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Depairtment fur
Commonities

UK COVID-19 Public Inquiry

WITNESS STATEMENT MODULE 1
DEPARTMENT FOR COMMUNITIES

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Witness Name: Beverley Wall

Statement No.:1

Exhibits: 11

Dated: 27 April 2023

UK COVID-19 INQUIRY

WITNESS STATEMENT OF Beverley Wall, Department for Communities, Northern Ireland

I, Beverley Wall, Deputy Secretary of the Strategic Policy and Professional Services Group (SPPSG), in the Department for Communities, Northern Ireland, will say as follows: -

1.0 Department for Communities (DfC) Background

1.1 Governmental Position

1.1.1 The **Department for Communities (the Department)** was established under the Departments Act (NI) 2016 and is one of nine Departments within the Northern Ireland Executive. Prior to this there were 12 government departments, however changes as part of the Fresh Start Agreement (November 2015) saw the number of Northern Ireland government departments reduced to 9 and renamed in accordance with the Departments Act (Northern Ireland) 2016.

1.1.2 The functions and services delivered by the 12 former departments were restructured and transferred to the newly created departments.

1.1.3 The functions transferred to form DfC include:

- The roles and responsibilities of the former Department for Social Development (DSD).
- Employment Service and Economic Inactivity Strategy from the former Department of Employment and Learning (DEL).
- Debt advice and financial capability strategy from the former Department of Enterprise, Trade and Investment (DETI).

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- Local Government from the former Department of the Environment (DOE), including Built Heritage from the Northern Ireland Environment Agency (NIEA).
- The existing functions of the former Department of Culture, Arts and Leisure (DCAL), excluding inland fisheries and waterways.
- Responsibility for Executive population level social inclusion policy transferred from the Office of the First and deputy First Minister (OFMdfM) to DfC. This included responsibility in relation to anti-poverty, disability, gender equality, sexual orientation and older people. DfC is currently leading on the development of social inclusion strategies as part of the New Decade New Approach Agreement.

1.1.4 Module 1 Specified Period

Module 1 covers the period from June 2009 to January 2020. As the formation of DfC didn't occur until May 2016, the Department will not hold evidence for much of the period leading to our creation. However, where documentation from the former Department for Social Development has been identified and considered relevant it has been included in the response. The main focus of this statement though will be on the period 09 May 2016 to 20 January 2020.

1.2 Ministers

1.2.1 The Department has one Ministerial role, with said Minister part of the Northern Ireland Executive. The most recent **Minister for the Department** was Ms Deirdre Hargey MLA from 11 January 2020 until suspension of the NI Assembly on 27 October 2022. Ms Carál Ní Chuilín, MLA held the Ministerial role for an interim period (15 June 2020 to 15 December 2020) whilst Minister Hargey was on a leave of absence due to illness. A list of previous Ministers covering the specified period can be found at **INQ000180290**.

1.2.2 The Minister's responsibilities, as laid out in the Ministerial code, include observing the highest standards involving impartiality, integrity and objectivity; being accountable to Northern Ireland's citizens and communities; stewardship of public funds; responding to requests for information from the Assembly, users of services and individual citizens; conducting their dealings with the public in an open and responsible way; and promoting good community relations and equality of treatment.

1.3 Permanent Secretaries

1.3.1 The **Permanent Secretary** as the most senior official has the primary role of providing strategic advice to the Minister on departmental policy making, implementation of activities and ensuring the effective management of the Department's operations.

1.3.2 The Permanent Secretary is also the Principal Accounting Officer for the Department, with responsibility for ensuring the regularity and propriety of departmental expenditure, promoting value for money and ensuring there are robust systems of corporate governance and financial control in place.

1.3.3 Ms Tracy Meharg was Permanent Secretary from December 2018 until her retirement on 21 March 2022. In the interim period, the post was held by Ms Moira Doherty (Deputy Secretary, Engaged Communities Group) as Acting Permanent Secretary. The position was subsequently filled by Mr Colum Boyle who took up post on 25 April 2022. A List of Permanent Secretaries covering the specified period can be found at **INQ000180293**.

1.4 Structure

1.4.1 The Permanent Secretary is currently supported by five Deputy Secretaries, each of whom manage Business Groups within the Department to deliver effective public services to the community and in conjunction with relevant stakeholders. Their details can be found in the table below.

