Expert Report for the UK Covid-19 Public Inquiry

Module 2: Political and administrative decision making in relation to the Covid-19 pandemic

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Author statement

I confirm that this is my own work and that the facts stated in the report are within my own knowledge. I understand my duty to provide independent evidence and have complied with that duty. I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

Alex Thomas

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Preamble

1. I have been instructed by the UK Covid-19 Inquiry to provide an expert report on decision-making by the UK government in an emergency, and specifically in relation to the Covid-19 pandemic, with particular focus on the Cabinet Office, the Prime Minister's office and structures in the centre of government.

2. I have not attempted to provide anything like a comprehensive assessment of government decision making during the Covid-19 pandemic. I have focused this report on (i) areas where the Institute for Government (IfG), and my own work, has in my view value to add on the assessment and lessons to learn from pandemic response decision making; and (ii) the areas that it seems to me to be most fruitful for the Inquiry to consider.

3. Where I refer to "IfG research" or the "IfG view" I am referring to research and analysis conducted by the IfG team with which I agree and for which I am happy to take responsibility. Our work at the Institute is collaborative, cross-disciplinary and often spans different teams so – even if it were possible – it would not be a sensible use of time to disaggregate all the individuals involved in all of the research conducted by the IfG. References are included and a list of the IfG work to which I refer is at paragraphs 8-11 below. I reach the conclusions and judgements set out below based on my experience as a civil servant and time researching government and the civil service at the IfG.

4. As a civil servant I often worked with the devolved governments, at times closely, but for my civil service career I was entirely based in central UK government. The devolved governments have not formed a major part of my research at the IfG. So this report does not comment on the internal functioning of the devolved governments, and only touches on devolved matters based on relevant Institute research.

5. I have written this report independently and without reviewing the statements provided by government departments or other participants to the Inquiry.

Professional background and expertise

6. I am a programme director at the IfG, a non-partisan think tank with the mission to make government in the UK more effective. We are independent and impartial, producing research and holding events on the civil service, policy making, ministers, the constitution, public finances, the performance of government departments and other relevant topics. We are most interested in the 'how' of government rather than the 'what', which means we tend not to take strong policy positions about matters of public debate like healthcare, education or taxation. Rather, we recommend ways for UK government to be more effective in achieving the priorities it has set for itself, which often involves making recommendations about the capability of civil servants, the organisation of government departments and public bodies or how governments structure themselves at the centre.

7. I am part of the senior team that leads the research work of the Institute. That has been my role since January 2020, having previously been a civil servant from 2003 to the end of 2019 (and a senior civil servant from 2011 to 2019). In more detail:

2020-present: Programme Director, Institute for Government

- Leads the IfG's work on the civil service and policy making.

- Responsible for a programme of research on how to improve the effectiveness of government, particularly the civil service.

- Television, radio and podcast contributions, and written for The Guardian, The Times, Civil Service World and other outlets and given evidence to various parliamentary committees.

2018-20: Director of Animal and Plant Health and Welfare; Director of No Deal Preparedness and Response in the Department for Environment, Food and Rural Affairs

- Led team of around 300 people working on animal and plant health and animal welfare policy, including response to disease outbreaks.

- From summer 2019 responsible for co-ordinating Defra's 'no deal' EU exit preparations.

- Senior Responsible Owner for proposals for redevelopment of the Animal and Plant Health Agency site at Weybridge.

2016-18: Principal Private Secretary to Sir Jeremy Heywood, Cabinet Secretary and Head of the Civil Service in the Cabinet Office

- Led the Cabinet Secretary's office, providing policy and administrative advice and support to enable him to make well-informed decisions at pace.

- Managed relationships between the Cabinet Secretary and the chief executive of the civil service, other permanent secretaries, secretaries of state, ministers and No.10.

- Focused on EU exit, resolving issues around the appointment and management of senior colleagues, propriety questions including investigations into ministers.

2015-16: Principal Private Secretary to Jeremy Hunt, Secretary of State for Health

- Led team of around 50 private secretaries, parliamentary experts and support staff to enable the secretary of state for health and his ministerial team to deliver their objectives.

- Analysed core issues to advise the secretary of state on strategy and decision-making.

2011-15: Deputy Director covering at various times elections, parliament and constitution policy, Cabinet Office

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- Led a team of between 50 and 80 people to deliver a wide range of electoral and constitutional policy, legislation and finance.

