

Witness Name: Kevan Walker

Statement No.: WITN7211001

Exhibits: WITN7211002 -

WITN7211004

Dated: 19 January 2023

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF KEVAN WALKER, ON BEHALF OF KING'S COLLEGE HOSPITAL NHS FOUNDATION TRUST

I provide this statement in response to two requests under Rule 9 of the Inquiry Rules 2006 dated 20 May 2022 and 7 June 2022.

I, Kevan Walker, Head of Patient Record Services, will say as follows: -

Request for information – FOI 8096

It has come to our attention that a fire affected the record-keeping at King's College Hospital in the late 1980s or early 1990s. To verify the above, the Inquiry requests information with regards to the following questions:

1. Was there a fire, or any other event, at King's College Hospital which caused the destruction of records at some stage in the late 1980s/early 1990s?

If so, please provide details of:

- a. the nature of the incident(s), and identified cause(s) of the incident/s;***
- b. the time and date(s) when the incident(s) occurred;***
- c. the extent of the damage to medical records (i.e.: percentage of records damaged/destroyed);***

1. This information is not held.
2. Detail of all searches. The following departments were asked if they held any records of such an incident or any incident which caused the destruction of records in the given time frame - Legal, Estates, Patient records:
 - i. Head of Patient Records (KW) - I can confirm that I have searched all areas of Patient Records Departments across all sites for any documentary evidence that reports on a fire, but regret I have not been able to find anything. None of the staff currently employed in Patient Records had been employed in the 1980s, and therefore I am not able to provide any statement on the event.
 - ii. Associate Director, Estates - Capital, Estates & Facilities Directorate (MW): No records found.
 - iii. Legal: Referred us to the above.

2. Please provide any documentation in relation to the incident and give details of the records that were damaged/destroyed (where that exists);

3. This information is not held.
4. Detail of all searches: please see above.

3. Were there any archives which backed-up the records which were subsequently destroyed? If so, where are these held?

5. This information is not held. Paper Records have always been stored and retained in accordance with the relevant NHS Code of Practice, however it is not known what service or facilities supported this prior to 2010 when archived records started to be moved to a contracted off-site service.

4. Were there any applicable policies or guidelines that recommended or discussed how an incident of this nature should be dealt with?

6. This information is not held. Prior to 1994 the legislation pertaining to retention is not known, however from 1994 – to date, guidance has been managed by the NHS Code of Practice in various releases up to the current NHSX CoP 2021.

If so:

a. Please provide us with the relevant policies or guidelines that were applicable at the time of the incident/s.

7. This information is not held. Policies prior to October 2012 cannot be identified. However, please note that Trust policy is led by and mirrors the NHS Code of Practice. You can search NHS Digital (now known as NHS X) search engine Home - NHS Digital which may contain guidance for previous years.

b. Did relevant policies/guidelines stipulate that a record of incidents causing damage/destruction to medical records should be kept? If so, was this followed by your Trust?

8. This information is not held – see above.

c. How often were the relevant policies/guidelines reviewed and who was responsible for reviewing and updating these policies/guidelines?

9. The guidance would have been reviewed as required to meet changes to current legislation or national standard. Since 1994 there have been 7 updates made to the current guidance.

d. Were the policies/guidelines governing storage of medical records subject to review following any incidents so as to prevent any recurrences?

10. This information is not held. However, there has always been an overarching principle that records must be stored in such a way that they

are accessible and safeguarded against environmental damage. A typical paper document may be stored in a filing cabinet in an office. However, some organisations employ file rooms with specialized environmental controls including temperature and humidity. Vital records may need to be stored in a disaster-resistant safe or vault to protect against fire, flood, earthquakes and conflict.

5. Following the destruction of records, have any policies or guidelines that recommended or discussed specifically how to prevent an incident of this nature in the future been put in place? If so, please provide us with the relevant policies or guidelines that were established after the incident/s occurred.

11. This information is not held, but please see above.

Request for information – FOI 8121

6. What policies, if any, relating to the destruction or retention of medical records did King's College Hospital NHS Foundation Trust, or the individual hospitals that now make up the Trust, have in place during the time period 1980 - present? If possible, please supply copies of any such policies.

12. Please see the attached documents (WITN7211002; WITN7211003; WITN7211004). These documents have been redacted to remove information not requested and/or personal information that, under the Data Protection Act and hence Section 40 of the Freedom of Information Act 2000, should not be disclosed.

13. Please note that policies prior to October 2012 cannot be identified. However, please note that Trust policy is led by and mirrors the NHS Code of Practice. You can search NHS Digital (now known as NHS X) search engine Home - NHS Digital which may contain guidance for previous years.

7. Which department(s)/team(s) held responsibility for the destruction or retention of medical records during this time period?

14. Patient records.

8. In relation to changes, updates and improvements of the Trust's policies relating to the destruction and retention of medical records over the time period, please explain to the best of your knowledge what these were driven by, for example any Government guidance provided.

15. Guidance has been aligned to the NHS Code of Practice in various releases up to the current NHSX CoP 2021.

Statement of Truth

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

Signed

GRO-C

Dated 19 JANUARY 2023

Table of exhibits:

Date	Notes/ Description	Exhibit number
20/02/2017	Patient Records Procedure - Redacted	WITN7211002
18/01/2021	Records Management Policy - 2021 (Version 5) - Redacted	WITN7211003
22/06/2022	Draft Records Management Policy (version 4.1)	WITN7211004