

## **THE PENROSE INQUIRY**

### **Written Statement of Ben Plouviez on Records Management at the Scottish Government**

1. My name is Ben Plouviez, and I am Head of Knowledge Information and Records Management in the Scottish Government. I have led the information and records management teams in the Government since 2005, and have responsibility for ensuring that the operation of those teams meets the statutory requirements placed upon the Government, and, as far as possible, follow good practice and the requirements of the business of the Government.
2. This statement has been informed by discussions with my staff and with Nancy Woodhead, who has also provided a separate witness statement.

#### **Records management processes in the Scottish Government**

3. The records management procedures followed by the Scottish Government are set out in the Records Management Manual (updated 2005) which is published at <http://www.scotland.gov.uk/Publications/2005/08/15152416/24168> (significant changes in practice prior to 2005 are noted below). The procedures relevant to this statement largely relate to the management of legacy paper files of the Scottish Government. (The Government implemented an electronic document and records management system in 2005-06, and at that time largely switched from paper to electronic records).
4. Scottish Government records are files created by staff in the Scottish Executive/Scottish Government since 1999, as well as those records of the Scottish Office and constituent Departments still in Scottish Office custody at the time of devolution which related to devolved matters, including health, education, etc. Custody of these latter files was transferred to Scottish Ministers under the devolution arrangements (Article 10 of the Transfer of Property etc. (Scottish Ministers) Order 1999, SI 1999/1104). This means that all files relating to Government action on matters relevant to the purposes of the Inquiry which had not already been transferred to the National Records of Scotland (formerly the National Archives for Scotland) for permanent preservation or which had not

already been destroyed in accordance with the records management arrangements in force at the time will have been in the possession of the Scottish Ministers in 1999.

5. Our paper files are managed using a database system known as IMPReS, which records the life history of a file up to its destruction or transfer to the National Records of Scotland (NRS). This system allows us to trace the process by which a file came to be destroyed. The actual destruction takes place under contract in secure conditions. The IMPReS system was implemented in 1996, and populated by keyboarding of existing manual registers held within business areas of the then Scottish Office. Thus – allowing for a normal rate of error and loss – the IMPReS database references the totality of files transferred to Scottish Ministers' custody as described in paragraph 3 above.
6. Some 800,000 paper files are still recorded on our IMPReS system, and upwards of 30,000 files are still reviewed each year. Approximately 1.5% of the files of the Scottish Government are selected by NRS for permanent preservation as part of the historical record; the rest are destroyed, generally within 25 years of closure. This review and destruction process is a well-established one that follows the normal practices of managing public records in the UK. The operation of the Scottish Government's records management policies and processes was reviewed by National Archives staff in 2006 against both the Section 61 Code of Practice on Records Management published by Scottish Ministers under the Freedom of Information (Scotland) Act 2001, and also the requirements of ISO 15489, the international standard on records management. Our procedures were found to have 90% compliance with these benchmarks.
7. Paper files are identified by a "cipher" or coding, the first element of which signifies the Branch or organisational unit responsible for that file during its effective business life. Much of the focus of the Scottish Government in preparing for the work of the Inquiry has focused on the file series with the cipher "NQ", which related to the work of the Blood and Rehabilitation Equipment Team and included all records relating to blood transfusion practice and policy.

8. Files put away in central storage under the ownership of the Records Management Branch are marked with an instruction from the originating Branch. The pre-printed instructions are:
  - a. "First Review";
  - b. "Second Review";
  - c. "Destroy"; or
  - d. "Preserve in NRS", or previously "Preserve in NAS".
9. The relevant instruction is circled by a Branch member who would add (in the first two instances and sometimes in the third) a future date when the action should be carried out and their initials. If no marking is made, and the file is closed, it is automatically put forward for First Review in 5 years.
10. "First Review" is used when a file should be reviewed within 5 years of closure. "Second Review" is used when a file should be reviewed between 5 and 25 years of closure (a file does not have to have a "First Review" before a "Second Review").
11. If a file is marked for review (or for future destruction), it is stored in accordance with that instruction, by date. Thus the selection of files for review in, say, 2009 is simply a case of pulling the files stored under the rubric "First Review 2009", which will all have been placed together on the shelves. This system ensures that there is limited scope for misfiling or premature destruction.
12. "Destroy" is used when the Branch assesses (based on their own criteria or on the Standard Records Schedule, mentioned at paragraph 14 below) that the file has neither business nor historical value. Frequently a future date is added to this instruction, to provide for the file being destroyed in a number of years' time ("forward destroy"). "Forward destroy" files for a particular year are stored together on the shelves so that they can be retrieved together for destruction.
13. Files marked "Preserve in NRS" by the originating Branch are in every instance passed directly to NRS for consideration. NRS therefore inspect every file marked for preservation. If considered of insufficient historical value, the file is sent back to Branch for reconsideration. Under the terms of the Public Records Act 1958 (which has no legal standing in Scotland, but aspects of which apply by