- Led policy, legislation and finance on elections, parliament and the constitution. Managed policy and legislation on lobbying, recall of MPs, 'English votes for English laws', House of Lords reform, parliamentary seat boundaries, constitutional preparations for 2015 general election and prisoner voting rights.

2010-11: Head of Political Parties and Referendums Team, Cabinet Office

- Led policy on referendums, including delivery of legislation and funding for May 2011 referendum on the voting system and policy on party funding and political party regulation.

2009-10: Head of Pet Travel Team, Department for Environment, Food and Rural Affairs

2007-09: Private Secretary to the Secretary of State, Department for Environment, Food and Rural Affairs

- Covered the agriculture brief including response to foot and mouth 2007, avian influenza and bluetongue animal disease outbreaks.

2003-07: Various positions at the Department for Environment, Food and Rural Affairs

- Roles on international climate change and environment policy

Reports and articles published about the response of the UK government to the Covid-19 pandemic

8. I have been a named author on the following IfG reports that relate to the government's response to the pandemic:

- September 2020 – Decision making in a crisis: first responses to the coronavirus pandemic (Nickson, Thomas and Mullens-Burgess, 2020)

- March 2021 – Responding to shocks: 10 lessons for government (Thomas and Clyne, 2021)

- January 2022 – Whitehall Monitor 2022 (Lilly et al., 2022)

9. I have also been the author of a number of reports looking at the government and civil service more generally, which cover lessons from the pandemic, including The heart of the problem: a weak centre is undermining the UK government (Thomas, 2021e), and Better Policy Making (Sasse and Thomas, 2022).

10. I have published relevant comment pieces / blogs on the IfG's website, including:

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Date	Title
March 2020	The coronavirus crisis shows that government needs the capacity to deal with tough times (Thomas, 2020e)
May 2020	Government reaches for the tsars in its coronavirus response (Thomas, 2020c)
June 2020	The Prime Minister is right to apply his Brexit management model to coronavirus (Thomas, 2020h)
June 2020	The government's coronavirus announcements outpace its ability to deliver them (Thomas, 2020g)
August 2020	Confusion over local coronavirus lockdowns shows a government failing to learn from mistakes (Thomas, 2020a)
August 2020	The biggest challenges for the new Cabinet Secretary are coronavirus and civil service reform (Thomas, 2020d)
October 2020	England's patchwork quilt governance is not strong enough for a crisis like coronavirus (Thomas, 2020b)
December 2020	The government will regret relaxing the Covid rules over Christmas (Thomas, 2020f)
March 2021	Gaps in policy, not just operational failings, are the problem with Covid test and trace (Thomas, 2021a)
May 2021	The questions to ask Dominic Cummings (Thomas, 2021f)
July 2021	The government's Covid policy is collapsing under the weight of its own contradictions (Thomas, 2021c)
September 2021	The government's winter Covid plan is too optimistic (Thomas, 2021d)
December 2021	Kate Bingham's crisis method needs modifying for 'peacetime' government (Thomas, 2021b)

11. Colleagues across the IfG have published many reports and provided extensive commentary on the pandemic, many of which include some input from me. Relevant reports include:

- Becoming Prime Minister (Haddon, 2019);

- Co-ordination and divergence: devolution and coronavirus (Sargeant, 2020);

- Digital government during the coronavirus crisis (Freeguard, Shepheard and Davies, 2020);

- Science advice in a crisis (Sasse, Haddon and Nice, 2020);

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- Lifting lockdown in 2021: the next phase of the coronavirus strategy (Haddon, Sasse and Tetlow, 2021);

- The coronavirus inquiry (Norris and Shepheard, 2021);

- Covid-19 Futures: implications for policy makers (Sasse, 2021a);

- Tackling Covid-19 over the long term (Sasse, 2021b);

- Schools and coronavirus (Timmins, 2021);

- The Coronavirus Job Retention Scheme (Pope and Shearer, 2021);

- Licence to lead: lessons for public bodies from the pandemic response in health (Gill and Dalton, 2022);

- WhatsApp in government (Lilly, Durrant and Tingay, 2022);

- Managing Extreme Risks (Hodgkin and Sasse, 2022);

- The Treasury during Covid: what lessons can be learned from the pandemic (Tetlow and Bartrum, 2023).