Business Group	Deputy Secretary	Dates In Post
Engaged Communities Group (ECG)	Moira Doherty	February 2019 to present
Strategic Policy and Professional Services Group (SPPSG)	Beverley Wall	November 2019 to present
Housing, Urban Regeneration and Local Government Group (HURLG)	Louise Warde Hunter Mark O'Donnell	April 2017 to April 2020 April 2020 to present
Work and Health Group (WHG)	Colum Boyle Paddy Rooney	August 2018 to Feb 2021 March 2021 to present

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Supporting People Group (SPG)	Jackie Kerr	October 2019 to March 2021
	John O'Neill	March 2021 to May 2021
	Brenda Henderson	May 2021 to present

1.4.2 Since 2016 there have been some structural changes within the Department, e.g., names of business groups have changed and some functions have transferred between groups, however the remit of the Department has not changed since its inception. A list of key decision makers can be found at **INQ000180294**.

1.5 Engaged Communities Group

1.5.1 Engaged Communities Group (ECG) is responsible for departmental actions in relation to the voluntary & community, culture, arts, sport, languages, museums, libraries and heritage sectors. During the pandemic, the Group also took responsibility for providing additional funding to the social enterprise sector, although this sector is primarily the responsibility of the Department for the Economy.

1.6 Housing, Urban Regeneration & Local Government Group

1.6.1 The Housing, Urban Regeneration & Local Government Group (HURLG) aims to deliver decent, affordable, sustainable homes and housing support, to tackle area-based deprivation and to create urban centres that help bring divided communities together. Local Government & Housing Regulation Division is responsible for policy and legislation that sets the administrative and financial framework within which Northern Ireland's 11 District Councils operate in order to support and enable effective and accountable local government. The Division is also responsible for setting the governance (both democratic and corporate) and accountability framework for Local Government Councils.

1.7 Strategic Policy & Professional Services Group

1.7.1 The Strategic Policy & Professional Services Group (SPPSG) delivers corporate and professional services to the Department. It is responsible for a range of governance and professional functions including finance, contract management, business planning, risk management, COVID-19 corporate recovery, organisational development, people insight & engagement, our people strategy, machinery of government, governance, statistical, economist and analytical services. The Group

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also leads a number of social inclusion policy areas: Poverty (including Child Poverty), Gender Equality, LGBT Policy, Active Ageing and Disability.

1.8 Supporting People Group

- 1.8.1 The Supporting People Group (SPG) manages the Child Maintenance Service and aspects of welfare delivered through Pensions, Disability & Benefit Security, including Fraud and Error Reduction and Debt.

1.9 Work and Health Group

- 1.9.1 The Work and Health Group (WHG) delivers circa £2.4 billion in benefits and financial support to around 350,000 working age people each year and up to late 2021 delivered services to over 0.5 million people on behalf of the Department for Work & Pensions. This work then transferred to the Supporting People Group. This includes vital financial support to those who are in financial hardship, supporting people into and towards employment, protecting the vulnerable and ensuring that those with health conditions and disabilities are supported.

1.10 Departmental Management Board

- 1.10.1 The Permanent Secretary is further assisted by a Departmental Management Board (DMB) that meets on a six-weekly basis. The key aspects of the Board's role include:

- Setting the strategic direction for the Department;
- Advising on the allocation of financial and human resources to achieve strategic aims;
- Monitoring the overall financial position of the Department;
- Monitoring the achievement of performance objectives;
- Setting the Department's standards and values;
- Maintaining a transparent system of prudent and effective controls;
- Assessing and managing risk and establishing the Department's risk management framework; and
- Leading and overseeing the process of change and encouraging innovation, to enhance the Department's capability to deliver.

- 1.10.2 The Board is supported in its role by four Sub-Committees as follows. The People & Resources Sub-Committee (PRSC) provides advice and recommendations to DMB on people issues including Departmental staffing; Performance Management; Absence Management; Learning & Development; Blended Working Approaches;

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Accommodation, IT and Digital services; and Staff Engagement. The Policy and Strategy Sub-Committee (PSSC) ensures the Department has a cohesive policy agenda; is well equipped to fulfil its policy responsibilities; and supports the Accounting Officer in their oversight of delivery of the Departmental strategy and business plan. The Departmental Information Assurance Committee (DIAC) ensures the Department has in place appropriate policies, management and governance systems to effectively protect the vast volume of information that the Department holds and also ensures that cyber risk is properly managed. The Departmental Audit and Risk Assurance Committee (DARAC) supports the Department in its responsibilities for issues of risk control and governance.

