

Witness Name: Nick Fluck  
Statement No.: WITN4746001  
Exhibits: N/A  
Dated: 28 January 2021

## **INFECTED BLOOD INQUIRY**

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### **FIRST WRITTEN STATEMENT OF NICK FLUCK**

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I, Nick Fluck, will say as follows: -

- 1) Thank you for your letter of 12 February 2020 requesting a statement of truth in reference to issues related to the previous Rule 9 request, dated 15 August 2018. I can confirm that I am replying on behalf of the NHS Grampian Chief Executive and in my capacity as the nominated Board Executive link with the Infected Blood Inquiry.
- 2) To answer your specific questions, I have sought information from Professor Henry Watson (Clinical Lead for the Grampian Haemophilia Centre) and Fiona Musk our organisational archivist. These were also the individual professionals who carried out the original search in relation to the 15 August 2018 Rule 9(2) of the Inquiry Rules 2006 request. I will address your questions in turn:

**1. Of the searches undertaken to comply with our Rule 9 request, dated 15 August 2018, please provide a list of searches, including search terms used.**

- 3) Professor Watson carried out a search of Scottish Haemophilia Centre Directors' meetings (agenda, minutes and circulated documents) and

the Coagulation Factor Working Party meetings (agenda, minutes and circulated documents) held by him from the time of his appointment in 1996. These were held in a combination of electronic and paper formats. He read through all of this documentation with the terms of the request to hand to identify any potentially relevant material. The documents reviewed by Prof Watson do not form part of a formal archive. They are documents he has retained for the purposes of his role as Centre Director. They do not represent a complete collection of documentation from all Scottish Haemophilia Directors' meetings and the Coagulation Factor Working Party from 1996. As far as Prof Watson is aware, there are no other relevant working parties other than those referred to in this paragraph.

- 4) Professor Watson also carried out a search of a collection of papers left by his predecessors (Bruce Bennett and Audrey Dawson) containing some material associated with their previous roles within the Scottish Haemophilia Centre Directors' Organisation. He read through all of this documentation with the terms of the request to hand to identify any potentially relevant material. Prof Watson's search saw him considering all the documentation which had been left to him by his predecessors. Prof Watson, in that search, considered a lever arch folder left to him by Dr Bruce Bennett. With the exception of the Centre's annual returns of their concentrate use, Prof Watson does not consider that any documentation contained within the folder is relevant to the Inquiry's Terms of Reference.
- 5) I also requested a search of the NHS Grampian Archive with reference to the Rule 9(2) request. To give context to this search it may be useful to outline the structure of the archive before detailing the search strategy.
- 6) NHS Grampian Archives holds the records of what is now known as NHS Grampian and its predecessor bodies, and contains information dating back to 1739. Following the creation of the National Health Service in 1948 this has included records of the various administrative bodies set up to manage the hospitals which fell under the then newly created North Eastern Regional Hospitals Board. This changed to

Grampian Health Board in 1974, and then NHS Grampian from 2004. Professional management of the archive records began in the early 1980s when the first Board archivist was appointed. The bulk of the collection was held at Woolmanhill Hospital until 2013 when a decision was made to store part of the archive at the Special Collections Centre (SCC) at the University of Aberdeen. Around 150 linear metres of material was moved to SCC, with another c600 linear metres remaining in an NHS Grampian owned secure storage facility known as Unicorn. The entire archive collection is wholly owned and managed by NHS Grampian.