administrative agreement) records should not be held by the Branches once they are 30 years old. By this time they should have been subject to disposition under the terms of the Scottish Government's records management policy and either destroyed or accessioned by NRS for preservation.

14. Prior to 2001, files marked for review were passed back to the originating Branch for assessment at the appropriate time, as marked on the file cover. This process often led to backlogs of files accumulating in Branches, and some issues arose where a relevant Branch could no longer be identified. A corporate Records Review Team was therefore created in March 2001 to carry out the reviewing function. At that time, Branches were invited to draw up a Records Schedule for the retention of the records they create, or to subscribe to a Standard Records Schedule proposed by my team.
15. Files which are marked for Review (first or second) are now, and have since 2001, been reviewed by experienced records management staff in my team. They are not looking for information which may still have a business value (the Branch has implicitly declared that there is no such value beyond the review date they have set when sending the file to storage). They are looking to see whether the file has historical value as a permanent record of the Scottish Government's activities. The criteria for this are well-defined and reasonably prescriptive; the reviewers are looking, for example, for records that relate to the creation of a new policy or the setting up of a new public body.
16. It should be noted that files put away, and even those transferred to the National Records of Scotland, can be and frequently are returned to Branches for consultation as required. They can be requested as a standard procedure through the IMPReS system.
17. Staff from the National Records of Scotland also review lists of all files that have been marked for destruction, either by the Branch or by records management reviewers. This enables them to identify files which they feel may be of historical significance, and they will sometimes physically review those files themselves. Thus no file is destroyed without the involvement of NRS staff, although again

this procedure is directed at ensuring that records of historical value are not lost. It should be noted that the lists used for this review process are not kept.

### **Handling of blood transfusion files**

18. In January 2009 my staff became aware that there were concerns relating to the destruction of files possibly relevant to the Inquiry. The files in question have the cipher – the code which identifies the originating Branch or organisational unit – of NQ. This cipher related to the work of the Blood and Rehabilitation Equipment Team and included records relating to blood transfusion practice and policy. We, with the Branch in question, have thoroughly reviewed the records relating to these files.
19. There are records of 560 files opened in the NQ series concerning blood policy issues. The earliest NQ files for which IMPReS records exist date from around 1970. Since 1998, 242 of these files have been destroyed in line with normal records management processes – 166 before 2005. This level of retention/destruction is what one would expect. The following paragraphs provide information, in so far as we have been able to obtain it, relating to the files and their destruction. We have attempted to reconcile the numbers of files in the NQ series opened, files destroyed and files delivered to the Inquiry. We have records of 560 NQ files being opened, 242 files being destroyed (Annex A to Nancy Woodhead's statement), 21 presumed destroyed (see paragraph 38) and, discounting duplications, 235 being delivered to the Inquiry. This leaves a balance of 62 NQ files; these 62 files were considered not to be relevant to the Inquiry's Terms of Reference (see paragraph 5 of Nancy Woodhead's statement).
20. A batch of files was "put away" or returned to store – that is, placed under my team's management – in October 2006. This appears to have been done at the conclusion of the exercise instructed by the then Minister to release information relating to Hepatitis infection to patient groups (see paragraphs 29-32 below). 41 of these files have since been destroyed, most in February 2007 (see paragraphs 33-36 below). These files were destroyed according to standard practice, in chronological order of closure. The IMPReS system shows that 34 of these 41 files were marked for destruction by the Branch (this is shown by the annotation

"Branch" on the system). Two files were reviewed and destroyed by Records Management in accordance with normal practice. The other five had no relevant note as to the instruction to destroy.