1.11 Strategic Responsibility (3ci)

1.11.1 The Department has strategic responsibility for setting policy, bringing forward legislation and resourcing in the following areas:

- Helping People find employment.
- Child Maintenance.
- Urban Regeneration.
- Supporting the voluntary and community sector and the regulation of charities.
- Sport.
- Ulster Scots, Irish language and British/Irish sign language.
- Poverty and promoting social inclusion.
- Public Record Office Northern Ireland (PRONI).
- Helping People find housing.
- Local Government.
- Historic Environment.
- Museums & libraries.
- Benefits and pensions.
- Arts & culture.

1.12 Departmental Responsibility

1.12.1 Areas of departmental responsibility include:

- Delivering welfare payments;
- Delivering child maintenance support and pensions;
- Providing advice and support for those seeking employment and those who are unable to work;

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- Supporting local government to deliver services;
- Ensuring the availability of good quality and affordable housing;
- Encouraging diversity and participation in society and promoting social inclusion within the community;
- Promoting sports and leisure within communities;
- Identifying and preserving records of historical, social and cultural importance and realising the value of our built heritage;
- Supporting creative industries and promoting the arts, language and culture sectors;
- Providing free access to books, information, IT and community programmes through libraries; and
- Maintaining museums and revitalising town and city centres.

1.13 Workforce and Budget Information

1.13.1 The Department employs around 9,464¹ people across 70 locations. This includes circa 2,479 staff delivering services for the Department for Work & Pensions (DWP) 1,512 of whom are agency staff.

1.13.2 The Department has an annual budget of over £8.8bn², made up of approximately £7.7bn Annually Managed Expenditure (AME), £255m Net Capital Departmental Expenditure Limits (DEL) and £853m Resource DEL. The Department is supported in delivering its services by 15 Arm's Length Bodies (ALBs) and a number of Advisory Groups (**INQ000180295**). The Department provides support to meet the needs of some of the most disadvantaged citizens, families and communities in Northern Ireland (NI). A range of supports, interventions and initiatives were delivered through the Department in response to the pandemic whilst also continuing to progress key strategic departmental priorities.

1.14 Emergency Response Measures Prior to the COVID-19 Pandemic

1.14.1 The Department makes emergency flood relief payments when there is flooding; and may also make cold weather payments in certain circumstances. The Department also has certain responsibilities around homelessness that may be

¹ Information correct as at 04/04/2023

² Information correct as at 04/04/2023

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considered emergency response measures and following a review of flooding in 2017 was responsible for a recommendation relating to co-ordination of community volunteers to enhance multi-agency response efforts.

1.14.2 The Northern Ireland Civil Service (NICS) has in place strategic contingency management arrangements via the Northern Ireland Central Crisis Management Arrangement (NICCMA).

1.14.3 Prior to the COVID-19 pandemic a Departmental Business Continuity Plan (DBCP) was in place that outlined the critical activities and key priorities in the Department around which contingency plans should be based (INQ000180296). These are:

- Provision of benefits.
- Provision of social housing and essential repairs.
- Assessment of Child Maintenance Services.
- Payment of grants to voluntary sector groups.
- Payments to suppliers for goods and services.

2.0 Link to UK Government Shared Competence

The principle of parity in respect to social security benefits is reflected in Section 87 of the Northern Ireland Act 1998 that requires the Minister for Communities and the Secretary of State for Work and Pensions to consult with one another in order to ensure that relevant legislation achieves as far as possible, a single system of social security, child support and pensions across the UK. The parity principle operates on the basis that Northern Ireland has the same range of social security benefits that are paid at the same rates and subject to the same conditions as in Great Britain.

The Department also delivers services on behalf of the Department for Work & Pensions (DWP) across a range of benefits and supports. The Department relies on DWP computer systems, services and underpinning commercial arrangements to administer most of the benefit and child maintenance schemes and to make benefit payments in Northern Ireland.

