

1. *Witness Name: Catherine Frances*
2. *Statement No.: 1*
3. *Exhibits: [CF/1 –CF/32]*
4. *Dated: 01/12/22*

## UK COVID-19 INQUIRY

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### WITNESS STATEMENT OF CATHERINE FRANCES

#### MODULE 1

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I, **CATHERINE FRANCES**, of the Department for Levelling Up, Housing and Communities, 2 Marsham Street, London, SW1P 4DF, will say as follows:

1. I am Director General for Local Government, Resilience and Communities, a post which I have held since 1 April 2019. In this role I am responsible for the Resilience and Recovery Directorate, formerly known and commonly referred to as the Resilience and Emergencies Division ("**RED**"). RED has delivered the Department's role in emergency preparedness and risk management - the focus of Module 1 of the Inquiry and of this statement - since the Department took on its resilience role in 2011. Prior to joining the Department, I was Director of Public Services in HM Treasury. I first joined the Civil Service in 2001.
2. I am duly authorised to make this witness statement in response to the Module 1 Rule 9 Request dated 18 August 2022. In preparing the statement, I have borne in mind the distinction between Module 1, which is primarily concerned with questions about the preparedness and resilience of the UK before the direct effects of Covid-19 began to be felt, and the subsequent Modules which will examine the response to the pandemic.
3. Unless otherwise stated, the facts contained in this witness statement are within my own knowledge and are true. Where they are not within my own knowledge, they are derived from the sources to which I refer and are true to the best of my information and belief. Privilege is not waived in any privileged document or communication which is referred to in this statement.

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4. References in this statement are to exhibits in the form **[CF/number – INQ/TBC]**. *[The Unique Reference Numbers assigned by the Inquiry to each document will be inserted once known, as per the format requested by the Inquiry in its Rule 9 Request.]*

5. This witness statement is structured as follows:

- A. Introductory points
- B. The Department's role in risk management and preparedness in general
- C. Inter-organisational cooperation
- D. The Department's participation in risk management and preparedness over the relevant period
- E. The Department's actions as Covid-19 first emerged
- F. Changes implemented following the Covid-19 pandemic

6. This witness statement also includes the following Annexes:

- A. Annex A: Organograms. These identify the Ministers, Special Advisors, Permanent Secretaries, Directors General and Directors in post at the Department, and the structure and staffing of RED, at various times during the period to be examined in Module 1.
- B. Annex B: A chronological list of key Departmental meetings relating to pandemic preparedness once identifiable through electronic disclosure.
- C. Annex C: List of acronyms used herein, ordered alphabetically.

## **A. INTRODUCTORY POINTS**

7. The Department for Levelling Up, Housing and Communities (“**DLUHC**”) has operated in various forms and under various names since it was formed. These are identified at paragraph 12 below. In this statement, I refer to “**the Department**” throughout to refer to DLUHC in its present and previous configurations.
8. I note that, for Module 1, the Inquiry is primarily concerned with the period from 11 June 2009 (when the World Health Organization announced that the scientific criteria

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for an influenza pandemic had been met for what became known as the 2009-2010 Swine Flu Pandemic) to 21 January 2020 (the date on which the World Health Organization published its 'Novel Coronavirus (2019-nCoV) Situation Report - 1').

9. It is important to identify at the outset that the Department's role in relation to preparedness began in 2011, as explained further below at paragraphs 19 - 20. While I have endeavoured to assist the Inquiry in relation to pertinent matters prior to 2011, the level of detail that I am able to provide is necessarily more limited.
10. I also note that the Inquiry has provisionally identified six issues which will be examined in Module 1. The Department is well positioned to assist with Issues 2, 3 and 6, which are outlined as follows:

A. Issue 2: *"The Government structures and specialist bodies concerned with risk management and civil emergency planning, including devolved administrations and their structures, local authorities and private sector bodies, historical changes to such structures and bodies as well as the structures in place as at January 2020, inter-organisational processes and cooperation."*

B. Issue 3: *"The planning for a pandemic, including forecasting, resources, and the learning from past simulation exercises (including coronavirus, new and emerging high-consequence infectious diseases and influenza pandemic/epidemic exercises), the emergency plans that were in place, biosecurity issues relevant to the risk of pandemics/epidemics, international comparisons and the history of, and learning from, past policy-related investigations."*

C. Issue 6: *"Planning for future pandemics, including (in outline) the state of international preparedness; the risks of new variants of Covid 19, other viruses of concern, and diseases from human contact/viral transmission with animals."*

11. The Department is not well placed to offer a particular insight into Issue 1 (the characteristics and epidemiology of Covid-19 as a disease); nor into Issue 4 (public health services). The Department also had only a very limited role in relation to Issue 5 (economic planning), which is explained below at paragraphs 69 - 72.

## **B. THE DEPARTMENT'S ROLE IN RISK MANAGEMENT AND PREPAREDNESS IN GENERAL**

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### ***Introduction to the Department***

12. The Department is a ministerial department with oversight of Local Government and elections; homelessness, housing and home ownership; planning; building safety; and (since September 2021) Levelling Up and the Union. It has operated in various forms since it was formed:

- A. The Department was created in 2006 to replace the Office of the Deputy Prime Minister, which had taken on the Local Government and regions portfolios from the former Department for Transport, Local Government and the Regions in 2002. At that stage, it was called the Department for Communities and Local Government (“**DCLG**”).
- B. In January 2018, it became the Ministry of Housing, Communities and Local Government (“**MHCLG**”).
- C. In September 2021, it became DLUHC.

13. The Department’s Secretaries of State since its creation are as follows:

- A. Ruth Kelly (5 May 2006 – 27 June 2007);
- B. Hazel Blears (27 June 2007 – 5 June 2009);
- C. John Denham (5 June 2009 – 11 May 2010);
- D. Eric Pickles (11 May 2010 – 11 May 2015);
- E. Greg Clark (11 May 2015 – 14 July 2016);
- F. Sajid Javid (14 July 2016 – 30 April 2018);
- G. James Brokenshire (30 April 2018 – 24 July 2019);
- H. Robert Jenrick (24 July 2019 – 15 September 2021);
- I. Michael Gove (15 September 2021 – 6 July 2022);
- J. Greg Clark (7 July 2022 – 6 September 2022);
- K. Simon Clarke (6 September 2022 – present).

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14. The Department oversees the following areas of policy:

- A. Local Government: The Department oversees the Local Government sector and is responsible for the stewardship and oversight of Local Authorities in England. This includes ensuring that the frameworks for accountability and financing of Local Government are robust, and that Local Authorities operate in accordance with the Best Value regime.

It should be noted, however, that the Department is not responsible for all policy and every element of funding which affects Local Government. Certain funding streams, and national policy direction, for specific areas of policy are the responsibility of the individual Government Departments with lead responsibility for those areas. For example, this Department leads on issues of homelessness and rough sleeping; the Department for Health and Social Care (“**DHSC**”) on issues of public health and social care; the Department for Education on issues of children’s services. I describe this in greater detail at paragraph 69 below.

- A. Homelessness, housing and home ownership: The Department leads on all aspects of housing and home ownership, including new home-building, housing market diversification and modern methods of construction. It also leads on social housing policy including regulation, standards, and housing reforms; and on policy work to tackle homelessness and rough sleeping.
- B. Planning: The Department leads on all aspects of planning policy, regulation, legislation and reform.
- C. Building Safety: The Department leads on all aspects of building safety policy and remediation.
- D. Levelling Up and the Union: Since September 2021, responsibility for Union policy, and engagement with the Devolved Administrations, as well as policy on Levelling Up, transferred to the Department from the Cabinet Office under a Machinery of Government change. On 11 October 2022 a second Machinery of Government change came into force with immediate effect and responsibility for union and devolution policy moved back to the Cabinet Office.

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15. In relation to resilience matters the Department shares joint competency for Local Resilience with the Cabinet Office. This joint competency was overseen through the Resilience Capabilities Programme Board, managed by the Cabinet Office and overseen by National Security Council resilience governance arrangements.

***The Department's internal approach to risk management***

16. Since the Grenfell Tower tragedy, the Department has strengthened its governance and risk management processes, with the aim of ensuring that critical work is not unduly delayed, and that awareness of the risks associated with non-delivery is not lost. Formalised portfolio boards, introduced in 2016, were strengthened from 2018 with the creation of the Central Portfolio Office to provide insight and assurance of delivery to the Department's Executive and Ministerial teams. Current standard practice across the Department is to have boards at multiple levels, starting at programme level, rising to the portfolio board, the Executive Team, and the Departmental Board. The purpose of these boards is to provide scrutiny and assurance, helping to clarify strategic direction and to identify, resolve or escalate risk as appropriate.

17. The Department also revised its risk management framework following the Grenfell Tower fire. The current framework establishes that everybody working for the Department is responsible for identifying risks, and reporting and escalating incidents and near misses which might impact on the objectives and activities of the Department. This framework seeks to set the tone for the Department's approach to risk, reinforcing the importance of managing risk proactively, empowering teams and individuals to take responsibility for risk, and fostering a culture where consideration of risk is integral to successful delivery of the Department's objectives. This approach was reinforced by the implementation of a new risk management tool ('RADAR') in 2019, which enables clear recording and tracking of risks and mitigations, and facilitates escalation across the Departmental governance structures as necessary.