21. Some of this batch of files clearly contained material relevant to the Inquiry, as papers from seven of these files had been issued as part of the Hepatitis review exercise. All seven files are recorded as having being marked by the Branch for destruction (see paragraph 34).
22. A further batch of files were sent to Records Management in October 2006, possibly as part of the move to an electronic records and document management (eRDM) system across the Scottish Government (Branches at that time were being asked to close all paper files and begin using eRDM).
23. Overall, taking into account older files which had previously been put into storage and this additional batch, fifteen further files were destroyed by Records Management staff in 2007-08 – seven of them after May 2007, when a new Government came to power with a manifesto commitment to hold a Public Inquiry into this area of policy. These files were not marked for destruction by the Branch, but since they were transferred to our keeping they have been reviewed according to standard practice by Records Management and selected for destruction. These files, along with an assessment of their relevance, are listed at paragraph 37 below.

#### **What went wrong?**

24. There is some discrepancy about the existence or otherwise of a separate Records Schedule, but a record exists of a phone conversation (23 March 2004) in which someone from the Blood and Rehabilitation Equipment Branch confirmed to my team that the Branch would follow the Standard Records Schedule. Staff in the Branch believe, however, that a separate Records Schedule was produced, although it cannot be located. The existence of such a schedule would not have affected the fate of files marked for destruction, but it might have altered the fate of files marked for review.

25. If files which the Branch wished to be preserved for use by any future inquiry or review have been destroyed by the Scottish Government, this appears to have taken place as a result of miscommunication between the business area involved and the records management team.
26. Discussions between ourselves and the Blood and Rehabilitation Equipment Branch suggest that staff in the Branch assumed that they had communicated a clear message to my staff that the NQ series of files should not be destroyed. They assumed that that message was sufficient to override any particular markings on the files or any standard process of review. Unfortunately, given the number of files dealt with annually by those managing the file store and the reviewing process, a general instruction is almost impossible to action; with staff changes and the passage of time, any such message would be likely to be distorted or lost. I should stress that this explanation is conjectural; it is not now possible to be certain exactly what occurred, although the evidence clearly shows that nothing outside the normal practices and procedures of our records management regime took place.
27. As background, it may be mentioned that during the period from 2006-09 the team was handling 50,000-100,000 files annually, of which 25,000-30,000 were destroyed each year. While there were more staff in the Records Appraisal team at the time (8, decreasing through the period to 3), they were supporting what was then still a live records system and carrying out a much wider set of duties.
28. This issue has highlighted that we need to have a clear and unequivocal way of embargoing the disposition of files subject to a particular concern, and this is now in place.

#### **Files considered for disclosure in 2005**

29. An exercise to publish information on Hepatitis C began in February 2005, when Ministers undertook to release the content of relevant files held by the Scottish Executive. The following account of the disclosure exercise has been informed by discussions with Sylvia Shearer, who was head of the Blood and Rehabilitation Equipment Team when the exercise was undertaken.

30. The exercise came about following a meeting on 2 February 2005 between the Haemophilia Society and the then Minister for Health and Community Care, Andrew Kerr. The Minister undertook to conduct a retrospective 'literature review' to identify and make public information held by the Scottish Executive concerning the response in Scotland to the growing awareness of Hepatitis C.
31. Sandra Falconer, a Higher Executive Officer within the Blood and Rehabilitation Equipment Team, identified 116 Health Department files within the team's area of responsibility which potentially contained relevant information. Patricia McArthur, an Administrative Officer, then went through the files and drafted a schedule of contents for each. Sylvia Shearer, assisted by the detailed schedule, then sifted through each file, identifying information which could be released. Although the exercise was not undertaken in response to a formal freedom of information request, freedom of information principles were applied in determining which documents would be withheld. As part of the exercise, other relevant policy areas within the Scottish Executive were requested to review their files for any relevant information. As a number of the files contained correspondence with the Department of Health, their Blood Policy team was made aware of the release of these documents, given advance copies, and provided adequate time to raise any concerns. The 'literature review' took nine months, with the relevant documents being released electronically in December 2005. The Scottish Executive subsequently received several freedom of information requests in relation to the withheld material.
32. The material published as a result of the disclosure exercise was placed on three CDs, copies of which could be obtained from the Blood Policy Branch. A link relating to the exercise was placed on the Freedom of Information section of the Scottish Government website (<http://www.scotland.gov.uk/About/FOI/Disclosures/2005/12/hepcinfocontact>). A copy of these CDs has been provided to the Inquiry, and thus the Inquiry has been provided with a copy of all material published as a result of the disclosure exercise.



