



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 3 - THE NATIONAL NETWORK OF PARENT CARER FORUMS

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 8 November 2022, the Inquiry opened Module 3 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 5 December 2022
2. The Inquiry has published the Provisional Outline of Scope for Module 3, which states that this Module will consider the impact of the Covid-19 pandemic on healthcare systems in England, Wales, Scotland and Northern Ireland. Further Modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 5 December 2022 the Inquiry received an application dated 2 December 2022 from the National Network of Parent Carer Forums ("the Applicant") for Core Participant status in Module 3.
4. I made a provisional decision dated 13 January 2023 not to designate the Applicant as a Core Participant in Module 3, thereby declining the application ("the Provisional Decision"). The Applicant was provided with an opportunity to renew the application in writing by 4pm on 20 January 2023.
5. The Applicant did not renew the application by the prescribed deadline. Accordingly, this Notice sets out my final decision on the application.

Application

6. 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.*

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), 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 3.

Summary of Application

8. The Applicant describes itself as the independent, national voice of parent carer forums, representing parents of children with special educational needs and disabilities ("SEND") throughout England. It is said to consist of up to 152 local parent carer forums, with almost 110,000 individual members.
9. The Applicant states that it has a significant interest in several important aspects of the matters to which the Inquiry relates. The application describes that parent carer forums are pan disability, meaning parent carers come from a range of backgrounds, have children with a wide range of conditions, and have had a wide range of experiences in healthcare during the Covid-19 pandemic. It is said that the Applicant

has a significant interest in ensuring the Inquiry hears the voices of parents of children and young people with SEND to understand the impact of the pandemic and learn lessons for the future.

10. The application provides information on the Applicant's work, including its work with government departments during the Covid-19 pandemic. This is said to have led to: changed guidance so that children and young people with additional needs could go outside more than once a day during the lockdowns and be accompanied by more than one carer where necessary, changed 'return to school' guidance and the insertion of a paragraph on the use of "Department for Education Catch up monies" to be used for all-round catch up not just academic tutoring e.g. speech and language therapy and occupational therapy. The Applicant is also said to have worked with the Department for Education and NHS England on understanding why vaccination rates for children and young people with SEND were lower than those for other children and made recommendations for changes in the approach.
11. The application also states that the Applicant would like to give evidence on a number of areas mentioned within the Provisional Outline of Scope for Module 3 and how these issues specifically impacted children and young people with SEND.

Decision for the Applicant

12. I have considered with great care everything that is said in the application. Having done so, I consider that the Applicant does not meet the criteria set out in Rule 5 for designation as a Core Participant in Module 3 and, therefore, I have decided not to designate the Applicant as a Core Participant in Module 3.
13. Module 3 will consider the impact of the Covid-19 pandemic on healthcare systems in England, Wales, Scotland and Northern Ireland. This will include consideration of the healthcare consequences of how the governments and the public responded to the pandemic. It will examine the capacity of healthcare systems to respond to a pandemic and how this evolved during the pandemic. It will consider the primary, secondary and tertiary healthcare sectors and services and people's experience of healthcare during the pandemic, including through illustrative accounts. It will also

examine healthcare-related inequalities (such as in relation to death rates, PPE and oximeters), with further detailed consideration in a separate designated Module.

14. The application is put on the basis that the Applicant has a significant interest in the matters to which Module 3 relates (Rule 5(2)(b)).
15. I do not consider that the Applicant has a significant interest in the matters to which Module 3 relates. The Applicant's interest is specific to children and young people with SEND and their parents. The application sets out how the Covid-19 pandemic is considered to have impacted schooling for SEND children and identifies the Applicant's work alongside others, on understanding the vaccination rates for children and young people with SEND. The focus of this Module is healthcare systems and I do not consider that the points raised by the Applicant are sufficiently connected to healthcare systems so as to amount to the Applicant having a significant interest for the purposes of Module 3. However, the points raised are of importance to the Inquiry as a whole. It is for this reason that issues relating to children and issues relating to vaccines, therapeutics and anti-viral treatments will be considered in later Modules. In the circumstances, it will not be practicable to examine these issues within Module 3.
16. 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 any disparities evident in the impact of the pandemic on different categories of people including those with pre-existing health conditions and wider inequalities. With that in mind, I have granted Core Participant status in Module 3 to a number of organised groups representing individuals who experienced or may have experienced an unequal outcome in connection with the way healthcare systems were organised, functioned or operated during or immediately before the Covid-19 pandemic. At this stage, it appears that the Applicant's concerns will be sufficiently represented by those other organisations which have been designated Core Participant status in Module 3. For example, I have designated Core Participant status to the Disabilities Charities Consortium ("the Consortium"). I note, in particular, that the Consortium has within its membership individual charities which support children and young people with SEND, such as Mencap and the National Autistic Society. On this basis, I have decided to decline the current application for Core Participant status in Module 3.

17. The Applicant has placed emphasis on the matters it would like to provide the Inquiry with evidence on. However, it is 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 it is likely that the Inquiry will in due course seek information from a range of individuals, organisations and bodies who may have information relevant to the issues raised in the Modules and, where appropriate, make requests for witness statements and documents.
18. 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 the Inquiry. Not everyone can be granted Core Participant status for the purposes of the Inquiry hearings.
19. For all of those reasons, having considered all of the information provided by the Applicant in light of the Provisional Outline of Scope for Module 3, I have decided that the Applicant should not be designated as a Core Participant in Module 3 and I confirm that this is my final decision.
20. I will keep the scope of Module 3 under review. My decision not to designate the Applicant as a Core Participant in Module 3 does not preclude it from making any further applications in respect of any later modules. 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 DBE
Chair of the UK Covid-19 Inquiry
14 February 2023