18. The Department operates a 'three lines of defence' model to manage risks holistically in an integrated and mutually supportive manner, with each of the lines of defence contributing to overall assurance. The first line of defence sits with each group within the Department, who are responsible for overseeing progress against identified strategic objectives, including understanding the risks relating to those objectives and

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assuring that suitable mitigations are in place to guard against them. The second line of defence rests with the risk team which monitors, challenges and facilitates the implementation of effective risk management, and which co-ordinates the reporting of risk information. The third line of defence comprises an independent audit function undertaken by the Government Internal Audit Agency. This provides an objective evaluation of how effectively the organisation is managing its risks. Beyond this 'three lines of defence' model, further external assurance is provided periodically by the National Audit Office.

### ***The Department's role in preparedness and risk management for civil emergencies***

19. The Department's role in preparedness and risk management for civil emergencies in England (emergency preparedness being a devolved matter) is primarily delivered by RED. This has been the case since 2011 when the Department took on its resilience role following the closure of the Government Offices for the Regions by 2011.
20. Prior to 2011, the resilience and emergency function (i.e. planning for and responding to civil emergencies) in England sat with 9 Regional Resilience Teams within the Government Offices for the Regions. These had been established in 2003 following the sequence of emergencies in then recent years including fuel supply disruption, severe flooding, foot and mouth disease and the 2001 US terrorist attacks. The core purposes of the Regional Resilience Teams were to improve co-ordination and the flow of information across and between regions, and between local areas and Central Government, in preparation for potential emergencies, and to support emergency responses and subsequent recovery efforts as necessary. The Department hosted the Regional Coordination Unit acting as the sponsor for all the activities undertaken by the Government Offices for the Regions. Government Offices carried out a wide range of functions, for example on housing for this Department, on education for the Department for Education. The relevant Departments set the agenda and were responsible for the activity of Government Office teams delivering it on their behalf. In this context, the Cabinet Office had the lead policy responsibility for the resilience teams within the Government Offices. Each Department also had resilience teams to manage their own departmental responsibilities (this Department, for example, leading on flood recovery). Insofar as the Inquiry is concerned to examine matters prior to 2011 (e.g. in relation to Exercise Winter Willow), this was the Governmental structure in place at that time.

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21. In order to understand the role performed by RED since 2011, and where it fits within the UK structure for preparedness and risk management, it is necessary to consider the overarching civil contingencies framework.

22. The Civil Contingencies Act 2004 ("**CCA 2004**") and the Civil Contingency Act (Contingency Planning) Regulations 2005 establish a framework for emergency preparedness in the UK. The statutory responsibility for civil contingency planning falls to Category 1 responders (those organisations one would expect to see responding to emergencies such as the blue light services and Local Authorities) and Category 2 responders (organisations that are called upon in some emergencies or who have an important supporting role, such as utilities and telecoms providers).

23. Within the framework of the CCA 2004, which is led and owned by Cabinet Office, Category 1 and 2 responders in specific localities come together through 38 Local Resilience Forum ("**LRF**") partnerships across England. LRFs support co-ordination and co-operation between responders in planning for emergencies at the local level, meeting at least twice a year to provide multi-agency strategic direction, in line with local and national risk assessments. LRFs are not legal entities and do not have powers to direct their members, but the CCA 2004 provides that responders, acting through LRFs, have a collective responsibility to plan, prepare and communicate in a multi-agency environment. This includes requirements on responders to:

- A. Assess the risk of emergencies occurring and use this to inform emergency planning and business continuity planning;
- B. Put in place emergency plans;
- C. Put in place business continuity plans;
- D. Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency;
- E. Share information with other local responders to enhance co-ordination;
- F. Co-operate with other local responders to enhance co-ordination and efficiency; and



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G. Provide advice and assistance to businesses and voluntary organisations about business continuity management.

24. In the event of a significant emergency, LRFs activate Strategic Coordination Groups (“**SCGs**”), usually chaired by the Police, where relevant local responders will discuss the evolving situation and coordinate the local multi-agency response required. Consequently, most incidents are handled by local responders with no direct involvement from Central Government.

25. The Department’s role in supporting Category 1 and 2 responders in their local contingency planning is primarily by acting as their link with Central Government resilience structures. The nature of this role is set out in civil contingency guidance documents prepared by the Civil Contingencies Secretariat (“**CCS**”) within the Cabinet Office. The Inquiry will be best assisted by the Cabinet Office in relation to the detail of these materials. However, they included, as at January 2020:

A. *Emergency Preparedness*, March 2012 update. This guidance sets out how civil protection duties should be carried out in England and Wales. At Chapter 13, paragraphs 13.27-28, which I exhibit as [CF/01 – INQ000023170], it identifies RED’s role in England as follows:

*“13.27 The Resilience and Emergencies Division helps responders identify for themselves the risks they face, mitigate those risks, and manage the impact of risks that materialise, including through liaison with Central Government departments. See Chapter 16: Collaboration and Cooperation between Local Resilience Forums in England.*

*13.28 The Resilience and Emergencies Division will:*

- act as a critical friend, question rationales, suggest alternatives, share good practice and support local planning activities;*
- provide a support mechanism – helping local partners develop an appropriate response capability, brokering advance mutual aid agreements between areas;*
- make links between local responders and the lead government departments;*

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- *supporting [sic] cross boundary strategies, protocols and procedures whilst ensuring a close fit with both the needs of Government in a national emergency and the needs of the local responders; and*
- *support local and national exercising - helping to ensure lessons learnt are effectively shared across the relevant partnership.”*

B. *At Emergency Preparedness, Chapter 16, paragraphs 16.10-16.14, which I exhibit as [CF/02 – INQ000023171], the guidance describes RED’s role in collaborating with LRFs, including through allocated Resilience Advisers who support and challenge LRFs by (at paragraph 16.10):*

- *“simplifying and reducing duplication of Central Government interaction with local responders;*
- *facilitating the co-operation and sharing of information between responders and LRFs to ensure risks are fully understood (e.g. implementation of the National Emergency Plan for Fuel);*
- *identifying good practice and facilitating its sharing;*
- *facilitating opportunities for peer reviews;*
- *actively participating in training and exercising alongside LRFs, when appropriate, i.e. for wide area or high impact incidents where Government is part of the response machinery; and*
- *facilitating discussions around mutual aid arrangements.”*

C. *Responding to Emergencies: the UK Central Government Response: Concept of Operations, April 2013 update. This sets out the arrangements for responding to and recovering from emergencies in the UK. Chapter 6, which I exhibit as [CF/03 – INQ000023172], describes RED’s role in responding to emergencies in England. At paragraph 6.1, this is summarised as follows:*

*“DCLG’s Resilience and Emergencies Division is responsible for providing the Government liaison function on resilience issues below the national level (formerly provided through Government Offices in*

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*the Regions). The Division works with local organisations to build resilience, to support Local Resilience Forums (LRFs) working together and, as appropriate, support the response to any emergency. This includes through assisting the exchange of information between responders in affected Strategic Co-ordinating Groups (SCGs) and with UK Central Government. The Division acts as a single team with Resilience Advisors based in London, Leeds, Birmingham and Bristol providing a Government first point of contact for all LRFs in England.”*

26. The Inquiry will note from these materials that the Department’s resilience function is a general one rather than being specific to the type of emergency, risk or subject area. RED provides the link between central and local tiers in the preparation for, response to, and recovery from emergencies and major events of all types. The framework within which RED operates to support LRFs in planning for and responding to incidents and emergencies is the same for all civil contingencies, regardless of origin. RED also performs this function in emergencies where the Department is the designated Lead Government Department (“LGD”) for emergency planning, response and recovery (such as for earthquakes or in the event of an influx of British Nationals – see paragraph 41 below) and those where other Departments are the designated lead (e.g. DHSC for pandemic influenza).

27. Depending on the specific risk or subject area, the relevant LGDs will support local planning through the provision of guidance and information to equip local responders to develop emergency plans. LGDs will also provide guidance to LRFs on risk assessment and emerging risks, and the roles and responsibilities of local responders and LRFs in relation to them. The Department will support LRF engagement with other Government Departments in these areas as required.

### ***Overview of RED’s role in emergency preparedness and response***

#### RED corporate structure

28. The Inquiry will note the organograms provided at Annex A which identify the corporate structure and staffing of RED during the period covered by Module 1.

