

**IN THE MATTER OF MODULE 2 OF
THE UK COVID-19 PUBLIC INQUIRY**

2ND PRELIMINARY HEARING

1ST MARCH 2023

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**SUBMISSION OF
THE LOCAL GOVERNMENT ASSOCIATION**

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Introduction

1. The Local Government Association (LGA) welcomes the decisions already taken by the Inquiry as set out in the Note of Counsel to the Inquiry (CTI) for the Second Preliminary Hearing in the Inquiry to take place on 1 March 2023, however it would also like to ask the Inquiry to expand the remit of one of the experts that has already been instructed and to seek further specific expert evidence.

Extended remit of Gavin Freeguard

2. The LGA sees from the CTI's Note for the 2nd Preliminary Hearing that "*Gavin Freeguard, former Programme Director and Head of Data and Transparency at the Institute for Government, has been instructed to report on the access to and use of data by the UK Government and devolved administrations during the Covid-19 pandemic.*"
3. The LGA submits that it would be helpful and appropriate to extend these instructions to report on the access to and use of data by local government during the Covid-19 pandemic.
4. As is common knowledge, and as the Inquiry has implicitly recognised in granting core participant status to the LGA, local government was very closely involved in the maintenance of the institutions of civil society during the period covered by Module 2.

Its role included participation in Local Resilience Forums, distribution of PPE, liaison with the NHS, the oversight and general administration of social care, contact tracing, the management of non-pharmaceutical interventions, addressing the needs of at risk and vulnerable persons, and business continuity, among others.

5. All of these roles involved a great deal of data management in order to ensure that its role was as timely and effective as possible.
6. The LGA will give evidence in response to Rule 9 requests that data management during the period of Module 2 was sub-optimal for the many functions it had to try to fulfil. By way of example only a lack of real time data at a national level on issues such as capacity and workforce in the social care sector severely limited the way in which local government was able to address this function during the early period of the pandemic. Difficulties in sharing different data sets could also impede identification of those most at risk or critically vulnerable.
7. The Inquiry will of course have to assess the extent to which it agrees with this evidence, just as it will in relation to the functions of central government. Accordingly it is submitted that it would be as assisted by expert evidence about data management within local government, as it will be by Mr Freeguard's evidence in relation to central government.
8. The Inquiry is therefore asked to extend the remit of Mr Freeguard accordingly.
9. In the alternative, if Mr Freeguard is not able to provide the time and assistance to fulfil this role to choose a further expert who can provide parallel evidence in relation to the issue of data management within local government. The LGA would willingly work with the Inquiry team to find a suitable expert if necessary.

Further expert evidence

10. Paragraph 2 of the Provisional Outline of Scope of Module 2 states that it is proposed to examine "*...the government's ... guidance and advice to health and social care*

providers." This necessarily involves the work of local authorities in relation to social care bearing in mind that under the Care Act 2014 Local Authorities have particular obligations and functions for social care.

11. Moreover the treatment of those entering social care or already being treated in social care during the Module 2 period is a matter of the greatest importance for many who look to the Inquiry to understand how social care was delivered, its problems and successes and to make recommendations accordingly.
12. The LGA is therefore concerned to read that, as of now, no expert has yet been appointed by the Inquiry to deal with the complex issues of managing social care.
13. The LGA recognises that the Inquiry must itself decide what expert assistance it requires but it would like to propose that the Inquiry engage Richard Humphries, Senior Advisor, Health Foundation, and Visiting Professor at the University of Worcester, as an expert to advise on these issues.
14. The LGA has asked Mr Humphries whether, if asked, he would in principle be willing to assist, and Mr Humphries has confirmed that he would.

ROBIN ALLEN KC
Cloisters
23 February 2023
Counsel for the LGA