2.1 Local Authorities

2.1.1 The Department supports Northern Ireland's 11 district councils in delivering strong and effective local government. The Department:

- provides a legislative and policy framework to allow councils to guide local public services (including issuing Local Government circulars).
- performs Local Government consultations on new local government policy and legislation.
- pays the Rates Support Grant, De-rating Grant and Transferred Functions Grant to councils.
- develops methods to improve the administration, finance and audit of Local Government.
- oversees and liaises with councils.
- liaises with the Local Government Auditor.

2.2 Key decision makers in respect of civil contingencies

DfC is represented on the Civil Contingencies Group (NI) by the Local Government & Housing Regulation Division Director, Anthony Carleton and his Deputy Name Redacted

Any key decisions in relation to civil contingencies are taken by the Permanent Secretary or the Minister for Communities (if in office) and escalated to the CCG(NI) (if required).

3.0 Civil Contingencies Arrangements

3.1 Prior to the pandemic, as part of civil contingency arrangements DfC had a Departmental Operations Centre (DOC) structure ready to be stood up when needed. An organogram of this structure can be found at **INQ000180297**.

3.1.1 DfC is a member Civil Contingencies Group (Northern Ireland) (CCG(NI)), within which our primary interests are focused on local government, housing and social security benefits.

3.2 Civil Contingencies Arrangements with Other Entities

- 3.2.1 DfC approved a Regional Officer for Local Government Civil Contingencies on 1 August 2017. This post is funded by the Department (total funding £680k per annum). The Regional Officer led the transition from pre local government reform working arrangements to the establishment, in December 2019, of a regional resourcing model. This model, agreed on the basis of a service level agreement with the other councils in Northern Ireland, provided Armagh City, Banbridge and Craigavon Borough Council the vires to undertake the oversight role of this function.
- 3.2.2 The Regional Officer for Local Government Civil Contingencies is best equipped to provide information around the areas concerning local government, including around local government risk assessments and how they inform local emergency planning; local government state of readiness for the COVID-19 pandemic; and details of any overarching issues regarding the state of readiness for the COVID-19 pandemic, as at January 2020.
- 3.2.3 The Department funds and works with the Voluntary and Community Sector during business-as-usual operations and during the pandemic. The Voluntary and Community Sector is recognised as having an important role to play in emergency response and recovery.

3.3 Civil Contingencies Group (Northern Ireland) (CCG(NI))

- 3.3.1 CCG(NI) is chaired by the Head of the Northern Ireland Civil Service and the Secretary is the Head of the Civil Contingencies Policy Branch in The Executive Office. The membership comprises representation from the organisations noted below, where members from the NI departments will be from the core department and other areas as identified.

- The Executive Office.
- NI Executive Information Service.
- Department of Agriculture, Environment and Rural Affairs (to include Scientific Advisor, Northern Ireland Environment Agency and Veterinary Service).
- Department of Health.

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- Department for Infrastructure (to include Rivers Agency, Transport NI and NI Water).
- Department of Education.
- Department of Finance (to include Enterprise Shared Services).
- Department for Communities (to include DfC Local Government Policy Division, NI Housing Executive and Social Security benefits).
- Department of Justice.
- Department for the Economy (to include Health and Safety Executive (NI)).
- Northern Ireland Office.
- Local Government.
- Police Service of Northern Ireland.
- Northern Ireland Fire and Rescue Service.
- Northern Ireland Ambulance Service.
- Maritime and Coastguard Agency.
- Met Office.
- Food Standards Agency.

DfC's responsibility includes activating the Scheme of Emergency Financial Assistance – both flooding and non-flooding, and the provision of temporary accommodation in the context of large scale/longer term displacement of people in an emergency (this is done through the Northern Ireland Housing Executive).