#### Emergency preparedness

29. How RED has discharged the *Emergency Preparedness* duties identified above has evolved over time but central to its delivery are teams of Resilience Advisors (“RAs”)

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- deployed to support LRFs in their local resilience planning. RAs are usually Grade 7 Departmental civil servants, based in regional hubs led by Grade 6 Departmental civil servants.
30. RAs are allocated to LRFs and work closely with them. They support the work of the LRFs and are the means by which the LRFs link with Central Government resilience planning structures. The RAs also work closely with LRF partners and cross-Government colleagues to provide advice, support, scrutiny and challenge. They establish two-way information channels between the local and national tiers, to assist local responders to meet their duties under the CCA 2004 to prepare for, respond to and recover from civil emergencies of all types.
  31. The Inquiry should note that although RED through its RAs provides advice to local responders to support them in the development of their resilience plans, the ownership of and responsibility for those plans remains with the local responders, as described at paragraph 23 above. In planning for risks and emergencies, the Department does not assure LRF plans. Each individual responder organisation is responsible for undertaking their own assurance processes which, generally, focus on the duties for which that organisation is responsible.
  32. From time-to-time RED does, however, conduct reviews of LRF planning for particular eventualities. These reviews are to ensure that appropriate plans are in place nationwide; to identify and share best practice; and to identify any key weaknesses or concerns which require further local and/or central consideration. An example of a review being taken in the Covid-19 context is identified at paragraphs 130-131 below.
  33. In Section D below, I identify RED's input into national and local pandemic preparedness efforts in the years preceding Covid-19, which were generally led by the Cabinet Office and DHSC. However, by way of an indicative overview of RED's involvement in preparedness work, this included the following:
    - A. Contributing to the development of planning and guidance documents to represent the interests of the local sector (e.g. the Pandemic Influenza Strategic Framework and Response Plan published by Public Health England ("PHE") in 2014);

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- B. Providing advice to LRFs on key strategy and planning documents, and uploading them onto Resilience Direct (a secure IT platform owned by Cabinet Office and accessible by LRFs) where appropriate;
- C. Facilitating workshops with LRFs in response to specific events (e.g. Ebola workshops in 2015), and to support broader preparedness planning (e.g. LRF pandemic workshops in 2018);
- D. Participating in Government exercises that involved multi-agency working (e.g. Exercise Cygnus in 2016), facilitating the involvement of LRFs and undertaking follow up activities where required to address actions;
- E. Participating in cross-Government governance meetings (e.g. the Pandemic Flu Readiness Board) to represent the interests of LRFs and the local sector; and
- F. Contributing to the development and dissemination of the 2019 Pandemic Resilience Standard to help guide LRFs with their preparedness.

#### Emergency response

- 34. RED maintains a 24/7 duty function to respond swiftly to emergency issues and major events impacting England. Examples of emergency issues from 2021/22 include: Afghan evacuation, fuel shortages, Omicron, Ukraine and severe weather such as Storm Arwen. Recent examples of major events include the deaths of HRH Duke of Edinburgh and HM Queen Elizabeth II.
- 35. The nature of RED's response to a given emergency or major event will depend upon the nature of the incident. However, it would typically include:
  - A. Establishing whether the LRF has activated a SCG. During an emergency, regular SCG meetings take place where relevant local responders will discuss the evolving situation and coordinate the local response.
  - B. Deploying a Government Liaison Officer ("GLO") to SCG meetings to act as a point of liaison between Local and Central Government. RAs will typically transition into the GLO role, establishing and maintaining lines of

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communication with SCGs. This includes identifying whether there are likely to be issues arising or capability gaps emerging, which may require Central Government support or input.

- C. In some cases, such as a terrorist or nuclear emergency, the LGD for that particular type of emergency may themselves deploy a GLO. RED would then provide support through a Consequence Management Liaison Officer as part of a multidisciplinary Government Liaison Team.

36. In the course of any given civil emergency, RED acts as a single point of contact between the local and national tiers to make sure that all requests for support are captured and sent to the right people without duplication. This is intended to reduce the burden on responders, ensure nothing is missed, and facilitate a coherent response across all levels of Government. It also means that RED staff provide a key source of situational awareness for the Government Departments involved and ultimately for Ministers.

37. RED also provides response arrangements in support of other Departments where necessary. For example, RED supported the Foreign and Commonwealth Office (as it was then known) to assist in the repatriation of British Nationals following the Arab Spring and the Tohoku earthquake in 2011 and played the same role for the Foreign and Commonwealth Office and the Department for Transport when British Nationals required repatriation after the collapse of Monarch Airlines in 2017. After such events, RED conducts regular debriefing so that its processes can be continually refined. Thus the repatriations from Wuhan at the beginning of the Covid-19 response were informed by these earlier repatriation events; and the experience of Wuhan in turn informed RED's work to support the repatriations from Afghanistan in 2021.

38. The Department is also responsible for the "Bellwin" scheme. Bellwin is a scheme of emergency financial assistance to help Local Authorities meet immediate uninsurable costs they incur when dealing with the response to an emergency in their area. The costs covered typically include provision of rest centres; evacuating people from dangerous structures and works to make them safe; temporary accommodation; and the clearing of debris from highways, pavements and footpaths. To be eligible for a Bellwin grant, an individual Local Authority is required to have spent at least 0.2% of its calculated annual budget on works that have been reported to the Department. This

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amount is the authority's 'threshold' and applies to the whole financial year, not to each incident. Bellwin relief, when activated, funds 100% of eligible emergency expenditure.

***Sources of information for the Department for the purposes of preparedness and risk management***

National Security Risk Assessment

39. The Inquiry has indicated that it is interested in the sources of information for the Department for the purposes of undertaking risk assessments and risk management of high-consequence infectious diseases, epidemics, pandemics and planning for civil emergencies.
40. The Department works closely with other Government Departments to prepare for, respond to and recover from emergencies and other disruptive events. The main information source underpinning the Department's approach to risk assessment in relation to civil emergencies is the (classified) National Security Risk Assessment ("**NSRA**", formerly the National Risk Assessment) and the (publicly available) National Risk Register ("**NRR**"). The creation of these documents is overseen by the Cabinet Office and the Inquiry will be best assisted by the Cabinet Office in relation to them.
41. Of the risks included in the NSRA and NRR, the Department is the LGD in relation to flooding (recovery); severe weather impacting the built environment (planning, response, recovery); site clearance and building collapse (planning and recovery); cyber-attacks impacting local authorities (planning and recovery); serious industrial accidents where issues are wide-ranging (recovery); exposure to hazardous materials where communities have been displaced (recovery); dam failure where an urban area is affected (recovery); earthquakes (planning, response, recovery); and an influx of British Nationals (planning, response, recovery).
42. DHSC is the LGD for an influenza-type pandemic.
43. The 2019 NSRA was produced in August 2019. Prior to its release, RED provided a written submission to the Department's Secretary of State in July 2019. The purpose of this submission was to provide an update on the 2019 NSRA, covering key changes and implications for the Department and local partners. I exhibit it as **[CF/04 – INQ000023164]**.

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44. The NSRA also informs local emergency planning. It provides a range of risks, assumptions and scenarios that LRFs use in their consideration of local preparedness. Community Risk Registers, which LRFs are required to prepare and publish, consider the likelihood and potential impact of the main risks affecting specific areas, and which meet certain thresholds for impact and likelihood. These include risks with a 1 in 100,000 annualised likelihood of occurring over the next two years but may also include risks with a lower likelihood if this is deemed helpful to support emergency planning. Community Risk Registers are usually hosted on LRF and local individual responder websites for the public, business and voluntary organisations to access as required.

#### Information sharing with LRFs

45. The Department acts as a conduit for information to the local tier. Its RAs help to ensure that LRFs can access the NSRA and NRR when published, and to promote awareness.
46. For example, following publication of the 2019 NSRA, the Cabinet Office shared it on Resilience Direct, granting access to all 38 LRFs in England. To complement this and promote its release, the Cabinet Office and RED hosted a series of workshops in Bristol, Birmingham, London, and Newcastle with LRF members. These workshops detailed the key methodology changes and outlined changes from the previous (2016) assessment.
47. Guidance on applying the NSRA and NRR was also published by the Cabinet Office, titled '*Local Risk Management Guidance*'. This was designed to support LRFs in interpreting and tailoring national risks to their local circumstances, and was also made available on Resilience Direct. As with the NSRA and NRR, and in addition to coordinating specific workshops as identified above, RAs will signpost and promote any newly published guidance while undertaking their LRF engagement role, in order to support local planning and ensure a consistent approach to the assessment of risk across LRFs.
48. In turn, RAs are able to escalate LRF concerns back to relevant Central Government Departments in order to ensure that local considerations and capabilities are factored into the central risk management process.



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#### Learning from national and local preparedness exercises

49. The Government has in place a co-ordinated cross-Governmental exercise programme covering a comprehensive range of domestic disruptive challenges, including accidents, natural disasters and acts of terrorism. Each individual Department has responsibility for defined areas of policy, plans and procedures falling within their area of work, including the maintenance, review and revision of these in response to lessons identified.
50. The national exercise programme is designed to optimise contingency plans to respond to a whole range of civil emergency scenarios. There are up to three Tier 1 exercises each year involving the activation of the Cabinet Office Briefing Room (“**COBR**”) arrangements to test the collective response to an emergency. Each exercise is designed to test rigorously the concept of operations from the coordinated central response, through the range of LGD responsibilities and the involvement of the Devolved Administrations, to the response at the local tier.
51. The UK also observes or participates with international partners in exercises, either through multilateral fora, such as the G8, NATO and the EU, or on a bilateral basis.
52. The Inquiry has requested information relating to the Department’s involvement in particular epidemic/pandemic-related exercises over the timeframe being considered in Module 1 (and earlier, in relation to Exercise Winter Willow). I have addressed this at Section D below.
53. By way of general description, however, RED works with the Cabinet Office and other Departments in participating in national preparedness exercises. The Department does not have a role in selecting the timetable for exercises or selecting which risks the Government will run exercises on, or in agreeing the parameters of the exercises where the lead is with other Government Departments. Where RED participates in exercises run by other Government Departments, its role typically involves engaging with participating LRFs to provide regional situational awareness; to resolve issues raised by local and national partners in the scenario; and to act as the conduit between national and local tier participants (e.g. by performing the role of GLO). Where RED has taken part in a national preparedness exercise, it will also contribute to the ‘lessons learned’ process, typically by seeking and sharing feedback from participating LRFs in order that this can be factored into the learning process.