### Files considered in 2005 exercise destroyed in 2007

33. In February 2007 41 files considered in the 2005 disclosure exercise were destroyed (see paragraph 20 above). Of these, seven contained relevant documents that were released during the Hep C exercise. For these seven files, a summary of the file contents was prepared (shown in italics under the relevant file names below), which contains very limited information as to the nature of the file contents. The 41 files are as follows:-

Cypher	Part	Title	Notes
NQB 1/1N	002	ACCOMMODATION	
NQB 1/1NE	005	PREMISES FOR NORTH EAST REGION FORESTHILL ABERDEEN	
NQB 1/1SE	002	SOUTH EEASTERN REGION ACCOMMODATION	
NQB 1/2E	001	PROPOSED ACCOMMODATION AT NINEWELLS	
NQB 1/2W	001	FUTURE LOCATION OF WESTERN REGION TRANSFUSION CENTRE	
NQB 2/2	003	ACCOMMODATION AT LIBERTON FOR PROTEIN FRACTIONATION CENTRE	
NQB 3/1	001	PROTEIN FRACTIONATION CENTRE MICROBIOLOGY LABORATORY	
NQB 4/1	001	BUILDING PROGRAMME	
NQC 8/5	001	COUNCIL OF EUROPE EUROPEAN HEALTH COMMITTEE <i>Contained one document, which has been released to the Inquiry and sections of which were published during the 2005 exercise.</i>	** Papers 29/06/1982 to 29/06/1982
NQC9/1	001	HAEMOPHILIA DIRECTORS CORRESPONDENCE	
NQC 9/1	002	MEETINGS WITH HAEMOPHILIA DIRECTORS CORRESPONDENCE	
NQC 16/1	002	JOINT MEETINGS WITH DHSS ON BLOOD PRODUCTS □ RELATED MATTERS	
NQC 18/1	001	DHSS PROTEIN FRACTIONATION TECHNOLOGY WORKING PARTY	
NQF 1/5	003	FINANCE ESTIMATES	
NQF 1/5	004	FINANCE ESTIMATES <i>Had approximately 70 documents relating to a range of blood service finance issues. One document specifically relating to treatment of haemophiliacs and hepatitis, and heat treatment of blood products released.</i>	** Papers 20/09/1983 to 06/06/1984
NQF 1/5	005	ESTIMATES	
NQF 4/1	001	EXCHEQUER □ AUDIT ENQUIRY	

Cypher	Part	Title	Notes
NQF 8/1	001	FINANCE REPORTS OF COMPUTER AUDITS AT R.T.C,S	
NQH 1/1	001	PLASMA FRACTIONATION <i>Contained around 100 documents on a variety of manufacturing and process issues concerning plasma fractionation. Two documents released relating to professional correspondence on hepatitis and blood products.</i>	** Papers 05/07/1971 to 31/10/1977
NQH 1/4	001	PROCESSING OF PLASMA FROM ENGLAND	
NQH 3/4	004	JOINT SUB COMMITTEE ON USE ANTI D IMMUNOGLOBULIN SUB COMMITTEE ON PREVENTION OF HAEMOLYTIC DISEASE OF NEWBORN	
NQH 3/6	001	USE OF ANTI-VACCINAL IMMUNOGLOBULIN IN PREVENTION OF ENCEPHALITIS	
NQH 4/12	004	BLOOD PRODUCTS ANTIBODY PRODUCTION UNIT PRODUCTION OF IMMUNOLOGICAL RE-AGENTS	
NQH 4/17	003	SUPPLY OF PRODUCTS TO OTHER GOVERNMENTS	
NQH 4/4	001	FRACTIONS CONTAINING BLOOD CLOTTING FACTOR 8 <i>The matters contained in files of this series were administrative records about haemophilia services, supply of blood factors, estimation of supply and demand for blood coagulation factors and other fractionation products. The contents probably would have been of interest to the Inquiry. One document of the 106 documents apparently contained in this file was released – a paper by Dr R Biggs and others on Factor VIII concentrates. This document was also released from file NQH 4/4, Part 2; these files relate to the same period of time and it would appear possible that some documents were filed concurrently in both files.</i>	** Papers 1975-1985
NQH 4/4	002	FRACTIONS CONTAINING BLOOD CLOTTING FACTOR 8 <i>Had about 90 documents on issues relating to different products for the treatment of haemophilia, supply and self-sufficiency. One document released – MRC working group report on use of Factor VIII concentrates for treatment of haemophilia</i>	** Papers 12/06/1973 to 09/07/1975
NQH 9/1	002	FUTURE PRODUCTION DEVELOPMENTS AT THE PFC	

