

From: Jackson, Karin
Sent: 05 November 2018 12:25
To: Morris Kieran
Cc: Ritchie Ivan; Jim Lennon
Subject: Re: DRAFT FOR COMMENT : URGENT UPDATE: Fitness to work
Attachments: Categories of Records retained and disposed.docx

Dear Kieran

Further to our discussions at your return to work interview and the infected blood inquiry (IBI) meeting on Friday 26 October, I feel it is appropriate to further clarify with you the inaccuracies and misleading statements that are contained in your email below of 25 October.

I did not prohibit you from attending the opening of the Infected Blood Inquiry in London. In fact, I authorised for you to attend the Inquiry on Monday 24 September whilst I was on leave in Barcelona. If you recall, I said to you that I was surprised to see you on Wednesday 26 September as I had understood that you were to be at the Inquiry. You advised that you had decided not to attend.

I have spoken to colleagues in the other UK blood services. I am advised that only Marc Turner from SNBTS attend the full three days of the opening to the Inquiry. Gail Miflin attended for two days. Janet Birchill also attended for two days as Cath O'Brien was unavailable and was therefore there in the capacity of representing WBS rather than as medical director.

Furthermore, the desire to send representatives from blood services other than the day of the opening statement (Wednesday 26 September) began to emerge during the week before. As you know, you were in Prague the Monday and Tuesday of that week and travelled back earlier on the Tuesday and took a day's leave on Wednesday 19 September. I was therefore not able to speak to you until Thursday 20 September. We then discussed that as Kathryn Maguire was returning GRO-C on Monday 24 September after 12 months that it would probably be more appropriate for you to be here on her return and you agreed. Subsequently, as I said above, on Monday 24 September, I authorised for you to attend but you declined.

As discussed at the IBI meeting on Friday, Paula has shown you the work that the clerical team are doing on several occasions. In addition, a number of boxes of papers from this sift have been shared with medical staff.

Prior to commencing the sift, we not only agreed the terms of reference for the IBI group of which you are a member (with Ivan Ritchie and Paula Johnston) but you also agreed the written process for the sifting of the documents in the plant room. In addition, Paula has physically walked you and Kathryn Maguire through the process and has met with all of the medical staff (with you present) to talk through the work the clerical team are doing and the input required from the medical team.

I have discussed with Ivan and Paula the IG training provided to the clerical staff and am confident that this has been comprehensive and appropriate for the work they are doing with the supervision provided.

In addition to taking you through the room where the clerical staff are working that clearly shows the key words on each box, Paula has now also shared a list of these key words with you.

As above, you were involved in the development of the process to sift the documentation in the plant room. As we have discussed on a number of occasions, in order to discharge our responsibilities to the Inquiry, it was essential that we secured all documentation within the NIBTS building including the plant room and the room used to sift material from the plant room. Therefore, access to these areas is strictly limited and controlled to a small number of staff. As advised, I also do not have access to these areas. This arrangement will remain in place until all documentation is reviewed.

It is disappointing that you felt it necessary to contact the ICO's office when a conversation with your colleagues would have provided the clarity you sought. As discussed at the IBI meeting on Friday 26 October, details of the records disposed of and retained are included in the attached document. I understand that Paula explained this to you when she showed you around the room where the clerical staff are working on Friday 5 October.

To clarify, at no time have you been excluded from the workplace. As explained to you on a number of occasions both verbally and in email correspondence, as your employer, we have a duty of care to you and must be absolutely sure that it is in your best interests to return to work following such a significant event. I advised you in writing on 16 October that you were not to return to work until I had the opportunity to consider the report from OH. It appears that you didn't read that correspondence nor did you see the text I sent you on 17 October as you advised that your wife had retained your phone "to protect you".

When you came in to my office following your OH assessment on 18 October, I had not expected to see you as I had not received the OH report. I asked that you stay in your office until I had completed the meeting and also requested that you didn't contact staff as they would automatically assume that you were back to work when in fact that wasn't the case at that time. I also printed the email and letter that I sent to you on 16 October for you to read.

You have advised in your email below that you visited your family doctor on 22 October and they had provided you with a fit note. However, when you returned to work on Friday 26 October you advised that you were unable to collect the fit note from the surgery on your way in to work that morning as the surgery wasn't open. The fit note that you provided me with later that day is dated 25 October. This clearly contradicts the statement you made in your email below.