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54. In addition to the national exercise programme, local authorities and the emergency services develop their own programmes of exercises to test capabilities at the local level. The CCA 2004 requires Category 1 responders to include provision for the carrying out of exercises and for the training of staff in emergency plans. As identified above in relation to RED's general preparedness functions (paragraphs 29 to 33), RED takes part in training exercises arranged by LRFs to test their plans. The purpose of RED's involvement in these exercises is to support LRF planning and help LRFs understand the role of the Government during emergencies. RED will simulate the role of Central Government, asking the questions ministers and senior officials might ask in practice, challenging assumptions on issues such as funding, and sharing guidance on how central support can be accessed.

### **C. INTER-ORGANISATIONAL COOPERATION**

55. This section addresses the Department's inter-organisational cooperation in relation to preparedness and resilience, including across UK Government, with Devolved Administrations, with Local Government, with expert advisory groups and advisors, with the private sector, with voluntary community and social enterprise partners, and with international partners.

56. As set out above, the Department's role in preparedness and risk management is delivered by RED; hence within the Department it is primarily RED which carries out such cooperation.

57. Please note that Section D below deals chronologically with the Department's participation in risk management and preparedness over the relevant period (such as in training exercises and particular disease outbreaks) and so provides some further information about cooperation in particular instances.

#### ***Cross-UK Government cooperation***

58. The Department engages with other Government Departments as part of the UK civil contingencies framework as described in paragraphs 21 to 27 above. It is a priority for the Department to maintain close working relationships with the LGDs for different types of risk, and to continue developing a systematic and effective approach for handovers from one department to another within and between the response and recovery phases for any given emergency or major event.

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59. By way of example, I highlight in particular:

- A. The Department's cross-Government cooperation in supporting the Pandemic Flu Preparedness Board in its capacity as the joint lead for Local Resilience. The Department's role was to support Central Government planning for pandemic flu and, in turn, support LRF planning activity. This is set out in more detail in Section D below.
- B. The Department's role in the establishment of the Moral and Ethical Advisory Group. Please see paragraph 128 below.

60. The Inquiry has indicated that it is interested in whether the Department liaised with certain named cross-Government entities. In this respect, I am not aware that the Department had any routine or direct engagement with the following:

- A. Health and Social Cabinet Sub-Committee
- B. The Scientific Pandemic Influenza Group on Modelling (SPI-M)
- C. The Scientific Pandemic Influenza Advisory Group (SPI-A) formerly known as the Scientific Advisory Group (SAG)
- D. Monthly deep dives on pandemic preparedness undertaken by DHSC's Permanent Secretary and the policy team
- E. The Chief Medical Officer or Chief Nursing Officer
- F. Pandemic Preparedness Policy Team
- G. Operational Response Centre
- H. The DHSC Chief Scientific Adviser

61. I also understand that the RED did not routinely liaise with the cross-Government bodies or individuals below but did engage with them (or their teams) sporadically when specialist expertise was required:

- A. National Security Advisor
- B. The Government Office for Science
- C. Scientific Advisory Group on Emergencies ("**SAGE**")
- D. The Government Commercial Function
- E. The Government Financial Function
- F. The Government Commercial Organisation

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- G. UK Health Security Policy Team
- H. Public Health England
- I. Emergency Preparedness and Health Protection Directorate
- J. The National Situation Centre

62. The Department as a whole will have had communication with some of these organisations as part of the normal course of business across Government but I do not detail this here, given the Inquiry's focus on issues of pandemic preparedness.

### ***Devolved Government***

63. Engagement with the Devolved Administrations in relation to preparedness, resilience and emergency planning was led by the Cabinet Office, as both health and resilience are devolved matters.

64. As such, RED's direct engagement with the Devolved Administrations was limited. It would liaise with Devolved Administrations where information sharing was needed, for example where there was a situation in a border area. Representatives of the Devolved Administrations were also invited to meetings with and workshops for LRFs. However, there was no formal or routine liaison beyond this.

65. Thus, and for the avoidance of doubt, RED had no direct relationship with Emergency Preparedness Groups in Northern Ireland, Health Protection Networks in Scotland, or LRFs in Wales.

### ***Local Government***

66. Local Government is responsible for a range of services for people and businesses in defined areas. Local councils are made up of councillors who are elected by the public in local elections. Local Authorities are democratically independent organisations, directly accountable to the public through local elections. They work collaboratively with citizens, partners, businesses, voluntary and community sectors and wider local public services organisations to agree and deliver on local priorities. Unlike other countries, the UK has no 'Regional Government'; however Local Authorities based in the same geographical regions work collaboratively.

67. In England, there are areas with "single-tier" Local Government where a single principal authority provides all the local services for the area, and there are areas with "two-tier" Local Government where the responsibility for local services is divided

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between 'upper tier' and 'lower tier' principal authorities. For example, responsibilities for Public Health, with a Director for Public Health, are with the upper tier authority whilst responsibility for Environmental Health is with the lower tier authority. In London, there is also the Greater London Authority exercising strategic functions across the whole of the Greater London area, including the Mayor exercising Police and Crime Commissioner functions. There are also combined authorities which may be led by a directly elected mayor, and which comprise two or more principal authorities allowing decisions on such matters as transport, skills and investment to be taken across council boundaries. In addition to principal authorities, there are also parish councils which have limited functions, all of which are concurrent with the functions of principal authorities.

68. In 2009 there were a total of 352 principal Local Authorities in England and the Greater London Authority. There were also 10,000 parishes with around 8,000 parish councils. Throughout the period 2009 to 2020 there have been ongoing reforms to Local Government structures, so that by 21 January 2020 there were 354 Local Authorities other than parish councils, comprising the Greater London Authority, 10 combined authorities, 343 principal Local Authorities involving 26 two tier areas (with 26 shire county councils including Isles of Scilly and 192 shire district councils), and 125 single tier areas (56 unitary councils, 36 metropolitan district councils and 33 London boroughs including City of London). At 1 April 2023 the number of principal Local Authorities will be 317 comprising 63 unitary councils, 36 metropolitan district councils, 33 London boroughs (including City of London), 21 shire county councils (including Isles of Scilly), 164 shire district councils. The number of combined authorities remains unchanged, although it is expected that several new combined authorities will be established by 2024.

69. The Department is responsible for the core Local Government accountability framework for Local Authorities and for ensuring that it is effective as a national system within which local authorities take their own decisions. In addition to the core accountability system, other departments that oversee services run by Local Government publish statements that explain any other grants made to Local Authorities, and relevant legislation and regulation in relation to those services, including the Department for Education, Department of Health & Social Care, Department for Transport and Department for Business, Energy & Industrial Strategy. Local Authorities' budgets comprise money from a number of sources. The funding

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framework for Local Authorities includes general funding from the Department on behalf of Government; specific funding from other Government Departments via section 31 payments under the Local Government Act 2003; and locally raised sources (principally council tax and locally retained business rates). These resources are pooled at the local level. Individual councils are responsible for their own financial performance. Within the framework of statutory duties, councillors are free to set their own priorities and determine outcomes. They make decisions about how to allocate resources to competing priorities, such as providing care services, improving roads or keeping council tax low.

70. The Department's Permanent Secretary, as the Accounting Officer for Local Government in England, is responsible for ensuring there is an accountability system for Local Government and is also responsible for ensuring that the system overall is sustainable. This system comprises a set of obligations on Local Government to provide accountability, firstly, to local citizens e.g. through transparent data, open meetings, public scrutiny and audited accounts; and secondly, to Central Government through data and reporting. The Accounting Officer for Local Government is also responsible for ensuring that the system is robust and contains the right checks and balances. The Accounting Officer is provided with advice on a regular basis to inform their thinking. In the most serious cases the Secretary of State has statutory powers of intervention to make sure that transparency, probity, scrutiny, and accountability is upheld across all councils.

71. The Department does make ongoing assessments to mitigate the risk of failure in individual authorities. It considers governance, leadership, financial health, and service delivery of individual authorities as part of its oversight of Local Government. The ongoing assessments allow the Department to build a holistic picture of challenges facing individual local authorities, as part of its ongoing stewardship function. In doing this the Department draws on a wide range of information, both qualitative and quantitative metrics, and on engagement with colleagues in other Government departments, with stakeholders such as the Local Government Association ("LGA"), and engagement with Local Authorities themselves. The Department shares information on challenges facing Local Authorities regularly with colleagues in other Government Departments.

