been at each meeting during my time as Welfare Officer, provided that I was not away from the office for any reason. It was my responsibility as Welfare Officer to take the minutes at NWC meetings and send them to the Chair for confirmation that they were a correct record of the meeting.

9. I do not recall specific details of my induction and training. I do not recall being given training as to CF and MT's functions, aims and objectives. I can confidently say that I would have received an introduction to CF and MT's databases and how to use them. Somebody would have taken me through how to answer the phones, how to deal with enquiries, where the Office Guidelines could be found and how to access information etc. I think I shadowed somebody as part of my training but I cannot remember for certain. I recall having some group training and I recall receiving training for dealing with difficult calls.
10. I have not been a member of any committees, associations, parties, societies or groups relevant to the Inquiry's Terms of Reference.
11. I have not provided evidence to, nor have I been involved in, any other inquiries, investigations or criminal or civil litigation in relation to human immunodeficiency virus ("HIV") and/or hepatitis B virus ("HBV") and/or hepatitis C virus ("HCV") infections and/or variant Creutzfeldt-Jakob disease ("vCJD") in blood and/or blood products.

Section 2: Structure of the AHOs

12. CF, MT and the Skipton Fund ("SF") shared working space at Alliance House, 12 Caxton Street, Westminster, London SW1H 0QS. I worked at that address and that is where CF, MT and SF were based.
13. The AHOs shared staff and resources. For example, I worked mainly for CF but provided some support to MT whilst being employed by CF. CF and MT shared an office manager and a finance department. I cannot comment on whether the other AHOs shared staff and resources.

14. You have asked what impact the AHOs sharing premises, staff and resources had on data sharing and confidentiality and how such issues were managed. I do not know what impact this had and it was not my role to manage such issues therefore I feel unable to comment on how such issues were managed.
15. The Inquiry has asked if information was shared across the AHOs. I have mentioned that in my role as Welfare Officer I provided some support to the Support Services Officer at MT. This would involve me taking calls from MT beneficiaries if nobody else was available. I could access database information about both CF and MT beneficiaries. If I answered a call from an MT beneficiary then I would be able access information about them to help me deal with that call. I could not access information about SF or other AHO beneficiaries. As far as I know, information was only shared across the organisations in a limited sense to enable staff to carry out their roles. I do not think that CF and MT registrants would have been aware that their details were on a database that could be accessed by staff at both CF and MT (i.e. myself). I am not even sure that they would have been aware CF and MT shared an office space, unless perhaps they specifically asked.
16. I do not have particular knowledge of the relationship between the different AHOs. I do recall a relationship between CF and SF in that to be a beneficiary of CF an individual must have received a payment from SF.
17. The Inquiry asks about my relationship with the senior management of the AHOs. I am not entirely sure who the Inquiry means when it refers to senior management but I do not recall having any difficulties with any members of the management at the AHOs. I worked closely with my managers (Rosamund Riley, Support Services Manager, to begin with and then the Director of Operations after Rosamund Riley was made redundant). I sat near to them and we would speak daily. If I had any questions about cases I could have asked them easily.

Section 3: Work of CF and MT

New beneficiaries and eligibility

18. It was not part of my role to identify new beneficiaries of CF and MT. I do not know specifically who was responsible for identifying new beneficiaries. I did not have knowledge of, and therefore cannot provide details of, what the process was for identifying new beneficiaries or of what the criteria were for becoming a beneficiary of CF and MT, other than to show they had received contaminated blood. I understand that eligibility to register as a primary beneficiary of CF included registration with SF. I recall that a beneficiary needed to have received a payment from SF to be a beneficiary of CF. I believe, but cannot be sure, that some CF beneficiaries were identified by SF. I think SF would attempt to contact recipients of its payments to inform them about CF. I do not have particular knowledge about other eligibility criteria for CF primary beneficiaries.
19. I understand that partners and dependents were eligible for support from CF. I believe that a primary beneficiary had to apply for support on behalf of their partners and dependents. However, I think that carers and bereaved could apply for support in their own right.
20. As it was not my role to apply the eligibility criteria, I cannot comment on how straightforward they were to apply or on how fair they felt. I feel unable to comment on how successful CF was at identifying beneficiaries and whether or not more could have been done to identify more beneficiaries. I do not have particular knowledge of common reasons why applicants did not meet the eligibility criteria. Issues in relation to fairness of the eligibility criteria did not arise for me in my role and therefore I had no need to raise issues with senior management about this.
21. I do not know what proportion of applicants was deemed eligible versus ineligible to be a beneficiary and I do not know what the process was if an applicant was deemed ineligible or if reasons were provided to the applicant.

