



**NOTICE OF DETERMINATION**  
**CORE PARTICIPANT APPLICATION**  
**MODULE 4 - NHS NATIONAL SERVICES SCOTLAND**

**Introduction**

1. In my [Opening Statement](#) on 21 July 2022, I explained that Modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On 5 June 2023, the Inquiry opened Module 4 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 30 June 2023.
2. The Inquiry has published the [Provisional Outline of Scope](#) for Module 4, which states that this module will consider a range of issues relating to the development of Covid-19 vaccines and the implementation of the vaccine rollout programme in England, Wales, Scotland and Northern Ireland. Issues relating to the treatment of Covid-19 through both existing and new medications will be examined in parallel. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 30 June 2023 the Inquiry received an application from the NHS National Services Scotland ("NHS NSS") for Core Participant status in Module 4.
4. I made a provisional decision not to designate NHS NSS as a Core Participant in Module 4, thereby declining NHS NSS' application ("the Provisional Decision"), on 17 July 2023. NHS NSS was provided with an opportunity to renew the application in writing by 4pm on 24 July 2023.
5. NHS NSS did not renew the application by the prescribed deadline. Accordingly, this Notice sets out my final decision on the application.

## Application

6. Applications for Core Participant status are considered in accordance with Rule 5 of the Inquiry Rules 2006, which provides:

*5.—(1) The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.*

*(2) In deciding whether to designate a person as a core participant, the chairman must in particular consider whether—*

- (a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;*
- (b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or*
- (c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.*

*(3) A person ceases to be a core participant on—*

- (a) the date specified by the chairman in writing; or*
- (b) the end of the inquiry.*

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 4.

## Summary of Application

8. The Applicant is the NHS National Services Scotland whose statutory title is the Common Services Agency. The application is put on the basis that the organisation meets the criteria in Rule 5(2)(a) and (b). NHS NSS states that it played a direct and significant role in relation to the matters to which Module 4 relates. The application explains that NHS NSS was involved in supporting operational supply arrangements, in UK clinical trials of plasma from patients recovered from Covid-19, and in operational deployment of specific testing pathways to allow those eligible for Covid-19 anti-viral treatments to be identified and communicated with. Further the application states that NHS NSS was involved as a liaison between local health boards and the Vaccine

Taskforce/UKHSA on operational supply matters. NHS NSS also say that they had involvement in vaccine roll out in Scotland and provided the national vaccine helpline.

### **Decision for the Applicant**

9. This application is put on the basis that NHS NSS played a direct and significant role in matters relating to paragraphs 2 and 3 of the Provisional Outline of Scope for Module 4 and has a significant interest in them, under Rule 5(2)(a) and (b) of the Inquiry Rules 2006. Based on the information provided in the application, I am unable to conclude either that NHS NSS played a direct and significant role or that it has a significant interest in the matters to which Module 4 relates. In summary, it contains insufficient information to persuade me that the criteria in Rule 5(2) are satisfied. I therefore do not consider that the application meets the criteria set out in Rule 5(2) for NHS NSS to be designated as a Core Participant in Module 4 and I confirm that this is my final decision.
10. It is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Applicant may have relevant information to give in relation to matters being examined in the Inquiry and it is likely that the Inquiry will in due course seek information from a range of individuals, organisations and bodies who may have information relevant to the issues raised in the modules and, where appropriate, make requests for witness statements and documents. The Applicant may well be one such recipient of a request for information.
11. I will keep the scope of Module 4 under review. My decision not to designate NHS NSS as a Core Participant in Module 4 does not preclude it from making any further applications in respect of any later modules. NHS NSS may wish to consider applying for Core Participant status in relation to future modules likely to deal more directly with the matters which have been referred to in the application. I will consider any future applications NHS NSS may wish to make on their merits at the time they are made.

**Rt Hon Baroness Heather Hallett DBE**

**Chair of the UK Covid-19 Inquiry**

**4 August 2023**