

Witness Name: BRENDAN BROWN
Statement No.: WITN4496030
Exhibits: WITN4496031 - WITN4496033
Dated: 24 October 2022

INFECTED BLOOD INQUIRY

TWELFTH WRITTEN STATEMENT OF BRENDAN BROWN

I, Brendan Brown, Chief Operating Officer of National Health Service Business Services Authority ("NHSBSA"), will say as follows: -

1. I provide this statement on behalf of the England Infected Blood Support Scheme ("EIBSS") in response to the request under Rule 9 of the Inquiry Rules 2006 dated 8 September 2022. As with my first eleven statements, this statement is based on information available to the NHSBSA from its records of the EIBSS and the knowledge of members of the EIBSS team. I have made clear where the information is from my own personal knowledge.

Section 1: Customer satisfaction

2. I have previously explained what the purpose of the EIBSS Focus Groups is, but for context I have included this here.
3. The purpose of the meetings is to understand any positive or constructive feedback from beneficiaries who attend, to see if any improvements can be made to the administration of the scheme, and to be able to collect suggested changes in policy to be able to feed these back to the Department of Health and Social Care ("DHSC") to review. Following initial feedback from beneficiaries, the groups also act as a medium for beneficiaries to be able to network with each other for support and information, and speak to others who are in a similar situation to themselves.

4. EIBSS recommenced their Focus Groups virtually, in December 2021, the minutes from those meetings can be found on the resources section of the EIBSS website.
<https://www.nhsbsa.nhs.uk/eibss-resources>
5. The latest Focus Groups were held virtually in mid-August 2022 and the minutes for those meetings are also available on the resources section of the EIBSS website. The feedback provided in the Focus Groups is summarised in the published minutes on the EIBSS website, and is wide-ranging. Each of the questions raised by the attendees falls within one of the following broad categories (each grouping has been ranked based upon the number of questions asked, which fall within that group):

December 2021:

1. Scheme related queries, including specific questions regarding beneficiaries' applications.
2. Inquiry recommendations and the compensation scheme.
3. Help for parents who are bereaved, and bereaved children who have lost their parent(s).
4. Policy related questions that relate to potential changes to the scheme.

August 2022:

1. Scheme related queries, including specific questions regarding a beneficiaries' applications.
 2. Inquiry recommendations and the compensation scheme.
 3. Focus Group specific questions relating to its governance, communication etc.
 4. Policy-related questions that relate to potential changes to the scheme.
 5. Interim Compensation Payments.
6. Unfortunately, the release of the EIBSS satisfaction survey has been further delayed for several reasons, which I explain in the following paragraphs 7- 11.
 7. NHSBSA undertook a Legal Entitlement and Administrative Practices ("LEAP") exercise in the first six months of 2022. The exercise related to the income top-up ("ITU") calculations applied by EIBSS between June 2018 and August 2020, as these incorrectly included some disability benefits and disability elements of state benefits, as part of the assessment. EIBSS reviewed all ITU cases for the period and where applicable, made backdated payments, if the case file included full information. Where the full information was not held, we worked with beneficiaries to obtain this and made a backdated payment. The instruction for DHSC to undertake this exercise is included within the parity funding letter WITN4496031.

8. The focus on the completion of the LEAP exercise led to the delay in finalising the survey questions relating to the EIBSS service.
9. However, upon the survey being finalised, EIBSS was made aware that another survey was to be required by DHSC, to be sent to EIBSS beneficiaries, relating to research on psychological support. Due to beneficiaries having previously expressed their negative view on receiving multiple communications from EIBSS, a joint decision between EIBSS and DHSC was taken to merge the two surveys, to minimise the communications sent.
10. The complexities of ensuring data protection requirements are adhered to, as beneficiaries are being asked as part of the survey to opt-in to take part in further research, has meant that reaching a final version has taken some time.
11. We are currently working through the supporting data sharing documentation ahead of the survey being sent to beneficiaries, with the intention for the survey to be sent in November 2022. Our current priority is the delivery of the interim compensation payments, which will be made by the end of October 2022, and so note that it is unfortunately possible that the survey could be delayed further.

Section 2: Requirements for documents

12. EIBSS has recently agreed the latest version of the EIBSS service specification (version 4.0), attached as WITN4496032 As part of this specification the service levels for application processing times were amended, we note in particular that the agreed time limit for processing of special category mechanism ("SCM") applications was reduced from 60 days to 30 days on the basis that all other applications have a 30-day time limit.
13. I can confirm that there have been no changes to the tests applied to applications, since my last statement to the Inquiry.
14. I can confirm that there have been no changes to the requirement for supporting medical evidence for new applicants to prove eligibility.
15. I can confirm that since my last statement the evidence for certain applications has changed, due to the parity announcement on 25 March 2021 (please see section 4 of this statement for further information). As a result of the announcement, bereaved partner payments were introduced in December 2021, replacing income top up

payments, the last of which were paid in November 2021. The bereaved partner payment is a simple application process, with no means tested assessment. Details can be found on the bereaved partner payments section of our website: <https://www.nhsbsa.nhs.uk/families-deceased-beneficiaries>.