CF grant applications

22. One of my main responsibilities at CF was grants processing. I responded to grant requests and sought further information and supporting documentation from beneficiaries as necessary. I made decisions about whether to process grant requests through the office in line with Office Guidelines or whether requests needed to be presented to the NWC for consideration.
23. The Office Guidelines contained a list of things in relation to which grants were frequently requested by beneficiaries, for example, household items, accommodation related items, costs for moving home, furniture, clothing, education related grants, mobility costs and more. Where a beneficiary requested a grant in respect of something that was listed in the Office Guidelines, I could process a grant for up to a certain amount after a beneficiary provided me with two quotes in respect of the request, this would then be signed off by my manager. If I considered something to be a straightforward request, I would suggest to my manager that I thought it was something we should process but I could not process it without manager approval. If I was unable to process a request through the Office Guidelines, for example, because the request was for something that was not covered by the Office Guidelines, I would either need to decline the request or send it to the NWC for consideration. Where I thought a request should be declined, I would always need to obtain final authorisation from my manager before communicating the decision to a beneficiary. As an Officer, whilst I processed requests I did not have the final say. It was up to management to sign off. Letters to beneficiaries notifying them of decisions in respect of a grant had my name on them and my contact number but the final sign-off was always from management.
24. We worked in an open plan office and I sat near to my manager. If I ever felt unsure about a request I could ask them out loud about the request and we could sometimes make a decision together there and then about whether it should be approved.

25. Another aspect of my role as Welfare Officer was to produce a briefing sheet containing background information for grant applications that were to be considered by the NWC (for example, if they were not covered by the Office Guidelines). The briefing sheets generally contained information about the applicant's background, what they were requesting and why. There would be a summary at the beginning of the briefing sheet which, from memory, included details as to whether they were a primary beneficiary, dependent or a carer, information about their income and expenditure (which I would have taken from their census form as the beneficiary was asked to provide that information with their census form) and details of CF grants they had previously received. I would circulate the briefing sheets to NWC members in advance of an NWC meeting.
26. The Inquiry has asked for details about the procedural requirements an applicant had to satisfy when making an application for a grant, including what the burden and standard of proof was and whether beneficiaries had to complete a census form. I cannot recall all the procedural requirements an applicant had to satisfy when making an application for a grant. I recall that I sent out census forms to eligible beneficiaries of CF for them to complete and return to us. I recall that an applicant needed to submit a request for a grant in writing with supporting documentation. CF was a charity and I recall that an applicant needed to demonstrate charitable need.
27. With regard to the criteria I had to apply when assessing grant applications, I applied the criteria set out in the Office Guidelines. I understand the Inquiry has a copy of the Office Guidelines. From what I recall, I considered that the criteria were clear but how straightforward they were to apply would depend on the circumstances of each individual case. If a new type of request was made by an application i.e. for an item that had not been requested before, then it would be more difficult to assess that application as there would have been nothing to compare it against and it may not have been covered by Office Guidelines. In these situations, I recall that I would seek advice from whichever person was my manager at the time about the Office Guidelines and whether

requests could be put through the office or whether they needed to go to the NWC for consideration.

28. CF was new in 2011 and therefore the Office Guidelines needed to be updated over time to reflect the types of requests that were being made. For example, if a request for a certain type of item was being made frequently by a number of beneficiaries then that item might have been added to the Office Guidelines. I think management would have made suggestions to trustees in respect of updates that they felt needed to be made to Office Guidelines and I think it would have been for the trustees to approve any amendments.
29. Retrospective requests for a grant were considered as requests made after a beneficiary had already purchased an item or service. I recall that often if an individual could afford to purchase an item before receiving a grant, then that would be considered demonstrative that they did not have 'charitable need'. However, all applications were treated on a case-by-case basis so if someone purchased an item as an emergency, for example, then they could put that forward as part of their application. I recall, however, that we may have said that CF was unable to help unless they could demonstrate exceptional circumstances. Retrospective grant requests would need to be considered by the NWC. If a retrospective grant request was approved, I think wording in the decision letter along the lines of "on this occasion your grant has been approved" would have been included. I think beneficiaries would have been aware that it had been approved because they had demonstrated exceptional circumstances. I do not recall how regularly we received retrospective grant requests. I do not recall specifics about the retrospective grant policy and I do not know how it changed over time. In fact, I do not recall that there was a retrospective grant policy to begin with.
30. I did not refer to a budget when processing grant applications. I knew that there was a budget but I did not know what it was. I was required to inform our finance department about what I had awarded so that they could work out how much had been spent in a particular year.