Cypher	Part	Title	Notes
NQH 14/1	001	CONTRACT FRACTIONATION	
NQH 14/2	001	FRACTIONATION TECHNIQUES MONSANTO CORPORATION	
NQH 15/1	001	PRODUCTION □ QUALITY CONTROL HUMAN BLOOD PRODUCTS □ RELATED SUBSTANCES <i>Contained 9 documents on proceedings of WHO Scientific Committee – two documents released</i>	** Papers 22/07/1977 to 02/12/1985
NQH 19/1	001	TECHNOLOGY TRANSFER PFC/ PETER SWAN ENGINEERING LTD	
NQJ 1/1	002	SERUM HEPATITIS <i>Had 14 documents on screening for hepatitis B, screening methods and a death from hepatitis B in the west of Scotland – 8 documents released. Those not released relate mainly to press cuttings on the deaths and media issues.</i>	** Papers 02/05/1974 to 12/09/1975
NQJ 1/4	001	HEPATITIS INFECTION OF HEALTH SERVICE STAFF	
NQJ 5/1	002	RESEARCH PLASTIC TRANSFUSION EQUIPMENT	
NQJ 8/1	001	PLASMAPHERESIS BLOOD TRANSFUSION SERVICE	
NQL 2/1	001	LEGAL QUESTIONS SPECIAL PROCEDURES EFFECT ON INSURANCE COVER FOR PATIENTS	
NQL 3/1	002	CLAIMS AGAINST THE SNBTS	
NQZ 3/5	001	MISCELLANEOUS - HOME DEFENCE PLANNING	
NQZ 16/3	001	MEDICINES INSPECTORATE VISITS TO RTC'S	
NQZ 16/4	001	MEDICINES INSPECTORATE REPORT ACTION FOLLOWING	
NQZ 18/1	001	INCIDENT REPORT ON NORMAL SALINE BATCH NO.178	

**\*\* these files contained material that had been identified as relevant to Hepatitis C infection during the 2005 disclosure exercise undertaken by the Branch.**

34. Of the seven files destroyed from which information was released as part of the disclosure exercise, one file (NQC 8/5 Part 1) contained only one document, and this has been retrieved, so that in effect only documents from six of these files have been lost. One of these six files (NQH 15/1 Part 1) contained 9 documents, of which 2 were released (and the content is therefore extant), and a further file (NQJ 1/1 Part 2) contained 14 papers of which 8 were released. The remaining four files contained larger volumes of documents. The cataloguing of the papers

indicates that many of the papers were entirely administrative, professional and scientific in nature, and significant numbers of these were not relevant to Hepatitis C infection. The summaries of file contents which were drawn up in connection with the 2005 exercise are our only guide to the contents of these files, and provide no further specification.

35. As can be seen from the table, three of the six files identified in the table were closed in 1977 or earlier, at a time when knowledge of Hepatitis C was very limited and before significant precautionary measures were available. One was closed in 1984 and one in 1985.

36. Overall, we believe that the balance of probability is that most of the papers destroyed were not relevant or significant to the work of the Penrose Inquiry, and there is no indication that they included information of significant value relating to policy or decision-making.

#### **Other files destroyed in 2007-08**

37. Additionally, fifteen further files were subsequently destroyed (see paragraph 23 above) in the normal course of records management practice before my team realised that a complete embargo on NQ files should be in place. These files had not been identified as potentially relevant during the 2005 exercise, and while it is not possible to reconstruct their contents at this stage, the indications are that these files did not contain significant material relevant to the Inquiry.