3.3.2 Local Resilience Structures

The Northern Ireland Emergency Preparedness Group (NIEPG) is a subgroup of CCG (NI). Its purpose is to ensure that work at local level is in line with strategic direction provided by CCG (NI). It provides direction to the work of the Northern, Southern and Belfast Emergency Preparedness Groups (EPGs), facilitates cohesion between these groups and ensures effective communication between the EPGs, regional working groups and CCG (NI). The NIEPG meetings are attended by the DfC CCG(NI) lead Anthony Carleton and/or his deputy Name Redacted

3.3.3 Departmental officials attended the NIEPG (COVID-19 Regional Coordination Meetings) from November 2020 until end May 2021. The Group was chaired by Local Government and attended by reps from Local Government, the Police Service of Northern Ireland (PSNI), The Executive Office (TEO), the Department of Health (DoH) and DfC. (Occasional additional attendees were invited as necessary). The NIEPG structure was used to increase visibility through the civil contingency

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arrangements from strategic oversight to operational response, with TEO and Dept. of Health providing a briefing. These meetings also provided the opportunity to escalate any issues from Local and Emergency Preparedness Group level. Departmental officials do not attend Cross Border Emergency Management Group, Regional Community Resilience Group or Emergency Preparedness Group meetings.

- 3.3.5 DfC was responsible for delivery of a recommendation 12 from the “North West Flooding Review Report on the Flooding in the North West – 22 and 23 August 2017”, published March 2018 by the Department for Infrastructure (DfI) and The Executive Office (TEO) – “Recommendation 12: Community Volunteers: Using best practice, consider ways to co-ordinate the use of community volunteers and identify areas where they will be able to enhance multi-agency response efforts.”
- 3.3.6 This recommendation led to a partnership between DfC, the Red Cross, Local Government, and PSNI through the Sub Regional Civil Emergency Preparedness Group, Volunteer Now and voluntary community sector stakeholders. The partnership undertook work in 2019 to explore the role of the voluntary and community sector during and after emergencies, drawing on emerging best practice from major incidents in England including the Grenfell Tower and Manchester Arena disasters, the establishment of the National Emergencies Trust and voluntary and community sector Emergencies Partnership. A new digital platform for coordination of volunteers (BeCollective) was delivered by Volunteer Now and launched in January 2020. This work helped to raise awareness of the often critical but overlooked role voluntary and community sector organisations play in civil contingency and in March 2020 informed the creation of the voluntary and community sector Emergencies Leadership Group to inform central and local government’s response to the pandemic. DfC’s COVID-19 Emergency Response Programme from March 2020 created and coordinated a Voluntary & Community Sector Emergencies Leadership Group, a free COVID-19 Community Helpline, and coordinated volunteers and distribution of food boxes to vulnerable and isolated people in partnership with local government.
- 3.3.8 DfC provides funding to third sector partners for coordination of the Northern Ireland Faith Forum, which brings together different faith groups to connect on the issue of supporting communities. During the pandemic this structure allowed for the creation of a ‘Faith Leaders Group’ who met regularly with The Executive Office on emerging

issues impacting Places of Worship and their communities. This included issues such as pandemic restrictions, funerals and wakes, online worship and funding programmes.

3.4 Management and Resourcing of The Local Government Civil Contingencies Arrangements

- 3.4.1 The Department provides funding to support civil contingency arrangements that are the embodiment of collaborative multi agency works for the betterment of the people and communities of Northern Ireland. Achievement of the priorities has clear linkages to the outcomes framework as detailed within the 'Outcomes Response Plan', published by The Executive Office in December 2019. The Department's funding enables the continued delivery of local government's role in sub regional and regional multi agency civil contingencies arrangements. This enables local government to work in support of central government in a co-ordinated and joined up way.
- 3.4.2 Staff resource for the Regional Team, including the posts of Regional Officers, Resilience Managers, Resilience Officers and Project & Financial Support is covered by the funding. In addition, it covers Emergency Preparedness Group (EPG) work such as meetings, training, exercising and administration, promotion of community and business resilience, development and maintenance of suitable multi agency co-ordination facilities for each EPG area and central administration costs incurred by the host council.
- 3.4.3 Regular progress reports will be produced for the Executive Steering Group demonstrating progress of the agreed work plans of the relevant groups within the civil contingencies structures, i.e., NIEPG, EPGs and other associated workstreams. These are copied to DFC on an ongoing basis and at least biannually.

4.0 Pandemic Preparations

4.1 DfC officials participated in strategic exercises led by other partners to inform plans for NI wide emergency response and received learning from The Executive Office. Pandemic Preparedness was not included in DfC's business continuity documents prior to January 2020. However, prior to 2020, DfC and its predecessor Departments carried out practical planning to deal with the impact of emergencies in relation to the Department's functions. In particular, planning for continuity of delivery of benefits, which included specific plans in the event of a flu pandemic; and planning in partnership with the voluntary and community sector in recognition of the importance of the sector's role in emergencies.