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72. Councils are independent from Government and intervention should only take place where there is significant and systemic failure combined with an inability or unwillingness to put things right. However, Government will, if necessary, take steps to ensure the good record of transparency, probity, scrutiny, and accountability is maintained across councils. The “best value duty” in the Local Government Act 1999 states that all authorities must make arrangements to secure continuous improvement, having regard to their efficiency, economy and effectiveness. If there is evidence of best value failure, then the Secretary of State can appoint Commissioners to take over the running of the authority and/or direct the authority to take specified actions.

73. The Department has Local Government regional relationship teams who manage relationships with chief executives and officers at English Local Authorities. Engagement is both formal and informal with individual authorities, according to topic.

74. The Department has regular engagement with Local Government sector bodies including the LGA, the Society of Local Authority Chief Executives (“**SOLACE**”), the County Councils Network, and the District Councils Network, alongside ad-hoc day-to-day engagement as required. Engagement is both consultative and to co-ordinate communications. For example, in 2018 the Department jointly published with SOLACE a guide to the role of Local Authority chief executives in an emergency. I exhibit this as [**CF/05 – INQ000023151**].

75. The Department also has a range of engagement channels for communicating directly with councils, including:

- A. Daily Local Government email bulletin, which is sent to over 7,000 subscribers, including the majority of chief executives, covering Government announcements, guidance, updates and publications relevant to Local Government.
- B. Emails and letters to leaders and/or chief executives on specific issues.
- C. Minister-led and/or senior official-led meetings with council leaders, political group leaders and chief executives including regular DG-led strategic fora.
- D. Large scale Ministerial broadcasts using a webinar format to council leaders and chief executives with Q and A sections (answers also followed up in writing to participants) on priority topics.

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### ***Expert Advisory Groups and Advisors***

76. Returning specifically to the resilience function, the Department does not routinely engage with expert advisory groups or advisors. However, RED does receive information about risks via the NSRA process, discussed at paragraph 40 above.
77. Nonetheless, on occasion the Department has used external expertise to provide an overview of LRF planning around specific events or risks. For example, in the context of reviewing LRF preparedness for a no-deal Brexit in 2019, the Department contracted the services of Andy Battle, a recently retired senior police officer, a former LRF chair and a highly experienced resilience professional. He worked directly with LRFs to assess their readiness, to recommend actions and to share effective practice.
78. Similarly, in February 2020, when the Covid-19 pandemic was in its relatively early stages, Andy Battle was asked to conduct additional work with LRFs, this time with Dr Ruth Hussey CB OBE (previously Chief Medical Officer for Wales and Regional Director of Public Health and Senior Medical Director at NHS England North West). Andy Battle and Dr Ruth Hussey worked directly with LRFs to identify the critical issues that were impacting on LRFs' ability to plan and respond effectively. I would be happy to provide further information on this but have not done so here as the timing of the review post-dates the time timeframe for Module 1.

### ***Other public sector bodies***

79. The Inquiry has indicated that it is interested to understand the nature of cooperation with other public sector bodies. In matters of resilience, preparedness, response and recovery, RED engaged with public sector bodies within the framework of the LRF partnerships and the civil contingencies framework, as described above. As such, any engagement would generally be through the LRF meeting structures. RED did not routinely have its own separate liaison with other public sector bodies in relation to such matters (although representatives may have been in cross-Government meetings where RED was also in attendance).

### ***Private sector***

80. Similarly, RED's engagement with the private sector is generally within the framework of the LRF partnerships and the civil contingencies framework. Engagement is usually through the LRF meeting structures, but individual sector engagement also takes place outside the formal meeting structures to discuss and resolve specific queries. Where



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this does occur, it is frequently with the transport and utility operators who are designated as Category 2 responders under the CCA 2004. As I understand it, there was no engagement by the Department with the private sector during the date range of Module 1 with respect to emergency planning for infectious diseases or pandemics.

### ***Voluntary, Community and Social Enterprise***

81. RED engages with voluntary, community and social enterprise (“**VCSE**”) partners in preparedness, response and recovery planning. This is primarily through LRF engagement where VCSE partners are core partners within individual LRFs. RED supported the Cabinet Office-led Community Resilience Programme working with VCSE partners and LRFs to develop guidance and practical toolkits that aimed to improve the emergency preparedness of local areas. RED also participated in national VCSE engagement forums from 2011 and currently participates in the VCS Emergencies Partnership Strategy Steering Group and monthly national engagement calls. Other Government participants include Cabinet Office and Department for Culture Media and Sport.

82. The VCSE sector also plays a key role in response to support the responding statutory bodies. For example, the British Red Cross has thousands of trained emergency response volunteers across the UK, ready to provide practical and emotional support at short notice. British Red Cross volunteers can set up rest centres for those having to leave their homes for safety because of flooding, fire or bad weather. The Department works with VCSE partners such as British Red Cross in the aftermath of emergencies to support communities recovering from an emergency. For example, following the severe flooding in the North of England in the winter of 2015 and again in 2019 the Government ‘match funded’ charitable donations to support those impacted most severely. The Department worked closely with Community Foundations (charitable organisations focused on supporting a defined geographical area by building endowments and generating funds to support community needs and local organisations making a difference) to distribute funding.

### ***International partners***

83. The Department did not have any direct cooperation with international partners. This is because international engagement on resilience matters was delivered through the Cabinet Office.

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#### **D. THE DEPARTMENT'S PARTICIPATION IN RISK MANAGEMENT AND PREPAREDNESS OVER THE RELEVANT PERIOD**

##### **Matters prior to 2011**

84. As identified above at paragraphs 19-20, the Department had a limited role prior to 2011 when it took over the resilience lead. However, the Inquiry has indicated that it is interested in Exercise Winter Willow/Swine Flu, both of which pre-date this period. In order to assist the Inquiry, I set out some information in relation to the period leading up to 2011 below, identifying some of the key milestones.

##### Exercise Winter Willow (for Pandemic Influenza) (2007)

85. Exercise Winter Willow was a national pandemic influenza exercise in January and February 2007. The aim of this exercise was to enhance the UK's ability to manage the effects of an influenza pandemic by practising and validating response policies and decision-making processes.

86. The scenario was very testing and looked at a pandemic which could affect up to 25 million people in the UK with up to 563,000 deaths.

87. The exercise involved Local Authorities, police and fire and rescue services and other local and regional responders, as well as healthcare agencies and the military. It examined the full ranges of effects of a pandemic of this scale. It is estimated that 5000 people took part across the UK, making this the biggest civil contingencies exercise since the Cold War.

88. The nine Regional Resilience Teams in the Government Office for the Regions played a key role in coordinating the multi-agency engagement required at the local level and, in turn, supporting the Central Government engagement.

##### 2007 "National Framework for responding to Pandemic Influenza"

89. In November 2007, the Department of Health produced the "*National Framework for responding to Pandemic Influenza*". This was an updated and more comprehensive version of the 2005 UK Influenza Contingency Plan. Key features of the National Framework included:

- A. Plans for a national pandemic flu service to enable symptomatic people to stay at home and have their symptoms assessed and antivirals authorised;

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- B. Sleeping contracts with vaccine manufacturers to purchase enough vaccine to immunise up to 100% of the population, to be triggered by WHO declaring a pandemic;
- C. A stockpile of antivirals sufficient to treat up to 50% of the population; and
- D. Clear policies on maintaining open borders and allowing mass gatherings to continue.

90. In December 2007, the Cabinet Office issued "*Preparing for Pandemic Influenza; Guidance to Local Planners*". [CF/06 – INQ000023182]. This was intended to be read in conjunction with the "*National Framework for Responding to an Influenza Pandemic*" referred to above. It provided local and regional planners with additional guidance and information to support the development of local and regional level multi-agency plans. It also offered guidance on the content and scope of LRF pandemic plans.

#### 2008 Pandemic Influenza Preparedness Programme

91. In 2008, the Pandemic Influenza Preparedness Programme ("**PIPP**") was established. This was the umbrella programme for all activity to prepare for a future influenza pandemic in England.
92. The role of the PIPP Board was to champion pandemic influenza preparedness, provide overall direction and visible leadership for the programme within the health and social care system and Department of Health. The Board engaged with the governance arrangements for cross-Government emergency planning through liaison with CCS.
93. The Department's engagement with PIPP post-dated 2011 but, by way of example, subsequently included working with the LGA and SOLACE to improve Local Authority readiness for civil emergencies.

#### 2009-2010 Swine Flu (H1N1) Pandemic

94. The Government Office network supported the local, regional and national Swine Flu response in 2009. Regional co-ordination of partners including senior Government Office officials, SCG chairs from across the region, regional health leads and other key regional partner was managed through a Regional Coordination Group. This allowed Government to understand the local impacts, including where Government needed to consider changes to national policy. It also allowed Government to obtain feedback on

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good practice, for example the 'Flu Friends' concept (the idea of identifying friends, relatives, neighbours and local volunteers who might assist if an individual falls ill). These meetings also allowed the Government to update local areas on national policy development. Government Office staff were also in some cases deployed to SCGs to undertake the GLO role.

95. The response to the H1N1 Swine Flu pandemic was the subject of an independent review chaired by Dame Deirdre Hine, published in July 2010.