<b>File</b>	<b>Title</b>	<b>File content</b>	<b>First Paper</b>	<b>Last Paper</b>
NQA 1/1 Part 2	BLOOD TRANSFUSION SERVICE PARLIAMENTARY QUESTIONS	PQs are all in public domain and can be found on UK Parliamentary website. Due to the date of these papers, <b>the PQs were probably relevant to the Inquiry.</b>	After 09/08/198 3	Before 24/05/1 986

File	Title	File content	First Paper	Last Paper
NQA 1/4 Part 2	BLOOD TRANSFUSION SERVICE ADMINISTRATION OFFICIAL REPLIES	Draft replies to correspondence to do with the Blood transfusion service. Probably of low relevance to the Inquiry, dates are from after the reference period.	14/06/199 4	30/07/1 998
NQC 9/1 Part 4	MEETINGS WITH HAEMOPHILIA DIRECTORS - DIRECTORS,	Part four of a sequence of files containing minutes, papers and reports for meetings. The Part 3 contained reviewed guidance for haemophilia services in Scotland published in 1993. Probably relevant to Inquiry, but to be found elsewhere - SNBTS were servicing these meetings. <b>Might have held papers of some relevance</b> , but only from late in the reference period.	01/03/199 4	04/06/2 002
NQC 9/1/1 Part 1	PROVISION OF HAEMOPHILIA TREATMENT AND CARE. INCLUDING PRODUCTS	Single file in this sequence. Contents are not known. The cipher suggests the papers were related to the above meetings between SNBTS and haemophilia directors. <b>Might have held papers of relevance</b> , but dates suggest only from late in the reference period.	25/06/199 3	12/02/2 003
NQH 4/27 Part 1	SAPU SCOTTISH ANTIBODY MARKETING	Single file in sequence. Contents are not known, but likely to be about commercial development of antibody products. <b>Likely to be of low relevance to the Inquiry.</b>	03/11/198 9	22/10/1 993
NQH 13/9 Part 1	MINISTERIAL CORRESPONDEN CE ON BLOOD TO THE PRIVATE SECTOR	Draft replies on questions of blood supply to the private sector. <b>Likely to be of low relevance to the Inquiry.</b>	Not recorded	Before 11/04/1 984

File	Title	File content	First Paper	Last Paper
NQZ 23/1 Part 1	CUSTOMS AND EXCISE- IMPORTATION OF BLOOD AND BLOOD PRODUCTS	Single file in sequence. <b>Likely to be of low relevance to the Inquiry.</b>	04/01/199 0	23/01/1 990
NQH 4/5/1 Part 1	SAFETY OF BLOOD nvCJD	The file contained papers of a later date, after the reference period. <b>Likely to be not relevant to the Inquiry.</b>	05/08/199 7	01/11/1 997
NQB 1/1 SE Part 1	SOUTH EASTERN REGION ACCOMMODATION	Papers with the NQB cipher are to do with buildings, eg construction and maintenance. <b>Likely to be of low relevance to the Inquiry.</b>	24/02/198 9	06/02/1 995
NQH 4/4 Part 4	BLOOD PRODUCTS - FRACTIONS CONTAINING BLOOD CLOTTING FACTOR	Contents are not known, but likely to be similar to those of the file NQH 4/4 Part 1 (above). No documents were considered for release during the 2005 release of documents, meaning there were probably no papers about Hepatitis C. <b>This file might have held papers of interest to the Inquiry.</b>	27/09/198 8	04/07/1 991
NQH 13/7 Part 1	BLOOD PRODUCTS- PRIVATE HOSPITAL DEVELOPMENTS.	Contents are not known. Contained papers on possible blood supplies to private hospitals. <b>Likely to be of low relevance to the Inquiry.</b>	13/09/198 2	01/11/1 991
NQH 13/7 Part 3	BLOOD PRODUCTS- PRIVATE HOSPITAL DEVELOPMENTS	Contents are not known. Contained papers on possible blood supplies to private hospitals. <b>Likely to be of low relevance to the Inquiry.</b>	13/09/198 2	01/11/1 991

File	Title	File content	First Paper	Last Paper
NQH 13/8 Part 1	PUBLIC CORRESPONDEN CE ON SUPPLY OF BLOOD ETC TO PRIVATE SECTOR OF MEDICINE	Contents are not known. Contained correspondence and draft replies on providing blood to private sector. <b>Likely to be of low relevance to the Inquiry.</b>	21/12/198 2	25/11/1 983
NQA 1/3 Part 1	ADMINISTRATION MINISTERIAL BRIEFING	Contents are not known. Contained briefing papers on management of the blood supply, for use of Ministers when making visits etc. <b>This file might have held papers of interest to the Inquiry.</b>	28/09/198 4	03/07/1 997
NQZ 11/4 Part 1	50TH ANNIVERSARY	Contents not known. This is the only file opened in this sequence. <b>Likely to be of low relevance to the Inquiry.</b>	23/06/198 8	09/04/1 992

