



**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 1 - COVID AID**

Introduction

1. In my [Opening Statement](#) on 21 July 2022, I explained that Modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On the same day, the Inquiry opened Module 1 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 16 August 2022.
2. The [Provisional Outline of Scope](#) for Module 1 provides that this module will examine the resilience and preparedness of the United Kingdom for a Coronavirus pandemic. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 30 November 2022 the Inquiry received an out of time application from Covid Aid ("the Applicant") for Core Participant status in Module 1. This notice sets out my decision on the application.

Application

4. Applications for Core Participant status are considered in accordance with Rule 5 of the Inquiry Rules 2006, which provides:

5.—(1) *The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.*

(2) *In deciding whether to designate a person as a core participant, the chairman must in particular consider whether—*

(a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;

(b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or

(c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.

(3) *A person ceases to be a core participant on—*

(a) the date specified by the chairman in writing; or

(b) the end of the inquiry.

5. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the Applicant has provided an acceptable explanation as to why they did not submit their application within the relevant timeframe and I have considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 1.

Summary of Application

6. The application states that Covid Aid launched in 2021 and is the UK's leading Covid-19 charity, having supported and provided a voice to more than 225,000 people across the country affected by Long Covid, grief and bereavement, pandemic-related trauma and other life-changing issues. The application describes how Covid Aid has designed its "Support Community" as a fully inclusive space to service the needs of all who have suffered, with a focus on those affected by Long Covid and those who have lost a loved one to coronavirus. The Support Community is described as having more than 1,200 or 1,300 members in different parts of the application. The application explains how the Applicant provides dedicated one-to-one listening support, professional counselling, self-management courses, expert Q&As, tailored peer groups, resources packs, advice and information articles, among other services.

7. Covid Aid is also described as a platform for other charities, healthcare providers, grassroots groups, and other organisations, informing, boosting and promoting advice and services.
8. It has been nominated for multiple awards including at the Third Sector Awards, Scottish Charity Awards, and StartUp Awards National Series, in categories including Charity of the Year and Rising Star. In addition to the information contained within the application, Covid Aid has also provided its Annual Report and latest Charity Summary which I have considered.
9. The application is made on the basis that members of Covid Aid, and those whom Covid Aid have supported and represent, have a significant interest in an important aspect of the matters to which the Inquiry relates. They contend that as the only charity representing every person who has experienced life-changing issues as a result of Covid-19, they represent a diverse group of people including those affected by Long Covid, bereavement, trauma, those who work in a variety of professions including the healthcare sector and those absent from employment due to long-term disability. The application emphasises that Covid Aid would be able to play a positive and collaborative role in ensuring the Inquiry can reach a successful outcome which will be of importance to those whom they support. The application also notes that they have a diverse membership and audience who were impacted by the UK's overall preparedness for the pandemic, including individuals working across a wide range of sectors and who have seen in various ways the level of resilience and readiness for the Covid-19 pandemic.
10. The Applicant's explanation for making this application outside the Inquiry's timescales is that, as a small charity, they were not made aware of the opportunity to be a Core Participant until November, after which they immediately looked to submit an application and prioritised this amongst their existing workloads of providing support, advice and information for their Support Community as well as their wider audience.

Decision for the Applicants

Whether the application should be considered out of time

11. As is acknowledged by the Applicant, the deadline for applications for Core Participant Status in Module 1 was 16 August 2022, meaning that this application was received significantly after the deadline expired.
12. I remind myself that paragraph 10 of the Inquiry's Core Participant protocol states:
"...The Inquiry will not consider applications that are outside the timescales provided by the Inquiry, unless the applicant provides an acceptable explanation as to why they did not submit their application within the relevant timeframe".
13. The aim of this Inquiry is to enquire into the matters set out within the Terms of Reference and ensure that by identifying any lessons to be learned from the pandemic, that recommendations for change can be made swiftly. To do that I must impose firm deadlines for different stages of the Inquiry. Compliance with those deadlines is important to ensure that the challenging timetable will be met. I also consider the need to be fair to all Applicants who have made their application for Core Participant status within the time period available and more generally the need to ensure there is no unfair advantage obtained by a late application.
14. I therefore have first to consider whether the Applicant has provided an acceptable explanation for the failure to comply with the deadline imposed for applications.
15. I note that the application was received 106 days after the deadline. The application window was open from 21 July 2022 to 5pm on 16 August 2022. The application was therefore received over 15 weeks after the closure of the application window, which had itself been open for over three weeks.
16. No specific issue has been identified that prevented an application being made at an earlier stage other than ignorance of the opportunity to apply for Core Participant status in Module 1. This does not amount to an acceptable explanation. The work of

the Inquiry and the opportunity to apply for Core Participant status in Module 1 have been highlighted on the Inquiry website, in social media and, more generally, the Inquiry has been the subject of press attention and reporting. Whilst I accept that the Applicant is a “*small charity*”, this does not provide an adequate and acceptable explanation of why they were not aware of the window for applying for Core Participant status. If I accepted the reason given as an acceptable explanation then, in effect, the deadline would have no force. I also bear in mind that this is not a situation in which material identified in the course of the Inquiry has come to light or circumstances have changed so it is appropriate for an application to be made outside the initial window.

17. Accordingly, I do not consider that the Applicant has provided an acceptable explanation of why they did not submit their application within the relevant timeframe. I therefore decline to consider the application at this time and so decline the application for Core Participant status.