31. The Inquiry has asked whether grants were means tested. I recall that applicants' income and expenditure was taken into consideration when applications were determined. I recall that a list showing the grants an applicant had received to date from CF was included with the briefing sheet which I produced for applications that were to be considered by the NWC. It would have been known that an applicant had received a payment previously from SF because, as I have said, to be a CF beneficiary you had to have received a payment from SF. I recall that once a beneficiary received a second payment from SF they would then typically receive regular payments from SF. However, I do not specifically remember previous SF payments being included on the grant lists on the briefing sheets.

32. As a charity, CF would consider whether beneficiaries had the resources to fund items and/or services themselves. CF would also consider whether there was other support that may have been available to a beneficiary elsewhere, for example, statutory support like disability living allowance, carers allowance or other benefits. If benefits were available elsewhere, then beneficiaries were directed to go through that route. If we could see from a beneficiary's income and expenditure that they may be eligible to receive some kind of support or benefit we would offer to refer them to an external adviser. However, I recall instances of people not wanting to go down that route.

33. The Inquiry has asked if I think the criteria were fair. I presume that the Inquiry is asking me whether I think the criteria in the Office Guidelines were fair. The Office Guidelines were there and it was my role to follow them. I did not consider it my role to question whether they were fair and therefore I did not find myself in a position where I needed to raise issues of fairness with senior management. I did not consider that it was unfair that a beneficiary needed to demonstrate charitable need when seeking a grant from a charity.

34. I do not recall all of the reasons why grants were not awarded. I recall numerous instances of applications being turned down where the applicant was unable to demonstrate a charitable need for a grant. I do not recall the proportion of grants that CF turned down. When an application was turned down, the applicant was

notified in writing. I cannot recall for certain but I think we provided feedback in writing to explain why an application had been turned. However, I cannot confidently say that reasons were provided every time.

35. I recall that shortly after I started the role as a Welfare Officer, I started a time record management spreadsheet as a way of monitoring average turnaround times to help ensure that we were responding to beneficiaries' requests quickly. Overall, I do not think there were many delays in responding to beneficiaries about applications. However, if we required more information from a beneficiary then those applications may have taken longer to process. Also, sometimes applications had to wait to be determined by the NWC. For example, if there had just been a NWC meeting, then there might have been instances where an application had to wait until the next one which would have meant there would be a delay in the beneficiary's application being considered.

36. I do not recall when the Office Guidelines were amended to include respite breaks. I am unable to say why this change was made as I was not involved in this decision. I do not recall thinking that the criteria for respite breaks were unclear but I cannot recall whether I had difficulty applying them. I do recall that sometimes there was some back and forth with applicants who wanted more than one respite break, or from applicants who may have wanted a respite break for their carer or when a request for a break did not appear to be for respite for example I note that a report to the NWC dated 9 March 2017 [CAXT0000056_020] includes correspondence relating to a request for a respite break which was declined because it was being requested so far in advance that the committee felt it could be considered a respite break needed for health problems. I do remember receiving complaints relating to applications for grants for respite breaks. If a respite break was not awarded, I would probably have been the one to get a call or email from someone stating that they were unhappy but I do not remember content of any conversations.

37. I believe the 'round robin' process was used when a decision about an application for a grant was needed in between NWC meetings, for example, where an application was urgent and could not wait until another NWC meeting

took place. My role in assisting with the round robin process was the same as for a NWC meeting. I would prepare a briefing sheet and send it by email to either the NWC or the Chair of the NWC (I cannot recall if I would send it to the whole of the NWC or just the Chair). I cannot remember if there was a written policy in place for the round robin process. I am not sure exactly who was involved in reaching a decision when the round robin process was used. I believe it was the whole of the NWC but cannot be sure. I think that the way in which the round robin process was different from consideration of applications during NWC meetings was that decisions were discussed and reached by email rather than in person.

