



Terms of Reference Consultation

March 2022



Have your say on the UK Covid-19 Inquiry

The UK Covid-19 Inquiry has been set up to examine the UK's preparedness and response to the Covid-19 pandemic, and to learn lessons for the future.

The pandemic has affected us all, and the Inquiry is holding a public consultation to ensure that everybody has the opportunity to give views on how it should go about its work.

Baroness Heather Hallett - who was a senior judge in the Court of Appeal - was appointed as Chair of the Inquiry in December 2021.

What is a public inquiry?

A public inquiry is a major independent investigation, set up in response to public concern about a particular event or set of events. An inquiry typically sets out to establish:

- What happened, and why
- What went wrong, and what went right
- What lessons can be learnt to prevent any adverse impacts happening again

A statutory public inquiry has the legal power to make people appear as witnesses at hearings which are held in public, and to provide documentation and material evidence.

The Inquiry will produce a report, or reports, and will make recommendations to the government based on what is in its Terms of Reference.



What are the Terms of Reference?

An Inquiry needs to be clear about what it will look into and what it should do. This is set out in its 'Terms of Reference'. For the UK Covid-19 Inquiry, the Government has given the Chair a draft Terms of Reference, which appear on the of this document. We are asking for people's views on these Terms of Reference by **7 April 2022**.

The Inquiry is not at this stage seeking 'evidence'. Evidence is gathered as part of the formal Inquiry, later in the process.

The views you share now need to be about what the Inquiry looks into, and how it should act; not about your specific experiences from the pandemic.

The Covid pandemic has affected us all. Please use this consultation to send your ideas about different ways that people's experiences can be heard, to help inform the Inquiry's investigations. Baroness Hallett is committed to hearing about people's experiences of the pandemic, both in hearings and outside the formal structures of the Inquiry.

The Terms of Reference set the overall shape and limits of what the Inquiry will look into; once they are confirmed more detail will be made available on the different areas of investigation which will lead to evidence being collected. The Inquiry will also set out how people can share their experiences in a less formal way.

Baroness Hallett is keen to ensure that timely recommendations can be made, to allow changes in practice that could in future avoid and reduce the hardship and suffering during the first two years of the pandemic. The Terms of Reference must allow the Inquiry to address such tensions; your views will help the Chair do so.

We are seeking views on the following:

- Do the Inquiry's draft Terms of Reference cover all the areas that you think should be addressed by the Inquiry?
- Which issues or topics do you think the Inquiry should look at first?
- Do you think the Inquiry should set a planned end-date for its public hearings, so as to help ensure timely findings and recommendations?
- How should the Inquiry be designed and run to ensure that bereaved people or those who have suffered harm or hardship as a result of the pandemic have their voices heard?



How to make your views known

The easiest way to submit your views on the Terms of Reference is through our website, at: covid19.public-inquiry.uk

If you cannot use our website, you can write to us at:

FREEPOST

UK Covid-19 Public Inquiry

What happens next?

Baroness Hallett will consider people's views on the draft Terms of Reference before recommending any changes to the Prime Minister. This will be done as quickly as possible, to allow the Inquiry to begin its work.

UK COVID-19 INQUIRY
DRAFT TERMS OF REFERENCE – MARCH 2022

The inquiry will examine, consider and report on preparations and the response to the pandemic in England, Wales, Scotland and Northern Ireland, up to and including the inquiry’s formal setting-up date. In doing so, it will consider reserved and devolved matters across the United Kingdom, as necessary, but will seek to minimise duplication of investigation, evidence gathering and reporting with any other public inquiry established by the devolved administrations.

The aims of the inquiry are to:

1. Examine the COVID-19 response and the impact of the pandemic in England, Wales, Scotland and Northern Ireland, and produce a factual narrative account. Including:

- In relation to central, devolved and local public health decision-making and its consequences:
 - preparedness and resilience;
 - how decisions were made, communicated and implemented;
 - intergovernmental decision-making;
 - the availability and use of data and evidence;
 - legislative and regulatory control;
 - shielding and the protection of the clinically vulnerable;
 - the use of lockdowns and other ‘non-pharmaceutical’ interventions such as social distancing and the use of face coverings;
 - testing and contact tracing, and isolation;
 - restrictions on attendance at places of education;
 - the closure and reopening of the hospitality, retail, sport and leisure sectors, and cultural institutions;
 - housing and homelessness;
 - prisons and other places of detention;
 - the justice system;
 - immigration and asylum;
 - travel and borders; and
 - the safeguarding of public funds and management of financial risk.

- The response of the health and care sector across the UK, including:
 - preparedness, initial capacity and the ability to increase capacity, and resilience;
 - the management of the pandemic in hospitals, including infection prevention and control, triage, critical care capacity, the discharge of patients, the use of ‘*Do not attempt cardiopulmonary resuscitation*’ (DNACPR) decisions, the approach to palliative care, workforce testing, changes to inspections, and the impact on staff and staffing levels;
 - the management of the pandemic in care homes and other care settings, including infection prevention and control, the transfer of residents to or from homes, treatment and care of residents, restrictions on visiting, and changes to inspections;

- the procurement and distribution of key equipment and supplies, including PPE and ventilators;
 - the development and delivery of therapeutics and vaccines;
 - the consequences of the pandemic on provision for non-COVID related conditions and needs; and
 - provision for those experiencing long-COVID.
- The economic response to the pandemic and its impact, including government interventions by way of:
 - support for businesses and jobs, including the Coronavirus Job Retention Scheme, the Self-Employment Income Support Scheme, loans schemes, business rates relief and grants;
 - additional funding for relevant public services; and
 - benefits and sick pay, and support for vulnerable people.

2. Identify the lessons to be learned from the above, thereby to inform the UK's preparations for future pandemics.

In meeting these aims, the inquiry will:

- listen to the experiences of bereaved families and others who have suffered hardship or loss as a result of the pandemic. Although the inquiry will not investigate individual cases of harm or death in detail, listening to these accounts will inform its understanding of the impact of the pandemic and the response, and of the lessons to be learned;
- highlight where lessons identified from preparedness and the response to the pandemic may be applicable to other civil emergencies;
- consider the experiences of and impact on health and care sector workers, and other key workers, during the pandemic;
- consider any disparities evident in the impact of the pandemic and the state's response, including those relating to protected characteristics under the Equality Act 2010 and equality categories under the Northern Ireland Act 1998, as applicable;
- have reasonable regard to relevant international comparisons; and
- produce its reports (including interim reports) and any recommendations in a timely manner.