12. All IfG material on Covid-19 is available on our website www.instituteforgovernment.org.uk. References below to "IfG research" refer to reports and analysis conducted by the Institute for Government. Our research is a combination of quantitative data analysis and qualitative interviews, mostly with serving and former ministers and civil servants. Interviews are private and given on a confidential basis, apart from where we seek and are given permission to quote or to refer publicly to individuals.

The framework for decision making in an emergency

13. This section of the report considers the framework for decision making before Covid-19 emerged that helped determine how the UK government made decisions in response to the pandemic.

The Prime Minister

14. The Prime Minister is at the heart of decision making in UK government. Constitutionally he or she has a limited role insofar as it is set out in legislation or regulation, with decisions taken by the whole cabinet, and made by secretaries of state in government departments. However in practice the Prime Minister is very clearly the ultimate decision maker given that their role is to oversee, organise and direct the business of government – which of course includes the preparation for and response to crises.

15. Prime Ministers have described the weight of that role. Tony Blair said that his "predominant feeling was fear" on entering office, and Margaret Thatcher wrote of "an odd sense of loneliness". They were right – in the UK, while much of the formal power of government sits with their cabinet colleagues, the system as a whole is heavily reliant on the performance and capability of the Prime Minister, particularly during times of strain and crisis.

16. When a Prime Minister enters office, and even as they are preparing for it, our research advises a moment of self-reflection about their role and likely reactions to the inevitable crises that hit government. IfG research, which I endorse from my own experience as a civil servant, shows that the Prime Minister's personal instincts and resilience go a long way to determine how the government as a whole responds – most immediately in shaping how No.10 and the Prime Minister's office are organised (Haddon, 2019).

17. In responding to unexpected events, one of the most critical points is whether and, if so, when the Prime Minister recognises something to be a crisis. Once a Prime Minister decides to go into 'crisis mode' one of their jobs is to determine whether (i) the right information flows are in place to ensure that he or she is informed about the decisions that will need to be taken; and (ii) the right people are in the right positions to take action, including the No.10 team. The system then 'gears up' around them to respond accordingly. If a Prime Minister is unable or unwilling to make those determinations then the civil service system will respond – but without the galvanising force of the most senior minister, to focus attention on the crisis.

18. Part of this 'gearing up' involves the Prime Minister deciding whether to convene the contingency response architecture of COBR, and if so whether to chair the COBR meetings. The triggers for activating COBR are set out in the Cabinet Office Concept of Operations document. COBR is typically engaged for level 2 – serious – emergencies, in the government's language "an incident which has or threatens prolonged impact requiring sustained central government co-ordination". COBR

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would also evidently be engaged for the more serious level 3 catastrophic emergencies (Cabinet Office, 2013).

19.   Personal Prime Ministerial attendance at COBR is an important judgement call, but it is defensible for the Prime Minister to delegate the chairing of COBR to the relevant secretary of state, minister, or occasionally official, particularly before the full scale of an incident has emerged. There is as far as I am aware no more detailed manual or explicit guidance about when the Prime Minister takes the chair. Some crises demand the Prime Minister takes a clear personal lead from the start, other emergencies develop in seriousness over time. In my view the moment for a Prime Minister to step in personally is when it is clear that the crisis has developed (or will develop) into one that needs a whole cross-government response, when a signal needs to be sent that the Prime Minister is in charge, or when it is clear that the responsible department is not sufficiently 'gripping' the problem. The Inquiry could usefully give consideration as to these factors for Prime Ministerial involvement in COBR and whether they should be more explicitly codified in the government's crisis response protocols, perhaps making clear that 'whole of government' responses benefit from the Prime Minister's initial involvement. A whole government response is more likely to happen with speed and authority if it is the Prime Minister in the chair.

'Number 10' and the Prime Minister's office

20.   In general, but particularly when it comes to crises, it is important that the Cabinet Office and No.10 act in lock-step. They are to a great extent the same organisation – No.10 is part of the Cabinet Office departmental structure – they sit closely together geographically and work very closely together in practice.

21.   There are divisions, which are reflected in their remits, their leadership and physically by the door between the two buildings. But in an emergency, while it may be the Prime Minister who is leading the effort, much of the crisis machinery sits in the Cabinet Office. The system works most effectively when the Cabinet Office is providing the policy and practical resource for coordination across government. This allows No.10 to focus on its strengths, particularly top level communications and applying the Prime Minister's political power to the government. However if the Cabinet Office is perceived in No.10 to be off the pace it can be overtaken by decision making around the Prime Minister in No.10, leading to a loss of confidence in its response capability.