4.1.1 CCG(NI) participated in a large-scale UK pandemic influenza exercise, namely Exercise Cygnus, in October 2016. Departmental representatives at this exercise were by the Local Government & Housing Regulation Division Director, Anthony Carleton and his Deputy Name Redacted

4.1.2 The Department for Communities (DfC) was tasked by the Civil Contingencies Group (NI) (CCG (NI)) to consider, in conjunction with relevant multi-agency partners, the strategic issues around provision of temporary accommodation in the context of large scale/longer term displacement of people in an emergency, with a view to developing arrangements to facilitate this. The Provision of Temporary Accommodation for Large Numbers of Displaced People guidance document was published in June 2018 (INQ000180298).

4.2 Benefit Delivery Continuity Planning

4.2.1 Benefit delivery spans two of DfC's five Business Groups and comprises around 7,000 staff delivering working age, pensions and disability benefits to over 1m customers per year with the value of financial assistance provided around £7bn per year.

4.2.2 Given the critical nature of benefit delivery to the citizens of NI, business continuity across the benefit system has carried significant focus both prior to 2016 when benefits were delivered through the Northern Ireland Social Security Agency and

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since 2016 when benefits became part of the newly formed Department for Communities.

- 4.2.3 A specific responsibility of the Director for Working Age Services is Business Continuity for the Work and Health and Supporting People Groups, ensuring that the benefits delivery arm of the Department has robust business continuity arrangements in place to mitigate against potential loss of services such as people or premises in the event of a significant business disruption event.
- 4.2.4 A Work & Inclusion Group (now comprising Work and Health Group and Supporting People Group) business continuity framework document has been in place since June 2016, and was updated most recently in 2020. The framework sets out a standardised approach to creating local Business Continuity Plans across welfare benefit delivery branches and underpins the need for high-level continuity planning across the Groups as a whole. The framework sets out the specific roles and responsibilities of individuals, identifies the key players in the event of loss of services, and provides a structure for incident handling including a Directors' Emergency Planning Group to handle civil contingency events. The framework document is attached **INQ000180299**.
- 4.2.5 The framework requires all delivery branches to have in place specific business continuity plans (of which there are 76 across the Work and Health and Supporting People Groups). Plans are reviewed every six months and rehearsed annually, and compliance with business continuity planning including reviews and testing is undertaken by a dedicated Work and Health and Supporting People business continuity team that provides quarterly updates to the Business Continuity Director.
- 4.2.5 Accompanying the framework has been, since April 2018, a specific emergency response plan (**INQ000180300**) that links benefit delivery contingency with wider civil contingency planning. The response plan provides direction as to how services should be prioritised and includes the structures to manage any emergency and contact details for all those assessed to be key players.
- 4.2.6 Specifically in respect of the possibility of pandemic, benefit delivery contingency arrangements in place prior to March 2020 included a flu pandemic plan (**INQ000180291**). The flu pandemic plan set out the then Social Security Agency's operational contingency plan to deal with the consequences of influenza pandemic in

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humans. It set out the measures to be taken for the duration of a pandemic to ensure:

- Continuity of benefit payments to existing and new customers
- The arrangements for ensuring that customers, staff and other interested parties are informed of changes in service delivery.

4.2.7 The plan was developed after consulting with Business Continuity managers in the Department for Work and Pensions (DWP). It mirrored the approach being taken in DWP and was endorsed by the Northern Ireland Audit Office and the NI Department of Finance and Personnel. The flu pandemic plan was a key document that enabled very quickly the issue of a specific COVID-19 pandemic plan that was baselined on 24 March 2020 (INQ000180292).

4.2.8 The Director for Working Age Services also has responsibility for the Business Disruption Forum. The forum is comprised of senior operational and corporate service managers from the Department. The forum meets to discuss business continuity as and when a significant issue is anticipated or occurs.

4.3 Emergency Planning

4.3.1 Pandemic Preparedness was not included in departmental business continuity documents prior to January 2020. Generally, high-level instruction was given on the threat of “Unavailability of” or “Loss of People”. Specific detail about how business areas handled this threat is detailed in their Local Business Continuity Plans.