Section 3: Support for psychological needs

16. A steering group was set up to collaboratively explore the future options regarding the psychological support offering for EIBSS beneficiaries and their family members. The group is formed of participants from DHSC, NHS England (NHSE) and NHSBSA. The group initially explored the option of a bespoke psychological support service, as part of EIBSS but this option was later discounted, as NHSBSA is an administrative organisation and cannot be part of a patient healthcare journey.
17. Since then, the steering group's focus has been on enhancing the current information on the EIBSS website regarding 'talking therapies', so that beneficiaries have detailed information to make an informed choice regarding their support options, both through the NHS and privately. I provide a link to the relevant section of the website here: <https://www.nhsbsa.nhs.uk/talking-therapy-support>.
18. We are currently working on improving the private treatment funding beyond the £900 support currently available, which we hope to communicate in November 2022. Please note that the current priority delivery of Interim Compensation Payments is affecting progress on several other service developments, so there may be a small delay to EIBSS communicating such.

Section 4: Provision between the four nations

19. As mentioned earlier in section 2, the government made a parity payments announcement last year, the intention of which was to bring about broader parity of the four UK infected blood support schemes. The announcement can be found here: <https://questions-statements.parliament.uk/written-statements/detail/2021-03-25/hcws895>. In order to be able to administer the changes announced by the government, several processing changes were required within EIBSS, and these are broadly captured within the parity funding letter WITN4496031 and accompanying specification addendum WITN4496033.

20. As set out above in section 2 of this statement, the current scheme rules are documented within the latest version of the EIBSS scheme specification (version 4.0), which is provided as WITN4496032.

Section 5: Advice and advocacy services

21. As explained in my statement (WITN4496013), EIBSS provides a supportive service to applicants and to beneficiaries of the scheme. That support is based upon the requirements within the scheme specification. EIBSS has based its service design i.e. the processes and its staffing to deliver the scheme as defined within the specification. EIBSS is always open to feedback and suggestions of service improvement. Substantial changes to the support EIBSS provide would require a change to be made to the EIBSS service specification by DHSC. If DHSC made such a change, EIBSS would need to plan how it would build that support into its service delivery and explore/manage the likely impacts, such as the likely increase in the administrative cost of the scheme.

22. EIBSS do not currently provide an advocacy service to those wishing to make an application to the scheme.

23. EIBSS do not currently provide an advice and/or advocacy service to assist the registrants with accessing medical care and support and/or social care and support.

24. EIBSS provides a welfare advice service through two welfare advisers; the previous scheme administrators offered a similar service with one adviser. Alternatively, beneficiaries can choose to source their own welfare advice and EIBSS will cover the cost. EIBSS are able to assist beneficiaries in locating local welfare advice if they choose this option.

25. EIBSS currently directs beneficiaries to the support services section of the EIBSS website, where they can find information on the available sources of financial support: <https://www.nhsbsa.nhs.uk/financial-and-support-services>. There is not an advocacy service for this type of support.

26. EIBSS provides all beneficiaries with an annual payment letter in March each year, confirming the amount and date of their payment. This letter should be sufficient to evidence the support provided from the scheme. However, if a beneficiary had an ad hoc request, to support their case, we would of course support them in any way we

can. Any support provided by EIBSS is subject to the scope of our administrative support function, as defined within the scheme specification.

27. NHSBSA operate the scheme as directed and within policy determined by DHSC; with a focus on delivering a fair and transparent scheme to beneficiaries who rely on the support provided. In this regard, NHSBSA has designed processes around the beneficiary's needs through engagement activities, and has a commitment to continuously review and improve the service where opportunities are identified.

28. EIBSS hopes that the responses received from the service satisfaction survey which are due to be sent in November 2022 will help EIBSS and DHSC understand what changes and/or enhancements beneficiaries would like from the support scheme. This feedback will be reported to DHSC and can be used to inform business planning for the next financial year.

Section 6: Accountability

29. As previously covered in sections 86-91 of my earlier statement (WITN4496001) to the Inquiry, EIBSS are accountable to DHSC, EIBSS report and meet with DHSC representatives monthly. The standing agenda items and an explanation of each item covered at each meeting is shown below.

- Review of previous minutes
The minutes are shared after each meeting, are reviewed/agreed by DHSC between meetings and are confirmed as a true and accurate reflection of the previous meeting, as part of the overall accountability procedure.
- Review of action log
The items on the action log, including their current status and progress are discussed in turn.
- DHSC update
DHSC provides an update on their current work in progress and any future work that may be required.
- NHSBSA / EIBSS update
NHSBSA / EIBSS provides an update on their current work in progress and any future work that may be required.
- Data: EIBSS dashboard

EIBSS presents the dashboard, which includes reports on the scheme's performance (KPIs) and provides monthly data on beneficiary numbers, application volumes, customer contact, complaints etc.

- Finance: report

EIBSS presents the finance report shows a monthly breakdown of the EIBSS spend expenditure at an application level.

- Finance: tracker

EIBSS presents the finance tracker, which provides visibility of the EIBSS expenditure compared to the yearly budget.

- Governance: risk register

EIBSS presents the risk register, which allows everyone to have visibility of any EIBSS related risks and the associated mitigation for those risks.

Statement of Truth

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

Signed _____ **GRO-C** _____

Dated _____ 24 October 2022 _____

Table of exhibits:

| Date | Notes/ Description | Exhibit number |
|---------------|--|-----------------------|
| 4 August 2022 | EIBSS Specification Aug 2022 v4.0 | WITN4496032 |
| 2 July 2021 | 210702 EIBSS Funding Letter 21-22 FINAL - signed | WITN4496031 |
| 5 July 2021 | EIBSS addendum to specification July 2021 v1.0_Signed | WITN4496033 |