22.   More specifically the role of 'Number 10' in government decision making is to facilitate the involvement of the Prime Minister in setting direction, taking decisions and overseeing, directing and organising the government. As noted the Prime Minister's office is part of the Cabinet Office for organisational purposes, but in practice is a small and distinct department with its own culture and ways of working. The principal role of No.10 is to transmit advice to the Prime Minister for decision and then to communicate those decisions out to the rest of the government. There is also, of course, a role for civil servants and political advisers in the Prime Minister's office to offer informal advice themselves on the issues in their portfolio.

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23. Historically there has been a broadly consistent core to the decision-making functions located in No.10 – even if the structure and job titles have changed over different administrations (Harris and Rutter, 2014). The core actors are:

    23.1. the Principal Private Secretary and private office staff, who are civil servants and the main contact point between the Prime Minister and the civil service, the co-ordinators of advice to the Prime Minister and the transmitters of decisions, as well as a source of informal advice and soundings to the Prime Minister, and to those who want to know what the Prime Minister thinks about an issue;

    23.2. the chief of staff or equivalent, who is the head of the political team, manages all the special advisers in No.10 (and in a looser way across the whole government) and an important source of advice to the Prime Minister and to others across government;

    23.3. the director of communications, who is responsible for the Prime Minister's public messaging and is often a political appointment; and

    23.4. the head of the No.10 policy unit, normally a political appointment, whose job is to generate and follow through on policy ideas.

24. During a crisis, the formal role of the private office comes to the fore, and the chief of staff and director of communications have critical advisory roles. The head of the policy unit's role has been central at times in the past – for example Sarah Hogg during the Exchange Rate Mechanism crisis – but their input in a crisis has been more contingent and dependent on their expertise and relationship with the Prime Minister.

The Cabinet Secretary

25. The Cabinet Secretary – who also, importantly, is head of the civil service – has a number of critical responsibilities during a crisis. He or she is responsible for ensuring the administration of the civil service is running effectively, acts as an adviser to the Prime Minister, brokers agreements between departments and manages permanent secretaries in departments to ensure resources are in place and holds them to account for their performance. A central part of their job is also to ensure that the necessary structures are in place to take effective decisions, and for the government to make the most effective response possible, in particular the configuration of cabinet committees.

26. However my view, and that of the IfG, is that there are areas in which the Cabinet Secretary's institutional levers are weak, particularly over permanent secretary performance and accountability and therefore the operation of the civil service as a whole (Thomas et al, 2022a). The Cabinet Secretary, much like the Prime Minister, is constitutionally a 'first among equals'. While he or she has some power of patronage, within the proper constraints of a merit-based civil service appointment system, and structural advantages as a result of sitting in the centre of government and being able to invoke the Prime Minister's authority, they have very few 'hard levers' capable of compelling their colleagues, or the civil service as a whole, to act in a certain way or

perform certain tasks. As such, they are heavily dependent on informal relationships and personal authority – although that is not necessarily the case in the height of a crisis when the civil service machine does tend to coalesce around the Prime Minister and Cabinet Secretary's objectives.

27. The precise role of the Cabinet Secretary differs for different types of crises, and also depends on whether they also hold the job, or are performing the role, of National Security Adviser (NSA). A Cabinet Secretary might delegate the management of security-related crises to the NSA, although of course was not able to do that before the post was created in 2010 or when the Cabinet Secretary also acted as NSA between 2018 and 2020. Major civil contingency crises would anyway inevitably draw in the Cabinet Secretary given the responsibilities of the role.

The Cabinet Office

28. The Cabinet Office has a central and varied role in the framework for crisis decision making – with the variety of its functions often leading to confusion. It is a collection of secretariats and a synthesiser of policy decisions, the home of the Civil Contingencies Secretariat and the National Security Secretariat, the location of many of the government 'functions' (human resources, procurement and commercial, project management, digital and so on) that are essential for government operation in normal times and in crises, and finally leads on some policy areas itself that may be engaged during a crisis.