MT grant applications

38. I would have known something about the process for applying for a grant at MT as a result of providing cover to the Support Services Officer at MT, which included assisting with urgent queries and grant requests. However, I do not remember it. I recall that the process for determining grant applications at CF and MT were similar but that there were differences, most of which I cannot recall. I recall that MT beneficiaries could receive support in regular payments whereas CF beneficiaries could not.

Non-financial support

39. Non-financial support in the form of benefits advice and money management advice was available to beneficiaries of CF and MT. We had external support that we could make beneficiaries aware of and refer them to if they requested it, or if we could see from information that they had provided to us that they may be entitled to receive benefits or support elsewhere. We would ask beneficiaries if they might like to speak to a benefits adviser or money management advisor if we thought it was appropriate in a particular case. I do not know if all beneficiaries were aware that non-financial support was available to them.

40. If I referred beneficiaries to an advisor, I would do so by email. I would always obtain their consent to pass on their contact details before doing so. I would write to beneficiaries with a consent slip that they had to sign and send back to me before I would pass on their details. I would communicate with beneficiaries by phone or in writing. I did not make home visits.
41. The Inquiry asks whether the provision of assistance to a beneficiary was contingent on them accepting advice from external debt counsellors and benefits advisors. Each case was looked at according to its particular circumstances. I do recall an incident where a beneficiary said they did not want to apply for benefits and I think we said that they needed to go down that route first to determine if there was other support available to them, because if other support was available elsewhere then there may not have been a charitable need for them to receive a grant from CF.
42. In terms of the information that was provided to the external advisors, we would have provided beneficiaries' contact details and I think we would have included a small amount of background information to give the advisor an idea of the type of assistance the beneficiary required from them. From what I recall, the advisor would have an introductory discussion with the beneficiary and any background information we provided would have been brief.
43. I cannot not recall what the provisions were about the confidentiality of the information the beneficiary provided to an external advisor or whether CF expected to be provided with all the financial information that the beneficiary provided to the advisor. The Inquiry has directed me to email correspondence from December 2013 - January 2014 [CAXT0000097_017]. Having looked at this, I can see that the NWC suggested a beneficiary speak to the money management adviser about their financial situation, as the beneficiary had stated their expenditure exceeded their income, and that further assistance would only be considered if the referral was accepted. From what I recall, as CF was a charity that needed to determine charitable need when considering grant applications, it was important that income and expenditure was checked

to ensure beneficiaries were receiving statutory support if they were eligible for it.

Application process and decision making

44. I do not recall the procedure for emergency CF applications and I do not know if MT had similar emergency provisions in place.
45. The Inquiry asks how frequently I provided my views to the trustees on applications that they were determining for CF and MT. I provided information to the trustees, rather than views or opinions. I would provide information in briefings to say if a grant in respect of a similar request had been approved before.
46. My role in preparing reports for the NWC involved me producing briefing sheets (see paragraph 8 above for more detail) for circulation to NWC members. I did not prepare reports for MT's National Support Services Committee
47. In terms of consistency and fairness of the decision making by CF and MT, Office Guidelines were in place to ensure there was consistency in the way that applications were dealt with. Applications were considered on a case-by case-basis depending on individual situations. I think that when a grant was awarded for certain things, it set a precedent for future applications but outcomes could still be different as the particular circumstances of the applicant might have been different. I recall that we tried very hard to ensure that decision making was consistent. I do not have knowledge of how any inconsistencies were remedied. I do not recall there being inconsistencies.
48. I can only comment on the way I treated applicants during the application and decision-making process, rather than on how applicants were treated by CF and MT generally as I do not have knowledge of how all staff members communicated with beneficiaries. I treated all applicants with respect and adapted my communication to suit individual needs.

49. In terms of practical assistance that was available to applicants, support over the phone was available to assist them with making applications and completing forms. I helped a lot of applicants to complete forms and with the information they needed to provide in support of their application.