#### 2011 Influenza Pandemic Preparedness Strategy

96. In 2011 the Department of Health published the "*UK Influenza Pandemic Preparedness Strategy 2011*" reflecting the lessons from the Swine Flu (H1N1) outbreak. This described a UK-wide strategic approach to planning for and responding to the demands of an influenza pandemic. It built on previous arrangements taking account of the experience and lessons learned in the H1N1 pandemic and the latest scientific evidence. This strategy was intended to inform the development of updated operational plans by local organisations and emergency planners.

#### **Matters post-2011**

97. The following paragraphs provide more detail on relevant activities that RED was involved in after 2011, as well as confirmation of those which have been identified as of interest to the Inquiry but where RED had limited or no involvement. These are set out broadly in chronological order.

#### April 2012 "*Health and Social Care Influenza Pandemic Preparedness and Response*"

98. In April 2012, a document entitled "*Health and Social Care Influenza Pandemic Preparedness and Response*" was issued by the Department of Health and the NHS [CF/07 – INQ000023173]. This focused predominantly on the operational aspects of pandemic response in the health and social care sectors, incorporating the lessons identified from the H1N1 influenza pandemic. It supported, and was to be read in conjunction with, the UK Influenza Pandemic Preparedness Strategy 2011. It reflected the key changes set out in the strategy, namely the need to:

- A. Develop improved plans for the initial response to a new pandemic;
- B. Ensure a response that is proportionate to a range of scenarios;

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- C. Allow for differences in the rate and pattern of spread of the disease across the country and internationally;
- D. Further explore statistical population-based surveillance, such as serology to measure the severity of a pandemic in its early stages;
- E. Take better account of information from behavioural scientists about how people are likely to think, feel and behave during an influenza pandemic; and
- F. Develop improved plans for managing the end of an influenza pandemic (the recovery phase).

99. As identified above, this guidance was aimed primarily at the healthcare sector, but it was brought to the attention of LRFs to assist them with their own pandemic influenza planning.

#### 2012 MERS outbreak

100. The Department had limited engagement with the 2012 Middle East Respiratory Syndrome outbreak, other than for information sharing with local resilience partners. The impact of the disease was relatively limited in scope and the response was largely confined to health partners.

#### 2013 “Preparing for Pandemic Influenza: Guidance for Local Planners”

101. In July 2013, new guidance was provided by the Cabinet Office to LRFs, in the form of the “*Preparing for Pandemic Influenza: Guidance for Local Planners*” [CF/08 – INQ000023178]. This was intended to be read in conjunction with the UK Influenza Pandemic Preparedness Strategy 2011. The Department supported the engagement with LRFs as well as contributing to the guidance to ensure it addressed the needs and questions arising from LRFs.

#### 2013 - 2016 Western African Ebola virus epidemic and associated exercises

102. The West African Ebola outbreak was of such scale that there was a risk that infected individuals could travel to the UK. Multi-agency planning was led by the Department of Health to ensure LRFs were able to support in the event of a local outbreak. The Department supported the planning working with the Department of Health and LRFs.

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103. In October and November 2014, LRFs engaged in exercises aimed at reviewing local preparedness and response arrangements to a suspected/confirmed Ebola case. A report on these was collated which I refer to below.

104. Thereafter two Ebola workshops were held with LRFs in February 2015. The workshops provided an update on the UK's effort in Sierra Leone and what that meant in terms of returning workers; an update on domestic Ebola preparedness; a walk-through of Cabinet Office Briefing Rooms and national Command, Control and Co-ordination (C3) arrangements; as well as sharing and discussing the key findings from the LRF Ebola exercises held in October and November 2014.

105. A series of documents were used during the workshops and were made available to LRFs via the secure platform Resilience Direct. By way of example, I exhibit the following:

- A. A presentation from the workshops [CF/09 – INQ000023152];
- B. A report on the 38 issues identified from the Ebola preparedness exercises and what actions had been taken to address them, which complements the “*Ebola – Local Resilience Forum Preparedness Exercises - Lessons Identified Report*” (non-health and health lessons) [CF/10 – INQ000023156];
- C. Guidance: “*C3 – Ebola Response Command, Control and Communication National Arrangements*” [CF/11 – INQ000023146]; and
- D. an updated Ebola ‘Frequently Asked Questions’ [CF/12 – INQ000023157].

106. Since this exercise, and over time through the course of emergency responses and other exercises, RED has made continuous improvements to its reporting mechanisms with LRFs. These include:

- A. Establishing a dedicated ‘sit cell’ (situational awareness team) within the RED Operations Centre during operational responses to collate and analyse intelligence and data, and summarise it for departmental and cross-Government situational reports, and maintaining this function also in times of preparedness;

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- B. Developing a new form for RED Government Liaison Officers to input intelligence and insights from SCGs and other multi-agency meetings, which are then collated into a daily intelligence report by the 'sit cell';
- C. Where appropriate, developing a formal data collection for LRFs to complement intelligence gathering processes; and
- D. Clarifying governance and reporting requirements to LRFs, and playing back intelligence and data collected to LRFs, including through LRF Chairs calls.

#### 2014 PHE Pandemic Influenza planning

107. In August 2014, PHE produced two documents:

- A. *"Pandemic Influenza Strategic Framework" [CF/13 – INQ000023181], and*
- B. *"Pandemic Influenza Response Plan" [CF/14 – INQ000023180].*

108. These set out the role and responsibilities of PHE during the preparation for, and response to, a pandemic and describes the response in the context of the overarching national arrangements set out in the UK Influenza Pandemic Preparedness Strategy 2011. The Department contributed to these documents through cross-Government engagement and wrote to all LRFs in 2013 to inform them that the documents would be shared.

#### 2015-2016 Zika virus epidemic

109. The Department had limited engagement with the Zika outbreak, other than for information sharing with local resilience partners. The impact of the disease was relatively limited in scope and the response was largely confined to health partners.

#### Exercises Valverde, Alice and Northern Light (2015)

110. The Department is aware that Exercises Valverde, Alice and Northern Light took place. I understand that the Department did not participate in the exercises as these were primarily focussed on the health response rather than broader multi-agency planning. The lessons identified from these exercises were for health agencies and would inform their planning rather than the multi-agency LRF plans.

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111. The Department does not usually participate in single agency exercises or exercises which are limited to a particular sector e. g. health exercises testing an NHS response or police exercises testing a security service counter terrorism response.

Exercise Cygnet (for Pandemic Influenza) (August 2016)

112. Exercise Cygnet was a discussion-based exercise held on 2 August 2016 in the Central Hall, Westminster in London. It was part of the build-up to Exercise Cygnus, the Tier 1 pandemic flu exercise on 18-20 October 2016. The exercise was delivered by the PHE Emergency Response Department's Exercises Team with participation from the Department of Health and this Department. Those participating in the exercise were senior representatives from the Department of Health, NHS England, PHE, the Social Care sector and the voluntary sector. There were also observers from the Cabinet Office and Devolved Administrations. The exercise focussed on hospital Surge and Social Care Capacity. The learning from the exercise supported the design of Exercise Cygnus. There is a report on both Cygnet and Cygnus which is referred to below.

Exercise Cygnus (for Pandemic Influenza) (October 2016)

113. Exercise Cygnus (a Tier 1 national level exercise) was designed to assess the UK's preparedness and response to a pandemic influenza that was close to the UK's worst-case planning scenarios. The exercise was run as a Command Post Exercise with participants based at their usual response locations or co-located with other response organisations.

114. A report on Exercise Cygnus is exhibited at **[CF/15 – INQ00023175]**.

115. The exercise was based around four simulated COBR meetings, supported by information from a simulated SAGE meeting held to inform Exercise Cygnet, Chief Medical Officer meetings and SCGs for each LRF.

116. RED participated in the exercise, activating its operations centre to engage with cross-Government response structures and deploying GLOs to the participating LRFs. In addition to the main exercise objectives the Department set four organisational objectives:

- A. To test internal Department crisis response arrangements.



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B. To test situation reporting arrangements between Central Government and localities through LRFs.

C. To exercise GLO engagement with LRFs at SCGs.

D. To explore and identify social care and excess deaths policy implications during a pandemic.

117. The main focus for LRFs in support of the exercise objectives was to exercise their local pandemic influenza plans, local coordination arrangements and consider how excess deaths could be managed locally. LRFs were expected to develop their own local communication arrangements. Those LRFs which participated in Exercise Cygnus (Essex, Hertfordshire, Kent, Leicestershire, London, Merseyside, Northamptonshire and South Yorkshire) contributed to the national 'lessons learned' process and also developed their own local lessons through their own debriefings after the event. RED RAs attended these debriefings. The actions from these predominately focused on internal LRF processes.

118. There were some operational learning points for RED which were identified following Operation Cygnus. These chiefly related to the timing of requests made of SCGs. The Department also reviewed the learning from Exercise Cygnus to consider with LGA and SOLACE what action could support Local Authorities to develop their pandemic influenza plans.

#### 2017 Establishment of the Pandemic Flu Readiness Board

119. Following Exercise Cygnus, the PM chaired a National Security Council Threats, Hazards, Resilience, Contingencies meeting on 22 February 2017, which the Department attended. The National Security Council agreed that addressing the issues identified from Exercise Cygnus would improve confidence in the full span of preparedness to a pandemic influenza. It signed off the suggested activities, which included Departments working together to increase readiness at the national and local level for the pandemic flu risk under a new governance structure.

