



Meeting: Eljamel Oversight Board

Meeting date: 12 September 2025

Title: Destruction of Theatre Logbooks

Responsible Officer Lynn Smith, Chief Officer Acute Services

Report Author: Wendy Croll, Associate Director, Surgery Division
 Dr Christina Beecroft, Associate Medical Director, Surgery Division
 Gill Birrell, Associate Nurse Director, Surgery Division
 Christina Navin, Clinical Care Group Manager, TACC
 Aline Ramsay, Lead Nurse, TACC

1 Purpose

This is presented to the Eljamel Oversight board for:

- **Awareness**

This report relates to:

- Emerging issue
- Government policy/directive
- Legal requirement
- Local policy

This aligns to the following NHSScotland quality ambition(s):

- Safe
- Effective
- Person Centred

2 Report summary

2.1 Situation

Following a recent request by Police Scotland to seize theatre logbooks containing information regarding the surgical practice of Prof. Eljamel dating from May 1995 to November 2014, it has been discovered that all logbooks over 8 years old pertaining to the theatre in which Prof. Eljamel would ordinarily have operated were destroyed in July 2025.

2.2 Background

Within Ninewells Hospital, most neurosurgical procedures are undertaken within Theatre 8, part of the Twin Theatre Suite in South Block. The only exceptions to this are periods of planned preventative maintenance (PPM), whereby the theatre is decanted to an alternative location, and a small number of emergency procedures. Therefore, most of the surgical procedures carried out by Prof. Eljamel on the Ninewells site would have been within Theatre 8. (Noting that Neurosurgery was previously delivered on the Dundee Royal Infirmary site prior to this)

Historically, records of operations performed, including personnel in attendance and equipment used, were kept manually within “Theatre Logbooks” and held within the theatre suite for ease of access and review. This process was superseded by the introduction of the OPERA theatre management system, brought in by phased implementation in 2012. The details captured within the logbook are as follows;

- Date
- Ward
- Patient name
- CHI
- Surgeon
- First Assistant
- Anaesthetist
- Anaesthetic Practitioner
- Scrub Nurse
- Floor Nurse
- Operation
- Time stamps ((into anaesthetic, start op, finish op, into recovery)
- Surgical tray and implant stickers

This information is also replicated within the operation note and nursing notes in the patient record.

On 8 November 2024, all staff were issued with Vital Signs Issue 1783 “Eljamel Public Inquiry – DO NOT DESTROY notice” advising that all records/information held that may be of potential relevance to the Inquiry must not be destroyed, deleted or disposed of. The Charge Nurse retained all theatre logbooks and other documentation, dating back as far the 1960’s, within the Neurosurgery Office in the Twin Theatre Suite in view of this directive.

The Clinical Care Group Manager for Theatres, Anaesthesia and Critical Care received a request from Information Governance for a specific logbook in March 2025. This was in relation to a FOISA request pertaining to Prof. Eljamel. Although the logbook was missing from those stored within the theatre suite, it was located in another office following a previous request for the information. This concludes that the logbooks were still retained in March 2025.

In July 2025 the Charge Nurse for Theatre 8 transitioned to an alternative role within the service. A new Charge Nurse was appointed. During the interim period, staff from within the Theatre 8 team felt there was an opportunity to undertake some housekeeping within the office. Having contacted Medical Records and on receipt of advice that records, including theatre logbooks, over 8 years of age could be destroyed in line with GDPR, the historic logbooks were removed and disposed of through the confidential waste stream.

The Clinical Care Group Manager for Theatres, Anaesthesia and Critical Care was contacted by the Head of Health Records on 28 August 2025 regarding the request from Police Scotland to seize all logbooks pertaining to Prof. Eljamel’s practice. A meeting took place on 9 September 2025 and included the Senior Nurse for Theatres. At the point there was confidence that these documents would be easily obtained for copying and onward transit to Police Scotland. Unfortunately, the

logbooks were not in the expected location and on discussion with members of the theatre team it was confirmed that these documents had been removed and destroyed in July 2025.

2.3 Assessment

3 members of theatre staff were identified as having been involved in the removal and destruction of these records.

RN A – Newly qualified practitioner employed in October 2024 on a band 4 contract, upgraded to band 5 on receipt of PIN on 4 November 2024.

ODP A – Employed on a band 5 contract in September 2023.

RN B – Previously working in Perth Royal Infirmary but transitioned to Theatre 8 in 2022 on a band 5 contract.

It is understood that the Senior Charge Nurse for Orthopaedic and Neurosurgery Theatres was aware that the team were looking to undertake housekeeping within the office but was not made aware of the documentation that was destroyed.

RN A has advised that a call was made to Medical Records to ask advice around the destruction of the theatre logbooks prior to the disposal of the documentation. RN A explained that the advice given following discussion with a supervisor was that records over the age of 8 years should be disposed of in line with GDPR and NHS Tayside Record Management Policy.

A request from RN B was made to Portering Services to uplift the confidential waste bags on 18 July 2025. These were collected on 24 July 2025. It is understood that the container was uplifted from Ninewells Hospital on 28 July 2025.

It appears that those involved in the disposal of documentation were not aware of the connection between these documents and the inquiry into Prof. Eljamel.

Given the introduction of OPERA in 2012 it may be possible to obtain records dating back to this time, noting that the system was in pilot and therefore the information may not be as comprehensive as electronic records that are completed in the present day.

It is of note that had these logbooks been managed appropriately in line NHS Tayside Record Management policy (retention for 8 years) they would have been disposed of and destroyed prior to the “do not destroy” notice of November 2024.

2.4 Recommendation

- **Awareness** – For Members’ information and discussion as required

3 Feedback & Decision

The box below is to be used by the recipient of this paper to document any comments or feedback. If this paper is presented for decision, please use the box below to share the decision, and the rationale for the decision made.

Date		Signed	
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