4.4 Voluntary and Community Sector

4.4.1 The Department held a series of workshops with partners in the context of work to develop proposals for the Voluntary and Community Sector role in emergencies, including a Deep Dive session on 19 December 2018 and a Stakeholder event on 24 May 2019 that was attended by the former Chief Constable of Cumbria who provided reflections on work by statutory agencies in England and Wales to develop the role of the Voluntary and Community Sector in emergencies.

4.4.2 The Joint Forum Between Government and the Voluntary and Community Sector considered the potential role of the Voluntary and Community Sector in emergencies during some of its meetings in 2019.

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4.5 Pandemic Planning Training

- 4.5.1 In May 2018, colleagues from the Department for Work and Pensions (DWP) led a training event for the DfC Senior Incident Management Team. The presentation included pandemic planning. The team responsible for departmental business continuity at that time contacted DWP for further guidance on horizon scanning.

4.6 Northern Ireland Risk Assessment

- 4.6.1 The Executive Office is the Northern Ireland Department with policy responsibility for civil contingencies matters. The Northern Ireland Risk Assessment is drawn up by a subgroup of CCG. It is communicated to each organization or group within the civil contingencies arrangements and reflected in assessments and plans prepared by Departments and agencies, and emergency planning groups. Any learning obtained through civil contingencies structures is cascaded through the Department and where necessary Business Continuity Plans are updated. Insight on the impact that any potential risks could have on the delivery of our services is provided through CCG(NI).
- 4.6.2 The Executive Office are best positioned to answer matters on Northern Ireland's Risk Assessment.

5.0 Economic Preparedness for the COVID-19 Pandemic at the Local Government Level as at January 2020

- 5.1 Local councils in Northern Ireland received funding for 2020/21 amounting to £85.3m from DfC. At January 2020 DfC had not provided any additional funding for preparedness in relation to the COVID-19 pandemic.

6.0 Impact of the UK's Decision to Leave the European Union, on Emergency Preparedness and Resourcing for COVID-19 in Northern Ireland

- 6.1 The decision by the UK Government to exit from the European Union had no direct effect on The Executive Office's (TEO) role in civil contingencies matters. However, an indirect benefit arose from the fact that TEO developed and enhanced its central civil contingencies coordination 'Hub' in response to an assessment of the risks arising from EU Exit. This meant that the Hub arrangements had been developed

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and tested by the time of the COVID-19 pandemic and were able to be deployed rapidly. DfC had a physical Departmental Operations Centre established for the EU Exit that was subject to full testing but was not required to go operational due to the transition period and subsequent EU/UK deal. It did, however, provide the foundation for a virtual Departmental Operations Centre to be stood up quickly as the COVID-19 Pandemic emerged.

7.0 Impact of the Collapse of the Executive in Northern Ireland and Ensuing Political Deadlock Between 2017-2020 on Pandemic Preparedness as of January 2020

7.1 Overall civil contingency policy and strategy co-ordination is the responsibility of The Executive Office (TEO) which provides the NI Executive with immediate oversight of cross-cutting civil contingency arrangements for devolved matters. TEO have published a NI Civil Contingency Framework 'Building Resilience Together' that sets out the Northern Ireland arrangements for effective emergency management, identifying the processes involved in preparing for, responding to and recovering from an emergency. It cannot be prescriptive in terms of the incidents it outlines but provides generic guidance for all types of emergencies. Whilst there was no Executive in place between 2017-2020, civil emergency planning still continued as it is an agreed policy area.

7.1.1 You will note from this witness statement that Civil Servants felt that emergency planning/pandemic planning should have been conducted in the absence of Ministers and was so conducted.

7.1.2 The exercise of Civil Contingencies planning functions by NICS departments continued during the period 2017 to 2020.

7.1.3 Emergency planning therefore fell under the category of day-to-day business as usual within the remit of the Permanent Secretary and did not require Ministerial involvement. However, this must be read in conjunction with the information below.

7.1.4 One of the recommendations of Operation Cygnus that took place over 3 days in October 2016 was the introduction of legislation that prompted the development of the Pandemic Flu Bill in 2017.