With regard to access to your work files and HRPTS (as commented on via text message), as with all members of SMT, you have been offered a laptop computer which will facilitate remote access to all work systems. This has been in place for a number of months. I understand that you have declined the laptop purchased for you and ask that you

reconsider this as you may find that it will provide you with more flexibility regarding where and when you work which may be beneficial to you if your transport options are limited over the coming months.

As we discussed at your return to work interview, use of taxis is limited to those circumstances described in the NIBTS taxi policy. This has been sent to you previously. You agreed that you would look at alternative ways to facilitate participation in meetings including teleconferencing, using public transport, travelling with a colleague or sending a colleague to meetings in your place. I also advised that if a driver and NIBTS vehicle is free, this could be used (with prior notice) to transport you to meetings. If none of these options are feasible, in exceptional circumstances, it may be possible to authorise the use of a taxi. I have asked that you provide me with details of the meetings that you may require NIBTS transport or a taxi.

With regards to annual leave, as you advised on Friday afternoon, you are now taking leave during the week of 26 October. I would be grateful if you could update HRPTS to reflect this.

I do hope that the above provides clarity on the points that you raised below. However, if you feel that there are any points that need further clarity, I am content to address these either by email or during our next 1:2 meeting.

Kind regards

Karin

Karin Jackson

Chief Executive

Northern Ireland Blood Transfusion Service

Tel **GRO-C**



From: Caitriona Morris [mailto:GRO-C]
Sent: 25 October 2018 07:42
To: Jackson, Karin <Karin.Jackson@GRO-C>
Cc: Ritchie Ivan <Ivan.Ritchie@GRO-C>; jim.lennon@GRO-C
Subject: Re: URGENT UPDATE: Fitness to work

Dear Karin

There are a number of items I intended to discuss with you prior to today's Board meeting and I may now not have the opportunity

I would like the following formally noted and recorded and I have copied the Chairman in on this e mail

I do not have Lorraine Lindsay's email contact and as you have instructed me not to interact with NIBTS staff I have not contacted Alison Carabine, Board secretary

In relation to the infected blood inquiry:

I was taken aback at your decision that I should not attend the opening sessions in London. I have the greatest knowledge of this subject and the longest organisational memory among the existing staff cohort and it sends out the wrong message to patients, their families and legal counsel. The other three UK Blood Services sent their medical directors for the three days 24-26 September 2018;

I have not been referred any documents from 03 September to 11 October by the team of agency clerical staff who is searching NIBTS document archive;

the team of agency clerical staff has not received any advice and guidance from the medical team despite this being offered;

the team of agency staff has completed information governance e learning module awareness training but is otherwise unqualified and untrained for this task;

my understanding is the team are using buzz words for potentially relevant material but despite two requests these buzz words have not been shared or disclosed to the medical team

In relation to the plant document archive which is mostly though not exclusively mine:

there is insufficient openness and transparency in the process despite my offering advice and guidance;

I am not permitted access to the relevant areas and it is not clear to me what is being retained and what is being disposed of as this is not documented

I was sufficiently concerned about this to seek the advice of the information commissioner's office;

Dr Ken McDonald (head) and Ms Julia Clarke (senior policy adviser) have confirmed that it is recommended good practice (GDPR) to record disposal at least according to broad categories and is an absolute requirement for disposal of personal and sensitive information.

Obviously I am happy to attend the Board meeting and discuss these concerns as appropriate

In relation to your exclusion of me from the workplace, I think this is unreasonable and lacks objective justification

I attended OH 18 October and Dr Beattie consultant in occupational medicine's report confirming my fitness and return to work was e mailed to you at 1252 18 October 2018

I attended neurology RVH 22 October and Dr Campbell consultant neurologist has e mailed advising my immediate return to work. This was e mailed to you at 1456 22 October 2018

I also attended my family doctor 22 October and Dr Cummings has provided me with a fit note no restrictions which I had intended give to you at our scheduled return to work meeting this morning

Finally Dr Campbell has advised six months driving restriction effective 11 October 2018 to 11 April 2019

My expectation is my employer will provide a reasonable adjustment which is provision of taxis

I anticipate needing transport for essential company business on no more than six occasions during this period

I need to make a final submission to Claire Mclaughlin, case investigator, and for this I will need to access to my work files

This final submission is overdue and the reason for the delay is my exclusion from the workplace

Please confirm my return to date which I hope will be later today or tomorrow

I am also withdrawing my request for annual leave next week as this would mean my absence extending into a third week

Kind regards

Kieran

On 24 Oct 2018, at 19:18, Jackson, Karin <Karin.Jackson@GRO-C> wrote:

Dear Kieran

I hope you are keeping well.