29. The job of the secretariats is to integrate different advice coming from relevant parts of government and to bring the strands together. As this report will consider, science, economic and social policy advice all play an important role, as do the structures and functions that produce that advice including central government departments. However the UK government system is set up so that it is the Cabinet Office secretariats which perform this brokering and integration function for the Prime Minister. The secretariats do not need to be huge teams, but they do need the capacity to analyse costs and benefits, and trade-offs. The secretariats must be closely aligned to No.10 and the Prime Minister's priorities, while needing to navigate the tension between serving the Prime Minister directly and maintaining credibility when brokering between No.10 and government departments or between different departments.

30. The Cabinet Office 'functions' exist to support the operation of the 'how' of government (though not all functions are led from the Cabinet Office). In a crisis they will be particularly focused on standing up the resources needed for decisions to be implemented – that is particularly important for redeploying and recruiting civil servants through the human resources function, for managing contracts through the commercial and procurement function and standing up digital capability and data flows through the digital, data and technology function. The government's analysis is managed through the UK Statistics Authority-led analytical function which is of course important to decision making, although departmental analysts quite properly lead on most policy and operational issues (Bishop, 2017).

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31. It is important to recognise that the Cabinet Office is a fluid and flexible organisation, and one that moulds itself to power – both ministerial and administrative. The Cabinet Office is in my view best understood as an organisation that works to a series of overlapping 'power nodes': the Prime Minister, the minister for the Cabinet Office or Chancellor of the Duchy of Lancaster, the Cabinet Secretary and the Chief Operating Officer (or equivalent). That can lead to a confused and confusing decision making framework, especially if the Prime Minister does not set a clear policy direction.

32. On the administrative side, the leadership of the Cabinet Office was particularly fluid in the years preceding the pandemic. The death of Jeremy Heywood meant the loss of a stabilising figure and someone who unquestionably had a high level of organisational authority in the Cabinet Office and No.10. At the start of the pandemic the secretariats were to some extent in flux with the introduction of then-Cabinet Secretary Mark Sedwill's 'fusion' programme, laudably designed to better equip the centre to tackle cross-cutting problems, but one that was in its infancy and had also created some complexity and structural confusion by merging some teams and responsibilities.

33. Brexit had also to some extent disrupted the organisation of the Cabinet Office. The creation of the Department for Exiting the European Union in 2016 removed a core secretariat function on EU policy, which was then supplemented by the EU exit negotiation unit. However the Cabinet Office had been given a clear lead in organising 'no deal' Brexit planning and preparation which allowed officials and ministers to sharpen some crisis management operations.

34. On top of this, the change of Prime Minister from Theresa May to Boris Johnson, the parliamentary and related turmoil and then the 2019 general election added to the flux.

Cabinet committees

35. The Cabinet Office provides the secretariat for cabinet committees, as part of the function discussed above, though it is worth considering the operation of committees on their own terms. Cabinet committees are used differently according to the preference of the Prime Minister, as advised by the Cabinet Secretary. There are broadly two types of committee: wide-remit general committees, often used to do business on paper rather than through unwieldy meetings; and smaller tailored committees to drive focus and progress on particularly important or cross-cutting issues. Those smaller committees are more likely to actually meet and thrash out policy questions in person, informed by papers commissioned by the Cabinet Office secretariats.

36. The relevant cabinet committees and their membership (as captured by the 'way back machine' on gov.uk on 8th December 2022) were published on the gov.uk website on 29th July 2019. The only relevant policy cabinet committee reactively dealing with a crisis was the Domestic Affairs & the Union (DAU) committee, which was a wide-remit co-ordination and paper ('write-round') committee. Others were organised to take decisions on EU exit and so not directly relevant to crisis response. The two other committees that would have had some role were the National Security Council (NSC)

on co-ordinating security matters, and the Parliamentary Business and Legislation (PBL) committee that would have signed off legislation needed to respond to a crisis.

37. All these policy-focused committees would be fairly marginal to the crisis response. The government committee that was the main forum to co-ordinate a response to a crisis was 'COBR' – although, as noted below, it is not primarily a decision making meeting.

