

Witness Name: Brendan Brown

Statement No.: WITN4496036

Exhibits: WITN4496037- 038

Dated: 20 December 2022

INFECTED BLOOD INQUIRY

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 in response to the Rule 9 request dated 7 November 2022, following a notification of criticism made by a witness under Rule 13 of the Inquiry Rules dated 10 January 2022. As with my other statements, this statement is based on information available to the NHSBSA from its records of the England Infected Blood Support Scheme ("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: Introduction

2. My full name is Brendan Craig McMahon-Brown (known as Brendan Brown), and I am the Chief Operating Officer at NHSBSA as from 1 February 2022. Prior to this date, I was the Director of Citizen Services at NHSBSA, and this fact is reflected in my previous statements. My role is based at Stella House, Goldcrest Way, Newburn Riverside, Newcastle Upon Tyne NE15 8NY. Details of my professional background and career are set out in my first statement.

Section 2: Response to Criticism(s) by W3971

3. My attention has been drawn to criticism made by witness WITN3971001, to the Inquiry in relation to the application to EIBSS of the witness' partner ("the Applicant"), on behalf of their late father (the deceased). In particular, my attention has been drawn to criticisms of EIBSS made in the witness' statement. I have copied out these comments below for context, along with my response.
4. In paragraph 31, Page 8 of witness statement WITN3971001, states the following:

“31. Until November 2019, Cressida was in private therapy, costing £60 an hour. This started as charity bereavement counselling, but the number of sessions was limited and now we can only afford one session a month. We requested a one-off discretionary payment from EIBSS to include the funeral costs and ten counselling sessions. EIBSS paid for the funeral, but refused other costs (including printing the order of service booklets). They refused to pay for counselling sessions, even though the total sum that we requested was below the upper limit of the grant that was available. We know Derek's partner has also found it difficult accessing financial assistance from EIBSS, mainly in terms of their insistence on her providing various documents.”

5. I believe that there are three separate points that have been raised in the witness' criticism. I address each of these issues separately in this statement, and list such below for ease of reference:
 - Counselling support;
 - Funeral grant; and
 - Difficulty in accessing financial assistance.
6. A senior Manager for EIBSS has investigated the application paperwork relating to W3125, to inform this response, including the appropriate guidance that was in place at the time of the discretionary support application that was received on 27 December 2018.

Counselling Support

7. The counselling support request submitted as part of the Applicant's discretionary support application was declined and the application decision was sent to the Applicant on 31 December 2018, attached as Exhibit WITN4496037. I have extracted a section from the response letter and provided this below for completeness.

“We cannot make payment towards counselling costs as this is only available to infected beneficiaries and bereaved widows/spouses.”

8. I am content that the above reflects the EIBSS position at the time. The EIBSS administered this specific criterion in accordance with paragraph 3.2.4 and 3.2.5 of the original scheme specification, which has previously been provided to the Inquiry. However, I note that the support provided by EIBSS has continued to evolve, and that changes to counselling support were made in May 2020. I have attached a copy of the letter sent to beneficiaries explaining this change. The change applied from this date onwards and all supporting guidance materials were updated to reflect this change. (Exhibit WITN4496038).
9. The relevant part of this change is that for the first time EIBSS was able to accept applications for counselling support from the families of beneficiaries. Prior to May 2020, EIBSS was unable to accept counselling support applications from beneficiary's families, as this was not part of the relevant scheme specification provided by the Department of Health and Social Care at the time.

Funeral Grant

10. The funeral grant request submitted by the Applicant as part of the discretionary support application was approved for the majority of the requested amount. The total funeral grant requested by the Applicant was for £4,347.39, whereas the amount approved was £3,474.09. The application form and supporting evidence has been examined to understand the rationale for not approving the whole sum.
11. The amount of £3,474.09 was approved, as this was evidenced by an invoice from the funeral directors. The additional amount of £873.30 was not approved as it related to other expenses incurred, such as in support of the 'wake'. The Applicant also requested printing costs for the order of service, but EIBSS determined that such costs were not adequately evidenced, as the corresponding debit card receipt for £41.25 contained no details to show what was purchased.
12. Although the amount of £41.25 may not be as significant an amount compared to the other expenses claimed, I appreciate that EIBSS has an obligation to ensure that even the smallest amount claimed is evidenced, as EIBSS is the administrator of public funds and subject to financial audit.

Difficulty in accessing financial assistance

13. Finally, I'd like to address the difficulties in accessing financial assistance described by the witness. I have extracted the relevant part from the statement and included such below for completeness.

"Derek's partner has also found it difficult accessing financial assistance from EIBSS, mainly in terms of their insistence on her providing various documents."

14. After looking at the application information for the partner of the deceased (W3967), it is apparent that the application criteria and types of support in place at the time of application may have made the application process challenging, such as in relation to the bereavement application and income top-up (ITU) applications.
15. There were some initial challenges regarding the bereavement application, as the originally supplied death certificate did not confirm that Hepatitis C had contributed to the death of the deceased. This requirement was a part of the scheme criteria at the time of the application, as part to the 25 March 2021 Parity changes.
16. Additionally, as a bereaved partner, W3967 was entitled to discretionary payment support through ITU payments, and at times the evidence to support this type of payment application presented some challenges. This is a known matter to the Inquiry, but the ITU payments ceased as of November 2021 and this form of support was replaced by bereaved partner payments, which commenced in December 2021.
17. It is evident from the beneficiary case file for W3967 that we have been supportive in assisting W3967 with their various applications over several years, where they have had challenges with the criteria and applications in place at the time.

18. Through the examination of the applications and supporting information relating to this criticism I am confident that EIBSS has provided a supportive service to the Applicant and W3967, in accordance with the criteria and supporting application forms in place at the time.

Statement of Truth

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

Signed: **GRO-C**

Dated 20 December 2022

Table of exhibits:

Date	Notes/ Description	Exhibit number
	Funeral Grant- Outcome Letter	WITN4496037
	Counselling Support Changes Letter	WITN4496038