

Sir Brian Langstaff
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19 July 2018

Dear Sir Brian,

Thank you for your letter dated and received 5 July 2018, concerning the Infected Blood Inquiry.

NHS England is fully committed to this inquiry. I understand your team has already met with representatives from NHS England's medical and corporate records teams. This has established a co-operative and productive relationship which will no doubt get stronger as the inquiry progresses.

We will ensure robust safeguards are put in place within NHS England to preserve all potentially relevant material held by or on behalf of NHS England, and ensure that the investigation is not compromised by the destruction of relevant files or records over which NHS England has control. We are considering what arrangements are necessary in NHS England to ensure we meet our commitments to the Inquiry in a timely and effective way.

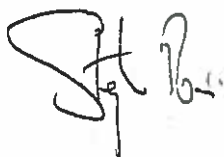
The new Data Protection Act 2018, which came into force on 25 May 2018, introduced a new condition on fees that stipulates that, in most cases, organisations cannot charge a fee to comply with a request for personal data. This therefore supports one of the requests in your letter. Our Information Governance colleagues will ensure this is the case, and that requests for such data are handled sensitively with any potential fees waived.

One potential implication of us ensuring we are fully compliant and responsive to the needs of the enquiry is the substantial costs of retaining the large volume of records implied by the scope of the enquiry. This is particularly the requirement to retain GP medical records for deceased patients as well as those for patients who are not currently registered with a GP where records are now outside their standard retention period but could be within scope of the Inquiry. Due to the volumes involved these costs could rise above £2m per annum. I trust that the Inquiry will be sympathetic to practical suggestions for how to identify the required records in an expedient way and then allow for the appropriate

destruction of the records that are not required to limit the costs to the public purse.

I hope my reply reassures you and I look forward to working with you on this inquiry.

Yours sincerely,

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

**Professor Steve Powis
National Medical Director
NHS England**