The Civil Contingencies Secretariat and COBR

38. The Civil Contingencies Secretariat (CCS) before the pandemic was at the heart of the crisis response framework in the UK government. It was part of the National Security Secretariat and responsible for risk assessment, planning and response co-ordination. The core of its operation is the National Security Risk Assessment and National Risk Register. These documents are reviewed every two years and identify around 120 risks with an assessment of their impact. Departments identify risks, which are analysed, challenged and then scored, and assigned to a lead government department – with responsibility for managing the risk resting with its secretary of state and permanent secretary accounting officer. All departments should be preparing for their role in responding to all risks, but it is the lead department's function to co-ordinate and assure preparation (Hodgkin and Sasse, 2022).

39. COBR is not a ministerial decision making forum in the first instance, but a bringing together of relevant ministers, officials, public servants and others to share information and guide co-ordination. The Civil Contingencies Secretariat acts, as its name suggests, as the secretariat for the COBR meeting. COBR is the main civil contingency response structure – it is a 'mechanism' as well as a meeting, and to function properly needs the right people in the room. Its purpose is to co-ordinate different departments and agencies in response to emergencies and has been an established (albeit evolving) part of the civil contingency response since 1972.

40. COBR keeps ministers appraised of a developing situation, helps to ensure that the wider response of the government is co-ordinated, records and disseminates key decisions and updates, and provides up to date information for the decisions ministers need to make. The committee's composition is a mix of officials and agency representatives, alongside ministers. Meetings are chaired by the Prime Minister if he or she is attending, and by another minister designated by the Prime Minister if they are not. Meetings can also be chaired by a senior official if deemed appropriate.

41. The secretariat, under direction from the Prime Minister or chair, can invite representatives from outside the UK government, which can mean ministers from the devolved governments and other tiers of government such as the London mayor will attend meetings. Where a crisis has a direct impact on responsibilities for the devolved governments or other elected officials it would normally be considered appropriate to invite those representatives to all or part of a COBR meeting.

42. The Civil Contingencies Secretariat also helps co-ordinate and plan preparation exercises for government, working with the relevant lead government department, with the most relevant for Covid-19 being the 2016 Exercise Cygnus, a contingency planning exercise for pandemic influenza.

43. A related important part of the legal architecture, which at least had the potential to prescribe decision making in a crisis, was the Civil Contingencies Act 2004. It set out the emergency response structure discussed above and includes provision for emergency powers, which has never been activated. A crisis demands an early decision about whether to use the emergency powers or not, with a strong presumption that the powers would never be used outside the most extreme and catastrophic circumstances. That presumption is reasonable – because of the extent of the powers that it would give the government, and the potentially alarming signal it would send to the public about the nature of the emergency. But it is notable that at the start of the pandemic the government quickly decided on bespoke legislation, beginning with the Coronavirus Act 2020, some of which was itself unused like mental health regulations which were expired uncommenced in October 2020 (The Coronavirus Act, 2020).

Scientific advice

44. Alongside the civil contingencies architecture is a scientific advice structure, now familiar but in January 2020 much less publicly prominent. The Chief Medical Officer (CMO), Chief Scientific Adviser (CSA), and Scientific Advisory Group for Emergencies (SAGE) are important parts of the emergency response apparatus. The UK appointed a CMO in 1855 and was among the first countries in the world to appoint a CSA in 1964. The CMO has a statutory underpinning and a formal role, unlike the CSA, which gives the CMO additional independence. SAGE, formalised much later in 2009 was also a pioneering structure for analysing and assessing scientific evidence and giving its scientific view to inform policy questions. All these structures and roles had been developed and adapted in response to previous crises (Sasse, Haddon and Nice, 2020).

45. Government departments have their own scientific advisory committees, and almost all have their own CSA, at varying levels of seniority (although as recorded on gov.uk, the Cabinet Office does not have one, which is not necessarily a problem as the Government Chief Scientific Adviser – GCSA – performs the co-ordinating role that would normally be done by the Cabinet Office). Public Health England (as it was) also has large teams offering scientific and technical expertise. The advice flowing into the centre of government from all of these structures had a huge influence on how decisions were made when the pandemic hit.

The lead government department

46. The lead government department, assigned as noted as part of the risk identification process, has a critical responsibility for shaping the decisions made in response to an emergency. Some crisis responses, as also noted above, are 'led' by the Prime Minister from the start, but that should not distract from the administrative importance of having a lead department assigned and offering primary advice.