120. In May 2017 this resulted in the establishment of the Pandemic Flu Readiness Board ("PFRB") to undertake a cross-Government programme of work to improve pandemic preparedness. The Board was co-chaired by CCS and DHSC with

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representation from across Government (including the Department) and the Devolved Administrations.

121. The work of the PFRB resulted in:
- A. the draft Pandemic Influenza Bill. This draft was led on by the Cabinet Office and DHSC. The Department was consulted on the Bill but did not contribute anything specifically to it. This draft Influenza Bill would later form the basis for the Coronavirus Act in 2020;
  - B. work led by the CCS across Government to ensure that key sectors of the national infrastructure could cope with high levels of employee absences;
  - C. a draft planning framework for strengthening capabilities to manage excess deaths;
  - D. a plan for increasing capacity in adult social and community care; and
  - E. a draft strategy for Government's communications during a pandemic.
122. RED provided periodic updates to the Board highlighting the ongoing work in relation to LRF engagement. Each update was presented by way of a summary paper provided to the Board for consideration and discussion at its meetings. I exhibit as [CF/16 - INQ000023160; CF/17 - INQ000023179; CF/18 - INQ000023162; CF/19 - INQ000023163; CF/20 - INQ000023161; CF/21 - INQ000023147; CF/22 - INQ000023148; CF/23 - INQ000023149; CF/24 - INQ000023155; CF/25 - INQ000023158; CF/26 - INQ000023150; CF/27 - INQ000023159] updating papers provided to the PFRB.

#### Exercises Typhon, Broad Street, Cerberus and Pica

123. The DHSC undertook a number of exercises in relation to infectious diseases; the Department is aware that Exercises Typhon, Broad Street, Cerberus and Pica took place. Again, I understand that the Department did not participate in the exercises as these were primarily focussed on the health response rather than broader multi-agency planning. The lessons identified from these exercises were for health agencies and would inform their planning rather than the multi-agency LRF plans.

#### 2017 PHE and APHA Workshops

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124. As far as I am aware, the Department had no involvement in the PHE and APHA Workshop which took place in October 2017 in relation to Avian and Pandemic Influenza.

#### 2018 LRF pandemic workshops

125. As referred to above at paragraph 119, following exercise Cygnus in 2016, the Government established the PFRB to undertake a cross-Government programme of work to improve pandemic preparedness. As part of this work, RED contributed to the cross-Government workstreams identified by Exercise Cygnus by leading four LRF pandemic workshops in February 2018 that brought together over 70 representatives from a wide cross section of LRF organisations. These were organised and facilitated by RED. The results of these workshops helped to shape national pandemic planning and ongoing engagement with LRFs.

126. RED led two further LRF engagement meetings in 2018 covering the national pandemic work programme. These meetings looked in more detail at excess deaths, the Pandemic Resilience Standard, education, pandemic content on gov.uk and pandemic exercises. These meetings were facilitated by the Department, and the Cabinet Office, DHSC, and the Department for Education also took part.

#### 2019 “Pandemic Resilience Standard”

127. The 2018 engagement meetings led to the development of the Pandemic Resilience Standard [CF/28 – INQ000023176], which was published on Resilience Direct in December 2019 for LRFs. The National Resilience Standards establish a consistent means for LRFs and their constituent local responder organisations to assure their capabilities and overall level of readiness, and to guide continuous improvement against mandatory requirements and in light of good and leading practice.

#### Establishment of Moral and Ethical Advisory Group

128. As part of the work of the PFRB, in late 2019 the Moral and Ethical Advisory Group was formed, with the role of providing independent advice to the UK Government on moral, ethical and faith considerations on health and social care related issues. RED was involved in the Group, but only so far as engaging with the early development of the workstream through the PFRB, and thereafter through input from the Department’s faith and integration team. This board was originally co-

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sponsored by the Department (alongside the Cabinet Office and DHSC), but with an expanded remit from the end of 2019 the Department no longer undertook this role.

***The position as it stood in January 2020***

LRF readiness

129. A broad indication of LRF readiness as at January 2020 can be seen from a review carried out in early February 2020 (albeit that the review itself is after the scope of this Module).

130. Between 3-14 February 2020, RED asked all 38 LRFs in England to submit information on their preparedness for pandemic flu as set out in the UK Influenza Pandemic Preparedness Strategy 2011 and NSRA 2019. This information was repurposed to support the initial assessment of Covid-19 preparedness. I exhibit as **[CF/29 – INQ000023154]** a report which identifies the findings of this review.

131. The LRF responses indicated that:

- A. All 38 had an overarching pandemic flu plan, 36 of which had been published;
- B. 37 LRFs reported ‘significant’ or at least ‘some’ partner engagement on pandemic flu planning;
- C. 28 areas demonstrated leading practice by working across LRF boundaries on planning and exercising, whilst having independent plans. Nine areas were working across LRF boundaries on planning and exercising and had fully integrated plans;
- D. 32 LRFs had run exercises testing their pandemic influenza plans (as recorded in the table below), although only 13 of those had done so since 2017 (Leicestershire, Lancashire, Devon Cornwall & Isle of Scilly, Hampshire & Isle of Wight, Norfolk, Thames Valley, Cumbria, North Yorkshire, Dorset, West Midlands, Gloucestershire, Cambridgeshire, West Mercia);

**E. *Table 1 LRFs with Flu Plan Exercised, by Geographical Region***

Region	Exercised	Base

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North East England	3	<b>3</b>
Yorkshire and the Humber	4	<b>4</b>
North West England	4	<b>5</b>
West Midlands	2	<b>4</b>
East Midlands	5	<b>5</b>
East of England	5	<b>6</b>
South East England	4	<b>5</b>
South West England	4	<b>5</b>
London	1	<b>1</b>
<b>Total</b>	<b>32</b>	<b>38</b>

F. The greatest area of concern raised by LRFs and highlighted by the lower number of LRFs with Excess Death plans in place (28) was preparedness for (and in particular local capacity to manage) the levels of excess deaths assumed in the Reasonable Worst Case Scenario.

Lessons learned from previous emergencies

132. From 2011 to 2020, RED responded to a range of different events. Examples of large-scale emergencies include the 2011 civil unrest, fuel protests causing supply disruptions, terrorist events such as the Manchester Arena attack, the Novichok attack in Salisbury and the devastating fire at Grenfell Tower, as well as severe and widespread flooding in the winters of 2013/14, 2015/16 and 2019/20.

133. After all emergencies RED undertakes a 'lessons learned' process. Procedures and processes are subject to a regime of continuous learning and improvement, with systems and processes developed to address the key learning points. For example, following lessons identified in the aftermath of the 2017 Grenfell Tower fire, RED refined its operating procedures to ensure that all RAs could identify when LRFs are overstretched. RED also developed training for all members of staff to enable them to

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identify signs of overstretch in local responders. RED has also developed induction training for all staff as well as bespoke training for those in response roles as a way of ensuring knowledge and expertise is shared with new staff.

134. Similarly, RED and the wider Department learned and adapted from the work to support Operation Yellowhammer – the Government’s contingency planning for the most severe short-term disruption under a no-deal Brexit. Operation Yellowhammer was a key focus of the Department and indeed the wider resilience community from 2018 to 2020. Notwithstanding that this was a different resilience situation to pandemic preparedness, it did give an opportunity to test many of the same issues and refine ways of working across the Department, with LRFs and with wider Local and Central Government. More specifically, Operation Yellowhammer enabled the Department to enhance resilience capabilities in a number of different ways, including:

- A. Development of arrangements for scaling up resources rapidly, including by redeploying staff from within and outside the Department. For example, precedents were established for deploying military planners to support local planning, and using staff from the Ministry of Defence to perform roles in RED’s Operations Centre (which would later be replicated for the Covid-19 response);
- B. Establishment of central governance arrangements for the Department, including command and control structures, to help plan and coordinate activity across the Department and provide situational awareness to support Ministers with their decision-making;
- C. Development of improved methods for ensuring joined up and consistent engagement with all LRFs in England, for example by introducing telephone conference calls with the 38 LRF Chairs; developing briefing packs for RAs to guide and support them on key issues when attending LRF meetings; and providing LRFs with direct funding and templates for planning workshops, to help strengthen their core capabilities;
- D. Strengthening the Department’s lines of communication with Local Government. This included weekly discussions with a geographical spread of Chief Executives across England, as well as Local Government sector body engagement such as with the LGA. A Ministerially-chaired roundtable with

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sector representatives across the union was established to provide a political forum for other Government departments to share updates and collect feedback. Live Ministerial webinars with all Local Government leaders, Chief Executives and LRF chairs were arranged to communicate key announcements and provide an opportunity for attendees to raise questions. The Department's communications were also adapted, with a daily Local Government bulletin created to provide Local Authorities with summaries of latest announcements and guidance. In addition, other Government departments were encouraged to coordinate communications through the Local Government engagement team in order to reduce concurrent messaging from multiple departments to Local Authorities; and

- E. Establishment of closer working with other Government departments to help join up local and national planning on key risks. This included inviting representatives from relevant departments to attend the telephone conferences with LRF Chairs calls to update them directly and answer any questions on key issues, and conducting outreach activities with departments to raise their understanding of the role of LRFs and how they might be used to support wider planning and response activities.