Further to the email correspondence below, despite me chasing again today, I still have not received a response to the correspondence I sent to Dr Beattie on Friday 19 October. As I have previously advised, I require a response to my request for clarification on a number of areas before I can confirm a date for you to return to work. Regrettably, therefore, you will not be able to return to work tomorrow, 25 October as I had anticipated. As soon as I receive a response from Dr Beattie, I will be in contact with you.

I would be grateful if you could confirm receipt of this email as soon as possible. I will also text you to advise that I have sent this email and to ensure that you don't come in to work tomorrow.

I would also request that you respond to the queries in my email of 23 October.

Kind regards

Karin

Karin Jackson

Chief Executive

Northern Ireland Blood Transfusion Service

Tel: GRO-C

<image001.png>

From: Jackson, Karin

Sent: 23 October 2018 11:42

To: 'Caitriona Morris' <GRO-C>

Cc: Ritchie Ivan <[GRO-C">Ivan.Ritchie@GRO-C](mailto:Ivan.Ritchie@; George Hynds <[GRO-C">GHynds@GRO-C](mailto:GHynds@; Morris

Kieran <[GRO-C">Kieran.Morris@GRO-C](mailto:Kieran.Morris@

Subject: RE: Fitness to work

Thanks Kieran

I have put your return to work interview in the diary for 10:00 on Thursday 25 October. As you have previously requested that Ivan Ritchie is present when you and I meet, I have also put this in Ivan's diary. Please can you confirm that you are content for Ivan to be present. Also, during our discussion last Thursday, you stated that you wished George Hynds to also be present when we meet. Is it your intention to invite Mr Hynds to your back to work interview? I feel that this is something that we need to resolve urgently. As we have previously discussed, if this is your wish, then you will then be accompanied by two people.

As per my earlier email, do you have anything in writing from Dr Campbell regarding your ability to drive as the OH report states that you are not to drive for six months? As you know, it is a requirement of your role to have access to transport in order to carry out your role. We will need to discuss at your return to work interview how you intend to fulfil this function if you are unable to drive for six months.

Kind regards

Karin

Karin Jackson

Chief Executive

Northern Ireland Blood Transfusion Service

Tel [GRO-C]

<image002.png>

From: Caitriona Morris [mailto:[GRO-C]]
Sent: 23 October 2018 11:23
To: Jackson, Karin <Karin.Jackson@[GRO-C]>
Cc: Ritchie Ivan <Ivan.Ritchie@[GRO-C]>; George Hynds <GHynds@[GRO-C]>; Morris Kieran <Kieran.Morris@[GRO-C]>
Subject: Re: Fitness to work

Karin

Dr Beattie is in receipt of Dr. Campbell's e mail

When my return to work is confirmed we can discuss all related issues at return to work meeting

Kieran

On 23 Oct 2018, at 10:19, Jackson, Karin <Karin.Jackson@[GRO-C]> wrote:

Dear Kieran/Caitriona

Thank you for sending this through to me. Has this been sent to Dr Beattie in Occupational Health? Also, did Dr Campbell advise in relation to driving as per the OH advice?

I hope to receive a response from Dr Beattie on Wednesday with a view to returning to work on Thursday. Have you been able to establish some dates when you and George Hynds would be free to meet with me and Ivan Ritchie? We will also need to meet for your return to work interview on Thursday.

Kind regards

Karin

Karin Jackson

Chief Executive

Northern Ireland Blood Transfusion Service

Tel **GRO-C**

<image001.png>

From: Caitriona Morris [mailto:**GRO-C**]
Sent: 22 October 2018 16:20
To: Jackson, Karin <Karin.Jackson@**GRO-C**>
Subject: Fwd: Fitness to work

Begin forwarded message:

From: "Campbell, Ellenr" <ellenr.campbell@[REDACTED] GRO-C

Subject: Fitness to work

Date: 22 October 2018 at 14:15:25 BST

To: "'kieran.morris@[REDACTED] GRO-C
<kieran.morris@[REDACTED] GRO-C

Cc: "'duffy.morris@[REDACTED] GRO-C" <duffy.morris@[REDACTED] GRO-C

Dear Dr Morris,

As we discussed at clinic today, I would like to confirm that I see no reason why your recent medical issues would have any influence on your ability to work. I would be happy for you to return to work immediately, should you wish to do so.

As discussed, I have dictated a formal letter to this effect which will be typed and posted to you in due course.

Please let me know if any further clarification is required.

Yours Sincerely,

Dr Ellen Campbell,

Consultant Neurologist RVH.

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