18. I also bear in mind that simply because an applicant has been refused Core Participant status that does not prevent their applying for or being granted Core Participant status in a later module or their providing relevant evidence to the Inquiry.

19. For completeness, I will also provide my conclusions on whether the Applicant should have been granted Core Participant status in Module 1, had their application been received during the application window.

The substance of the application

20. I wish to extend my deep sympathy to all those represented by the Applicant regarding the deaths of their loved ones, as well as to those who have suffered, and continue to suffer, from adverse health, illness and disability as a result of the Covid-19 pandemic. I repeat my ongoing commitment, as set out in the Terms of Reference and again, in my Opening Statement, that inequalities will be at the forefront of the Inquiry’s investigations. This will include a focus on the disparities evident in the

impact of the pandemic on different categories of people including those with pre-existing health conditions and wider inequalities.

21. I have considered with great care everything that is said in the Applicant's application. Having done so, in my discretion, I consider that the Applicant does not meet the criteria set out in Rule 5 for designation as Core Participants in Module 1 and, therefore, even if the application had been made in time, my decision would have been not to designate the Applicant as a Core Participant in Module 1.
22. Whilst I appreciate that the Applicant would bring a representative and valuable voice on behalf of the wide range of people affected by the Covid-19 pandemic, the focus of Module 1 is on the resilience and preparedness of the UK in advance of the coronavirus pandemic.
23. In particular, Module 1 is primarily concerned with the core systems and structures within the UK for preparedness and resilience for an event such as the Covid-19 pandemic and with high-level pandemic resilience, preparedness and planning. It will examine whether the correct structures, bodies, procedures and policies were in place at UK and at regional and national levels and look at their history, development, co-operation and performance. In terms of inquiring into pandemic planning, this will include examination of the forecasting processes, the extent to which lessons were learned from knowledge of actual events and simulated exercises, the degree of readiness preparation and the general resources that were available. The Module is therefore concerned with how the relevant entities prepared and whether they were ready by way of general response. In the context of the provisional scope of Module 1, I am satisfied that the Applicant did not play a direct and significant role in relation to the matters to which Module 1 relates for the purposes of Rule 5(2)(a).
24. Furthermore, I consider, having regard to the need to manage the Inquiry effectively and efficiently, that the Applicant's interests in pandemic planning and preparedness are not sufficiently significant to justify granting them Core Participant status in this Module, for the purposes of Rule 5(2)(b). In order to manage the investigative work of the Inquiry in as proportionate manner as possible and to ensure the timely

publication of my findings, lessons learned and recommendations for the future, it is not possible for Module 1 to consider the state of preparedness by reference to the potential impact of an event such as the Covid-19 pandemic on all kinds of eventualities. I will of course keep the Provisional Outline of Scope for Module 1 under review and, as I explained out in my Opening Statement, other aspects of the Inquiry's Terms of Reference will be covered in future modules for which Provisional Outlines of Scope will be prepared and published in due course.

25. Similarly, I am determined to run the Inquiry as thoroughly and as efficiently as possible, bearing in mind the Inquiry's wide-ranging terms of reference and the need for the Inquiry process to be rigorous and fair. Given the vast numbers of people who were involved with, or adversely affected by, the Covid-19 pandemic, very many people in this country could potentially have an interest in it and not everyone can be granted Core Participant status for the purposes of the Inquiry hearings. I must therefore assess very carefully whether, in reality, applicants can assist the Inquiry.

26. With that in mind, insofar as the application concerns bereaved families of individuals who died during the pandemic, I have, in my discretion, already granted Core Participant status in Module 1 to a number of organised groups representing the interests of large numbers of bereaved family members of people who have died from Covid-19. However, this is because I consider that they are well placed to help the Inquiry to achieve its aims by representing the collective interests of a broad spectrum of those bereaved by Covid-19.

27. I appreciate the disappointment that my decision will cause. However, and notwithstanding the fact that the Applicant's application has been declined due to its lateness, it may be possible for the interests of those represented by the Applicant to be represented by one of the organised groups to which I refer above. If this is something in which the Applicants are interested, the Solicitor to the Inquiry's Team will be able to pass on the contact details for the appropriate group.

28. It is also not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Applicant may have relevant information

to give in relation to matters being examined in the Inquiry and the Inquiry will be reaching out in due course to a range of individuals, organisations and bodies to seek information, to gain their perspective on the issues raised in the modules and, where appropriate, to ask for witness statements and documents.

29. The Inquiry will also listen to and consider carefully the experiences of bereaved families and others who have suffered ill-health, hardship or loss as a result of the pandemic, through the listening exercise. I made clear in my Opening Statement that this listening exercise is a significant and important task which will lead to summary reports of the impact of the pandemic on those who come forward to be used as evidence during the Inquiry's module hearings. The Applicant, and those they represent, will have the opportunity to contribute to the Inquiry, through the listening exercise if they choose to do so.

30. As already noted above, my decision not to designate the Applicant as a Core Participant in Module 1 does not preclude them from making any further applications in respect of any later modules. The Applicant may wish to consider making an application for Core Participant status in future modules likely to deal more directly with the issues raised in their application. I will consider any future applications the Applicant may wish to make on their merits at the time they are made.

Rt Hon Baroness Heather Hallett
Chair of the UK Covid-19 Inquiry
16 December 2022