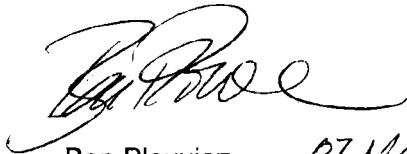
#### **Files presumed to be destroyed**

38. In retrieving files relating to the Branch's work for the Penrose Inquiry, 21 files were found to be missing and are presumed destroyed. This is not, unfortunately, especially unusual given the number of file movements and transactions that take place within the Scottish Government, and it is not unusual for a file to be rediscovered at a later date. For completeness, these files are listed in Annex B, along with an assessment of their probable contents. As will be seen, many cover a date range prior to the events under consideration and of the rest the level of relevance to the business of the Penrose Inquiry is generally low.

#### **File not recorded on IMPReS**

39. Lastly, we have become aware of a reference to one significant NQ file of which there is no record in IMPReS, and which therefore is not included in the 560 NQ files which IMPReS records as having been opened. This file is NQL 1/6, and it was presumably destroyed before the NQ file series was input into the IMPReS system (see paragraph 13 of Nancy Woodhead's statement). This file has not

been incorporated into any of the Annexes, which are based on IMPReS records.

A handwritten signature in black ink, appearing to read 'Ben Plouviez', written in a cursive style.

Ben Plouviez *07 March 2012*  
Head of Knowledge Information and Records Management  
ISIS – The Scottish Government

March 2012



**Annex A: extract from the standard records schedule****Key:**

D - Destroy

1R - First Review

P - Preserve

Type of File	Instruction	Notes
<b>1. Policy</b>		
Files on subjects of interest to, but not the responsibility of, the branch (i.e. most documents in the file originate elsewhere).	D. 5 years after closure except as stated in notes.	1R only if subject likely still to be 'live' or where significant inter-branch discussion has taken place.
Policy records on main work of branch.	1R. When decision is taken in consultation between originating Branch and Records Management Team.	Unless clearly of minor interest, when immediate decision to destroy in X years might be possible.
Departmental Group, when provides Secretariat/is lead branch. Papers, Minutes, Final Report.	Working P. (Indicate date when file can go to NAS).	Are the records candidates for early or extended closure? If so, inform NAS accordingly.
Consultation papers and responses.	P. (Indicate date when file can go to NAS).	Are the records candidates for early or extended closure? If so, inform NAS accordingly. (Not possible if respondents wish views to be confidential.)

## Annex B

## 3. Files not found in store

File	Name	Opened and Closed Dates	Comments
NQA 8/2 Part 1	HARMONISATION OF LEGISLATION RELATING TO REMOVAL ETC OF HUMAN BIOLOGICAL SUBSTANCES	1977 - 1978	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> None. This will have been a purely administrative file as it is within NQA cipher.
NQA 8/3 Part 1	EEC DIRECTIVE ON LEAD IN BLOOD	1977 - 1980	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> None. This will have been a purely administrative file as it is within NQA cipher.
NQE 2/1 Part 1	TRANSPORT	1973 - 1974	<b>Contents:</b> This is the only file in the series. It relates to the transport of the Blood Transfusion Service in general. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQF 1/2 Part 1	REVISED ESTIMATES 1972- 73 SUBMITTED BY REGIONS 1974-75	1973 - 1975	<b>Contents:</b> This is the only file in the series. It relates to the budgets and bids of SNBTS. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> None.
NQF 1/5 Part 6	ESTIMATES	1986 - 1988	<b>Contents:</b> Part 6 of a series of 6. Part 1 is not on system and 2 to 5 are destroyed. Like NQF 1 / 2 Part 1, it relates to the budgets and bids of SNBTS. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> None.

