



Department
of Health &
Social Care

From the Rt Hon Matt Hancock MP
Secretary of State for Health and Social Care

39 Victoria Street
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The Rt Hon Boris Johnson MP
Prime Minister
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02 October 2020

Dear Boris,

PUBLISHING THE REPORT INTO EXERCISE CYGNUS

As you are aware, there is much interest in seeing the report of Exercise Cygnus. We have received requests from Parliamentarians, the media, and members of the public. A leaked copy of a version of the report has been published already by the Guardian newspaper.

For the reasons set out below, I believe that publishing the report may now be in the public interest. I am therefore seeking collective agreement of D&EI and NSC colleagues to do so.

'Exercise Cygnus' took place over three days in October 2016. Participants included Ministers and officials from: the Department of Health and Social Care (DHSC); twelve other Government departments; the Devolved Administrations (DAs); NHS England; Public Health England (PHE); NHS Wales; eight Local Resilience Forums; and six prisons.

The exercise scenario was close to the Reasonable Worst-Case Scenario (RWCS) for pandemic flu and was specifically designed to highlight vulnerabilities and areas for improvement in our pandemic flu preparedness. It focussed on the later stages of a flu pandemic, and tested the country's response to the increased demand for healthcare and our ability to maintain essential services.

The lessons learnt report was commissioned by my Department and produced independently by Public Health England. Overall, it concluded that "*the UK's command and control and emergency response structures provide a sound basis for the response to pandemic influenza. However, the UK's preparedness and response, in terms of its plans, policies and capability, is not currently sufficient to cope with the extreme demands of a severe pandemic that will have a nation-wide impact across all sectors.*" The exercise identified 22 lessons learned in four areas of key learning:

- a) Concepts of operations, i.e. how Government works with responders;
- b) Legislative easements that might be employed during a pandemic;

- c) Public reactions; and
- d) Capability and capacity to surge services to meet demand.

The main report (and its annexes) was shared with all exercise participants when it was finalised in July 2017.

Following Exercise Cygnus, the then-Prime Minister chaired a meeting of the National Security Council (Threats, Hazards, Resilience and Contingencies), which commissioned a cross-government programme of work to strengthen the UK's pandemic flu preparedness. Some of this work is still ongoing, and some work had to be balanced against competing civil contingencies priorities. However, there are no major gaps in our implementation of the lessons from Cygnus.

Departments have delivered the biggest and most important areas of work in each of the workstreams, including:

- The development of a draft four nations pandemic flu Bill (which formed the initial basis of the Coronavirus Act);
- Surge planning for the acute sector, out-of-hospital care and adult social care;
- Planning for recruitment and deployment of retired staff and volunteers;
- Strengthened excess death planning;
- Stress-testing the resilience of key sectors;
- Establishing a group of experts / advisors to advise Government on moral, ethical and faith considerations in advance of, and during, a pandemic;
- Local engagement around pandemic influenza planning, including advice on best practice through the development of a Resilience Standard, and
- Further developing our communications strategy and messaging.

In declining FOIA requests received to date for the Exercise Cygnus report, we sought to balance a desire for transparency against the public interest risks around the preservation of a safe space for policy development. The following issues have been included in consideration of whether or not to publish the report:

- Following exercises, Ministers and officials need space to objectively explore lessons identified with complete candour, then develop policies and/or response plans to address these points. For Exercise Cygnus, some work has been concluded but other work is still ongoing. Public discussion prior to Ministerial agreement of these products might impact on the formulation of policy.
- Cygnus tested extreme responses to a significant influenza pandemic, and a number of these measures are identified in the report. In the current context of a COVID-19 pandemic, releasing information on extreme response measures could hamper current and future COVID-19 response activities, spread confusion, and increase concern in the general population.

- Publication could lead to increased pressure to publish findings from other past and future emergency preparedness exercises carried out by all organisations at a national, regional and local level. There could be national security implications of releasing this material in some cases, for example testing the response to (malicious) threat risks, and there is an overriding public interest in the ability of government to conduct effective emergency exercises to identify capability gaps, improve procedures and ensure that there is a safe space for challenging future exercises.

Although the public interest factors are finely balanced, given our collective desire to be open and transparent in the handling of the response to the current COVID pandemic, on balance I advise release of the main report, including annexes. To minimise any possible impact on preparedness for civil emergencies, we will work on a careful handling strategy.

The report will be published as part of a more general update on progression of our pandemic influenza plans and how these have been influenced by the outcomes of the report. The rationale for this recommendation includes:

- **The opportunity to tell a positive narrative through the release of the report:** we have made significant progress against many of the Lessons Identified in the Cygnus Report, a number of which have helped the Government's response to the current COVID-19 pandemic. We would focus our publication on these successes, for example:
 - The draft Pandemic Flu Bill was used to develop the Coronavirus Act
 - Establishing a group of experts to advise the government on moral, ethical and faith considerations in advance of, and during, a pandemic (the Moral and Ethical Advisory Group – MEAG)
 - Surge planning for the acute sector, out of hospital care and adult social care
 - Using retired doctors and nurses to increase capacity and resource.

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- **Timings of FOI processes:** our response to the FOI request is currently overdue. This weakens any argument that FOIA provides an effective regime to obtain information from the government, including with respect to claims for Judicial Review in relation to disclosure of the report.

I should be most grateful if colleagues could reply by Tuesday 6th October.

In terms of handling, we will liaise with officials from departments named in the report to develop an agreed narrative about the role of their departments and agencies, as well as to discuss how to inform relevant former Ministers. We will also publish explanatory material (alongside the report itself) to reinforce the point that the lessons of this exercise have been addressed.

I am copying this letter to D&EI and NSC colleagues, and to the Cabinet Secretary.

Yours ever,

Personal Data

MATT HANCOCK