The Inquiry has asked about the date range of documents held by the Board. NHS Grampian does retain documents prior to 1996. Those held within the archive of the Board were included in the search, requested by the Inquiry, of documentation held by the Board relevant to the Inquiry's Terms of Reference. A Team from the Inquiry visited the archive on 21<sup>st</sup> May 2019 for a preliminary examination, and then from 10<sup>th</sup> – 13<sup>th</sup> June 2019 for in depth research..They considered documents of possible interest held by the archive, including administrative material dating from the early 1970s up to the late 1990s. The Board's archivist, Fiona Musk, has not identified any records, within the archive, which relate specifically to the Board's Haemophilia Centre. The Board is not aware of any other repositories of documentation within the Board which may hold documentation relevant to the Inquiry's Terms of Reference. Whilst it is possible that individuals may hold some historical papers passed to them by predecessors, the Board does not hold a comprehensive live document management system that would allow a search to be undertaken. The Board has no reason to believe that there are individuals in roles who would hold papers relevant to the Inquiry, other than Prof Watson. On reviewing the Board Systems Asset Register it is not thought that additional system searches would identify information that would assist the Inquiry.. The Board has reviewed the two most relevant sources of information relevant to the Inquiry, being the Archive and documents held within their Haemophilia Centre. The Board remains committed in assisting the Inquiry in its work and should

any further documents of relevance to the Inquiry come to light, they will be forwarded to the Inquiry.

- 7) Fiona Musk, NHS Grampian Archivist completed the search of both catalogued and uncatalogued material held at both SCC and Unicorn. These included records listed on NHS Grampian Archives' online catalogue, hosted by the University of Aberdeen, and lists available to the NHS Grampian Archivist, which are not publically accessible. Catalogued material includes minutes, some administrative records, and records of other associated organisations held within the collection. Uncatalogued, but listed material includes other administrative files, correspondence, and associated papers.
- 8) Specific search areas included:
  - Pharmacy Committee/Medicines Committees
  - Protocols and Policies since 1970
  - Hospital Transfusion Committee
  - All hospital Management Committees
  - Grampian Health Board
- 9) A keyword search was also carried out on lists of documents held at Unicorn. These are mainly box lists of material, and keywords used were "blood", "transfusion", and "centre". Some administrative files were identified from this search and were set aside for consultation by the Inquiry team. The lists were also read to identify other series of records which would not appear using the keyword searching. Records identified included Board minutes and other administrative records which covered the time period of interest.
- 10) A member of Inquiry team, GRO-D visited NHS Grampian Archives in order to find out the type and quantity of records held to help establish the length of time required for the subsequent Inquiry team visit. He was shown by Fiona Musk the collection held at SCC and was advised of the type of records held at Unicorn. This was followed by a

four day visit with a four-person Inquiry team who examined previously identified material.

**2. A list of all the NHS Grampian's information repositories (from 1950 to present day) such as local authorities, University archives and The National Archives, for which the Trust had or has any control, responsibility, or oversight.**

11) Other than the NHS Grampian Archive I am not aware of any other NHS Grampian or External repositories for which NHS Grampian holds control, responsibility or oversight.

**3. With reference to (2), please provide a list of the repositories and archives searched in response to the Rule 9(2) request, dated 15 August 2018.**

12) As detailed in the response to question 1 our searches covered:

- Professor Watson's collection of electronic and paper records of Scottish Haemophilia Centre Directors' meetings (agenda, minutes and circulated documents) and the Coagulation Factor Working Party meetings (agenda, minutes and circulated documents) from 1996 to the date of the search.
- A collection of papers left by Bruce Bennett and Audrey Dawson (1968 to 1996) containing some material associated with their previous roles within the Scottish Haemophilia Centre Directors' Organisation
- The NHS Grampian Archive (as detailed above covering organisation healthcare information from 1739 to the present day).

**4. If the records that were requested in the Rule 9 request, dated 15 August 2018, have been destroyed in line with NHS Grampian's document retention and destruction policies, please provide copies of the relevant document destruction record or policy as exhibits to the written statement.**

Professor Watson has confirmed that no records that he searched or produced for the Inquiry team have been destroyed.

13) Within the NHS Grampian Archives no destruction of records held has taken place. Some weeding of administrative records has been conducted, though these have not yet been disposed of and do not include records produced for the Inquiry team. The retention schedule used by NHS Grampian Archive can be found within the NHS Scotland Records Management Code of Practice (2012), though records held within the archive collection are held permanently.

14) I do hope this meets the needs of the Inquiry. I would be happy to provide any additional assistance at your request.

**Statement of Truth**

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

Signed 

GRO-C

Dated 28 January 2021