Beneficiary Community

50. The Inquiry has asked about the impact of the increase in CF beneficiary numbers in 2014 and subsequent reduction in support to beneficiaries. The Inquiry has directed me to the statement on Winter Fuel Payments dated 4 Nov 2015 [CAXT0000110_143]. Having looked at this, I can see that due to a rise in the number of CF beneficiaries over a short period of time, the level of winter fuel payment made in 2014/15 was less than what was made in 2013/14. From the statement, I can see this was because the Department of Health advised that it would not be making additional funding available during that year. The winter fuel payment was not a guaranteed payment and was made at the discretion of the board based on available funding each year. In the statement, it was explained that beneficiaries experiencing problems meeting their energy costs could have a referral to the money management advisers, who could assist with ways to reduce energy bills. It also stated that following a referral to the advisers, the NWC could consider requests for additional support with heating costs for those in need. The Inquiry asks if I received feedback from beneficiaries in relation to a reduction in support around 2014. I cannot specifically recall receiving complaints or feedback in relation to this, but I do think I would have received some complaints.

51. I do not have particular knowledge of the steps CF and MT took to engage with and understand their beneficiary community. I was not involved in this type of beneficiary engagement. Neither did I have particular knowledge of the relationship between the senior management/board of CF and MT and the beneficiary community.

Section 4: Complaints and appeals

52. I recall that if a beneficiary wanted to appeal a grant decision, they could submit a request to make an appeal together with additional information. Additional information would have been required and it was my role to ask for that. I would, again, produce a briefing sheet for appeals for circulation to NWC members. The NWC would then consider the original application together with any new information.
53. I believe that there was a complaints procedure but I do not recall details of it. From memory, CF would call and write to applicants with details of its complaints procedure when grants were not awarded. I believe that information about the appeal and complaints procedures would have been provided to beneficiaries upon request.
54. If a relationship between CF or MT and a beneficiary began to deteriorate, then a step we might have taken could have included directing them to other support that might have been available (which could have included offering to refer them to a benefits adviser or money management adviser). I also recall that we would talk through decisions on the phone if a beneficiary was particularly unhappy.
55. I dealt with a large amount of complaints. This was because I tended to be the first point of contact for beneficiaries. My name and contact number were at the end of most of the letters. I recall that it got to a point where the number of complaints I was receiving became upsetting. Complaints were usually about applications that had been declined. I also recall complaints being made where we had requested supporting information but where beneficiaries did not think that should have been required.
56. I was able to escalate complaints to the Support Services Manager or Director of Operations and they were supportive. To be clear, the complaints were not necessarily about me personally, rather they were typically about the outcome of decisions. My managers often responded to complaints which I escalated to them by phone or by email.
57. I am not sure why CF received more complaints than the other AHOs.

58. I do not recall receiving correspondence regarding concerns that cheques issued by CF breached beneficiary confidentiality. I think a lot of payments were made by cheque but I think BACS payments were also made. I do not know if the different payment options were routinely communicated and offered to beneficiaries.

Section 5: Relationship with Government

59. I was aware that management at CF had dealings with the Department of Health, and I think they may have referred to having meetings with the Department of Health, but I do not know details. I do not know specifically what type of involvement the Department of Health had with CF and MT. I do not recall having any dealings with or corresponding with the Department of Health myself.

60. I do not recall any contact that CF or MT had with DWP. I do not recall any contact that I had with DWP (if any) in relation to welfare beneficiaries.

61. I do not remember any beneficiaries having their DWP benefits stopped as a result of the assistance they received from the AHOs. As such, I do not know whether CF and MT took any steps to prevent that happening and/or whether they raised that issue with DWP.

Section 6: Other

62. The Inquiry has asked whether I consider that CF and MT were well run, whether I think they achieved their aims and objectives, and whether there were difficulties or shortcomings in the way in which they operated or in their dealings with beneficiaries and applicants. I worked with a team and carried out my role following guidelines and processes that were in place to provide charitable support to beneficiaries. I believe that CF provided support where it could and that a high level of grants were awarded during my time at CF. I think that, with everywhere, there could have been improvements but I do not feel in a position

to suggest what these could have been seeing as I would have had no role in considering or implementing any improvements.

63. Finally, the Inquiry has asked whether I hold any documents that are potentially relevant to the Inquiry. I do not hold any documents that I think are relevant to the Inquiry.

Statement of Truth

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

Signed

GRO-C

Dated 19/01/2021