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- 7.1.5 In response to the Operation Cygnus recommendations a cross-government Pandemic Flu Preparedness Board (PFRB) was established in May 2017 to provide oversight for a UK-wide programme to deliver plans and capabilities to manage the wider consequences of pandemic influenza. Significant work had been undertaken in respect of the Pandemic Flu Bill and an advanced draft was circulated in December 2019. One effect of the absence of Ministers therefore is that they may have been asked, had they been in office, to comment on draft clauses as officials proceeded with the drafting. The draft Bill included clauses specific to NI on transferred matters that would certainly have been referred to Ministers (had they been in post) and the Executive (cross-cutting) not least because a Sewell Convention Legislative Consent Motion ought to have been required. Equally, NI input on reserved or excepted matters would have been put to Ministers for approval.
- 7.1.5 It is not possible to answer a 'what might have happened' question without speculation. However, Officials' input was shaped by professional legal, scientific, and medical advice – the same advice that we would have put to Ministers. Work to transform the Pandemic Influenza Bill into a Coronavirus Bill began in response to the events unfolding in Italy in February 2020. An instruction came from Cabinet Office at the end of February / early March to step up work on the legislation. The policies to deal with a Flu Pandemic were slightly different to the Coronavirus Pandemic and required to be looked at with fresh eyes – this resulted in some existing legislative clauses being amended and some new clauses being formulated.
- 7.1.6 The Pandemic Influenza Bill and the Coronavirus Bill are more specific and situation-specific than the Civil Contingencies Act could provide for, hence the need for new legislation.
- 7.1.7 The Department of Health took the (Bill) lead locally. It was also necessary to have a representative from Department of Justice (DoJ) as part of the group given their responsibilities. The Executive Office (TEO) co-ordinated the remaining departments' legislative responsibilities (i.e., those belonging to DfC, Departments of Education, Finance and Economy, as well as TEO's own clauses in respect of mass gatherings).
- 7.1.8 The Office of Legislative Counsel translated Departments' instructions into legislative clauses that were then shared with Parliamentary Counsel who were responsible for the drafting of the UK-wide Bill.

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7.1.9 It was always the intention of the four Nations to progress one composite UK-wide Bill. In terms of seeking local agreement (both Executive and NI Assembly) the intention was to use the normal Legislative Consent Motion (LCM) procedure. In the potential absence of an Executive and Assembly, the UK Government could have proceeded to legislate on behalf of Northern Ireland if it so wished.

7.1.10 In the end, circumstances dictated that there simply was not enough time to wait for the NI Health Minister to go through the normal LCM procedures. The Bill passed through UK Parliament (19-22 March 2020) before the NI Health Minister had a chance to bring the motion to the NI Assembly (24 March 2020) seeking its agreement to the NI Clauses being included in the UK-wide Coronavirus Bill.

7.1.11 To give the Assembly its place, the Health Minister presented the motions, and a vote was taken, even though it was retrospective. In the event, out of necessity and pragmatism, the Assembly resoundingly supported the Legislative Consent Motion.

7.1.12 I am not in a position to confirm that had Ministers been in place during that significant period in the run up to 2020 and if they had been presented with Clauses in the Pandemic Flu Bill within individual Departments, that they would have wished to become involved.

8.0 Overview of the Overarching State of Readiness of the Northern Ireland Government at a Central and Local Level for the COVID-19 Pandemic

8.1 The Executive Office (TEO) is the civil contingency policy and strategy co-ordination lead for Northern Ireland and is best placed to provide a comprehensive overview of the overarching state of readiness of the Northern Ireland government at a central and local level for the COVID-19 pandemic.

8.1.1 As mentioned at paragraph 3.2.2 information on local government should be sought from the Regional Officer for Local Government Civil Contingencies.

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9.0 Future Risks

- 9.1 As lead department for the Northern Ireland Executive, The Executive Office (TEO) is best placed to provide information on areas on future risks. DfC has not carried out any reviews, lessons learned exercises or reports within the scope of Module 1. The Department has carried out a number of reviews in relation to its response to the COVID-19 pandemic that have been provided in a witness statement in relation to Module 2C.

10.0 North/South Ministerial Council/ British–Irish Intergovernmental Conference

- 10.1 The British–Irish Intergovernmental Conference is a matter for the Northern Ireland Office as it is not within the remit of DfC.
- 10.2 Whilst DfC works with the North/South Ministerial Council it has not done so in respect of health or accident and emergency planning. The most recent work with the North/South Ministerial Council has been around language.

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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

Signed:

Dated: 27th April 2023