## **E. THE DEPARTMENT'S ACTIONS AS COVID-19 FIRST EMERGED**

135. The Inquiry has indicated that it would be assisted by a brief description of the Department's role in relation to the following specific matters up to and including 21 January 2020:

- A. the emergency repatriation of people located overseas to the UK;
- B. the establishment and management of a "shielding programme" across the UK Government;
- C. the drafting of the Coronavirus Act 2020 and other primary and secondary Covid-19 related legislation; and
- D. providing initial support to regional and Local Government when the pandemic was declared.

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136. While the Department did have a role in the matters listed, it is my understanding that significant work did not commence until after 21 January 2020. Being mindful of the time period focussed upon in Module 1, the Department will seek to assist the Inquiry in relation to these matters in the context of Module 2.

## **F. CHANGES IMPLEMENTED FOLLOWING THE COVID-19 PANDEMIC**

137. In this section I describe the implementation of learning in relation to pandemic preparedness and co-ordination of response within the Department, being mindful of the scope of Module 1. I do not focus on the various workstreams of response activity that relate to the scope of Module 2 and later Modules.

### ***RED restructure***

138. In the summer of 2020, primarily in response to the demands of the Covid-19 pandemic's first wave, and in order to prepare most effectively for the anticipated second wave, significant changes were made to RED's operational structure, processes, IT systems and staffing levels. These changes included:

- A. Developing RED's regional engagement model, including:
  - i. The introduction of five regional hubs with dedicated RAs to support LRFs. Previously in RED, RAs routinely led on more than one LRF as well as carrying out other projects. The structural change meant that RAs role would be dedicated to engagement with one LRF only which increased the support the Department could provide;
  - ii. The establishment of a dedicated function to plan and facilitate regular video conference meetings with LRF Chairs to provide strategic updates; and
  - iii. RED convening an expert panel of LRF Chairs to act as a trusted partner and to reflect on the roles LRFs can usefully play in the future of resilience.
- B. Developing RED's situational awareness capability by the introduction of:
  - i. A dedicated, permanently staffed Strategic Insights function within RED. The role of this Strategic Insights function includes gathering both human



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intelligence (provided through GLOs) and data from a range of sources (including other Government Departments); and

- ii. Cross-Government "Discovery" meetings, which include representatives from other Departments, where data on local risks is combined with human intelligence to give a comprehensive picture of risk, and tolerance to risks, within LRFs.

C. Enhancing RED's response model to include:

- i. The introduction of more specialised teams within RED - including dedicated operational, analytical, policy, strategy, and business management teams - each focused on performing its own specific function, in place of the previous approach of having multi-skilled staff who were deployed more flexibly to perform different functions based on where they were most needed at any time;
- ii. Bolstering capability for proactively managing issues raised by local responders by establishing a specialist issue resolution function with its own dedicated resources;
- iii. Ensuring that recovery work is factored into all work carried out within RED's response teams; and
- iv. Replacing RED's Emergency Response Plan with the Response and Recovery Plan that sets out RED's new operating model and formalised processes for ensuring appropriate resourcing levels within RED for dealing with emergencies. I exhibit a copy of the Emergency Response Plan [CF/30 – INQ000023177],

139. RED's change in name at this time (to the Resilience and Recovery Directorate) reflected its strengthening of capability in the resilience space, including recovery from emergencies.

140. More recently, we have introduced further changes to strengthen resilience capabilities within and beyond the Department. These have included:

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- A. Provision of dedicated funding, including innovation funding for LRFs since 2021 which has, for example, supported the development of digital tools to aid effective information sharing at LRF level. We continue to put this at the heart of our focus as part of our programme to continue to strengthen LRFs; and
- B. The establishment of a new Central Response and Coordination Unit in 2022. Amongst other things, this provides a dedicated secretariat function for the new Resilience Board which oversees activity across the Department's equities in planning for and responding to emergencies and major events.

### ***Emergency Survival Manual***

141. In Spring 2021, the Department completed a programme of work to ensure that it retains corporate knowledge and captures lessons learnt from prior emergencies and events, and to ensure that it has robust information management processes in place. An Emergency Survival Manual was developed and is intended to help the Department respond effectively to future emergencies or events, which cannot be managed or resourced through business-as-usual business planning and have a significant impact for multiple teams across the Department. The Emergency Survival Manual was developed to capture learning arising from the 'Winter 2020' structures. The 2020 structures were in place from around October 2020 across a number of Government Departments and were put in place to manage concurrent winter risks, primarily Covid-19 and the impending EU Exit. The Department's response to the winter arrangements were instituted to ensure sufficient staffing, governance and risk escalation systems were in place. The Emergency Survival Manual captures learning from the winter arrangements, as well as drawing on previous emergency and major events.

142. The Manual seeks to provide a framework for identifying when a non-business-as-usual response may be required and the shape of that initial response. Whilst each emergency will inevitably require a tailored response, with structures and processes adapted to the particular circumstances that evolve as the response progresses, the Manual sets out the common principles and a recommended approach for triggering, standing up and scoping that response.

143. I exhibit the Manual as [CF/31 – INQ000023165], and its separate annexes as [CF/31A - INQ000023166; CF/31B - INQ000023167; CF/31C - INQ000023168;

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**CF/31D - INQ000023169].** A copy is also retained by the Executive Team Board Secretariat, the Central Portfolio Office, and the Government Internal Audit Agency.

***Covid-19 Response Playbook***

144. Since April 2022, the Department has also undertaken work to develop a Covid-19 Response Playbook to describe the Department's role in the context of DHSC and UK Health Security Agency planning.

145. The aim of the Playbook is to set out arrangements and considerations for the Department's response to a significant increase in Covid-19 infections and disease. Its objectives are:

- A. To describe the Department's command, control and co-ordination arrangements to be implemented in the event of a significant increase in Covid-19 infections and disease;
- B. To set out key considerations and potential response measures for the Department in the event of a significant increase in Covid-19 infections and disease; and
- C. To outline roles and responsibilities across the Department when responding to a significant increase in Covid-19 infections and disease.

146. The Playbook is new as of April 2022 and is based on learning from previous waves of Covid-19 (including the Reasonable Worst Case Scenario identified by the Scientific and Advisory Group for Emergencies, and wider Government planning).

147. This learning has enabled the Department to set out within the Playbook considerations, roles, and responsibilities for its future response against a range of themes:

- A. Engagement with Local Government
- B. Local Government funding
- C. Workforce & supply chain pressures
- D. Local Government regulatory services

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- E. Remote Council meetings
- F. Vulnerable people & equality
- G. Provision of guidance to the public and businesses
- H. Test & trace
- I. Self-isolation
- J. Vaccination
- K. PPE
- L. Compliance & enforcement
- M. Regulations
- N. Death management
- O. Homelessness & rough sleeping
- P. Supported housing
- Q. Domestic abuse refuges
- R. Adult Social Care
- S. Housing
- T. Planning
- U. Covid Certification
- V. Managed Quarantine
- W. UK Wide Response

148. The Playbook is currently at second draft stage and will be updated further as work progresses in the coming weeks and months. This includes work to finalise the Department's new Concept of Operations and resourcing plans for a Departmental-wide response to significant incidents and events. Although this remains a work in progress, it is anticipated that the Inquiry would wish to see the latest draft as relevant to its consideration of Issue 6 of Module 1. I therefore exhibit this as **[CF/32 – INQ000023174]**. The Department will of course provide the Inquiry with the final draft of this document once it becomes available.

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**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

**Personal Data**

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**ANNEX A: ORGANOGRAMS ETC**

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**ANNEX B: TBC**

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[INTENDED TO COMPRISE A CHRONOLOGICAL LIST OF KEY DEPARTMENTAL MEETINGS RELATING TO PANDEMIC PREPAREDNESS ONCE IDENTIFIABLE THROUGH ELECTRONIC DISCLOSURE.]

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### ANNEX C: GLOSSARY OF ACRONYMS

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The acronyms below appear in the body of the witness statement and are collated here for ease of reference. They are listed alphabetically.

CCA 2004	Civil Contingencies Act 2004
CCS	Civil Contingencies Secretariat
COBR	Cabinet Office Briefing Rooms
DCLG	Department for Communities and Local Government
DHSC	Department of Health and Social Care
DLUHC	Department of Levelling Up, Housing and Communities
GLO	Government Liaison Officer
LGA	Local Government Association
LGD	Lead Government Department
LRF	Local Resilience Forum
MHCLG	Ministry of Housing, Communities and Local Government
NRR	National Risk Register
NSRA	National Security Risk Assessment
PFRB	Pandemic Flu Readiness Board
PHE	Public Health England



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PIPP	Pandemic Influenza Preparedness Programme
RA	Resilience Advisor
RED	Resilience and Emergencies Division
SCG	Strategic Co-ordinating Group
SOLACE	Society of Local Authority Chief Executives
VCSE	Voluntary, Community and Social Enterprise