NQG 1/2 Part 1	PART TIME MEDICAL STAFF	1973 - 1975	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQG 1/3 Part 1	CONSULTANT ESTABLISHMENTS IN B.T.S.	1973 - 1979	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQG 1/4 Part 1	JOINT CONSULTANT APPOINTMENTS IN BLOOD TRANSFUSION □ HAEMATOLOGY	1973 - 1973	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQG 5/1SE Part 1	NURSING STAFF	1973 - 1973	<b>Contents:</b> This is the only file in the series <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQG 6/1 Part 1	DONOR ATTENDANTS DONOR CLERKES	1973 - 1980	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQH 4/8 Part 1	LEUCOCYTE POOR BLOOD	1973 - 1973	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Difficult to estimate.
NQH 4/9 Part 1	ADVERSE REACTIONS TO BLOOD □ BLOOD PRODUCTS	1973 - 1977	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Difficult to estimate.
NQH 4/10 Part 1	SUPPLY OF SALT POOR ALBUMIN	1973 - 1982	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.
NQH 4/12 Part 1	ANTIBODY PRODUCTION UNIT PRODUCTION OF IMMUNOLOGICAL RE-AGENTS	1973 - 1977	<b>Contents:</b> Part 1 of a series of 7 files. Parts 2, 3, 4, 5 and 6 were all destroyed. Part 7 is closed and also considered of category 4 relevance. <b>Last known movement:</b> Being put away in the filestore in 1998. <b>Probable relevance to Inquiry:</b> Low.

NQH 4/13 Part 1	BLOOD PRODUCTS FACTOR 1X	1974 - 1974	<p><b>Contents:</b> Part 1 of a series of 3. Part 2 was destroyed Part 3 exists and probably contained papers of relevance to the Inquiry.</p> <p><b>Last known movement:</b> Being put away in the filestore in 1998.</p> <p><b>Probable relevance to Inquiry:</b> Difficult to estimate.</p>
NQH 6/1 Part 1	SERUM LABORATORIES	1973 - 1973	<p><b>Contents:</b> This is the only file in the series.</p> <p><b>Last known movement:</b> Being put away in the filestore in 1998.</p> <p><b>Probable relevance to Inquiry:</b> It is difficult to estimate its relevance and it is not known what the file name means.</p>
NQH 8/1 Part 1	COMPLAINTS	1973 - 1973	<p><b>Contents:</b> This is the only file in the series.</p> <p><b>Last known movement:</b> Being put away in the filestore in 1998.</p> <p><b>Probable relevance to Inquiry:</b> It is not known what the title "Complaints" refers to. NQL cipher files are those relevant to hepatitis (not NQH as here) so it is likely that there is nothing on this file relevant to the Inquiry. Also, 1973 may be too early to have any relevant complaints.</p>
NQH 12/1 Part 1	COMMERCIAL PRODUCTS	1973 - 1977	<p><b>Contents:</b> This is the only file in the series.</p> <p><b>Last known movement:</b> Being put away in the filestore in 1998.</p> <p><b>Probable relevance to Inquiry:</b> Low. It is thought that 1973-1977 is not when key commercial products were purchased.</p>
NQJ 1/2 Part 1	PRESENCE OF AUSTRALIA ANTIGENS □ ITS ANTIBODIES	<p><b>Before 1977</b> The first paper date for part 3 is 1977.</p>	<p><b>Contents:</b> Part 1 of a series of 3. Part 2 is closed and given a category 1, and part 3 has been destroyed. Part 2 was sent from Branch to the Scanning Unit and arrived 15 June.</p> <p><b>Last known movement:</b> Being put away in the filestore in 1998.</p> <p><b>Probable relevance to Inquiry:</b> Difficult to estimate from title and date. Part 2 contains references to earlier meetings which suggest some controversy around testing blood donations for Hepatitis B.</p>

NQA 5/2 Part 1	BRANCH ADMINISTRATION FILING SYSTEM/REVIEW AND DISPOSAL OF RECORDS	<b>Just before August 1987</b> It is part of a series of 2 files. The first paper date of Part 2 was August 1987 so the contents of this file related to before this date.	<b>Contents:</b> The contents relate to the Branch administration of its files in the mid 1980s. <b>Last known movement:</b> To Branch (A Nichol, Room 277) in April 1998. Part 2 was destroyed in June 1998. As this is part 1, it is highly likely that it has been destroyed too. <b>Probable relevance to Inquiry:</b> None. This will have been a purely administrative file as it is within NQA cipher.
NQB 1/3 W Part 1	ACCOMMODATION AT LAW HOSPITAL	<b>1972 - 1974</b>	<b>Contents:</b> This is the only file in the series. <b>Last known movement:</b> To Branch on January 28 1998. <b>Probable relevance to Inquiry:</b> Low.