47. That the lead department is clear and its responsibilities well established is fundamental – reflecting guidance that goes back to 2004. The lead department is responsible for the overall management of the central government response, with its role set out in CCS documentation in advance of incidents occurring, but with

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increasing central CCS involvement as the scale of a crisis becomes more severe. It is the responsibility of the lead department to maintain a level of preparedness for crises, and to maintain the capacity to fulfil its role during an emergency event, including to co-ordinate and communicate across government with situation reports and outside government to businesses, other organisations and the public. The lead department for a human disease pandemic was the Department for Health and Social Care (DHSC), which was also responsible for NHS England, an executive non-departmental public body of DHSC, with its own operational expertise and resource at arm's length.

48. The importance of the lead government department's role in decision making should not underplay the role played by non-lead departments. In a cross-government and all-consuming crisis the activities and decisions made by non-lead departments will prove to be almost as important as those taken in the centre and in the lead departments. The success of the government's response to an emergency will be determined not only by the role played by the lead department but also by whether non-lead departments have taken their roles in crisis planning and response sufficiently seriously.

Local and Devolved Governments

49. It is worth briefly setting out further aspects of government crisis response outside central government. Public bodies have an important role in translating government policy decisions into action in the areas for which they are responsible. Departmental secretaries of state are responsible for managing public bodies (at a more or less strategic level, depending on the body and its statutory arrangements), with relationships managed through the relevant sponsorship team in the department. However a crisis puts the normal channels of accountability under pressure. That is because central government oversight intensifies and interest at the very centre of government – No.10 and Cabinet Office in particular – can begin to override the relationship between a public body and its sponsor department. The health system in particular is complex and diffuse and, in a crisis, lines of accountability need to be established immediately (Gill and Dalton, 2022).

50. Local resilience forums (LRFs) are the crucial link between central departments and local government, with the Department for Levelling Up, Housing and Communities (as it is now called) leading on LRFs for central government and acting as a link point in crises. LRFs' purpose is to ensure effective delivery of civil contingencies duties on the ground, co-ordinating multiple agencies to manage risks, to plan for emergencies, to support business continuity and to address communications at a local level. LRF membership include representatives of the local authorities, the police, health agencies, environmental bodies like the Environment Agency, and others with responsibility for civil emergency response. They are based geographically on police areas and allow multiple agencies to plan for and co-ordinate a response to crises at a local level. However it is possible for agencies to adapt or complement LRF structures to help in responding to a crisis, as indeed happened at times during the covid pandemic, setting up bespoke partnership structures or working directly with government departments.

51. The devolved governments will often also have a critical role in a UK-wide crisis. Some policy levers including many economic and fiscal measures are reserved matters for the UK government, but many policy areas such as health and education are devolved to Scotland, Wales and Northern Ireland and so in these areas the UK government only takes decisions for England. The devolved governments of course take decisions in areas for which they have responsibility and are accountable to their electorates through the devolved legislatures. Most of the tax and benefit system is UK-wide, though lots of business support, through business rates or grants, is devolved. But because the devolved governments cannot borrow money, in practice they have to take the lead on many finance matters from the UK government.

52. Overall pandemic response is devolved and the devolved governments had their own CCS equivalent structures. Each devolved government has a CSA and CMO (or equivalent, the Welsh Government also has a Chief Scientific Adviser for Health) who meet regularly and share information. Pre-pandemic the Joint Ministerial Committee structure was the main forum for arranging discussions between different governments, but at its most senior level had an irregular and limited pattern of meetings between 2017 and 2019. During the early phase of the pandemic it appeared to be other fora, particularly COBR and the Ministerial Implementation Groups, rather than the JMC, that were used to facilitate dialogue between ministers about pandemic response. At the start of the pandemic it was COBR that looked to play the primary co-ordinating role, and was an important forum for bringing together the Prime Minister and first ministers of all the UK governments. In their plans, all governments recognised the need for coordination in response to an emergency including a pandemic, and the devolved governments' participated in the 2016 contingency planning exercise Exercise Cygnus (Sargeant, 2020).

53. This report does not cover how pandemic response decisions were made at a devolved level, but will consider the co-ordination of policy decisions across the UK as a whole in the early part of the pandemic.

Examples of good or poor practice from how previous UK governments responded to serious or catastrophic emergencies before Covid-19

54. There is a large reservoir of experience and good and poor practice from how governments have responded to serious emergencies in the past. This report does not attempt to run through a history of the last 25 years of crises, but the BSE outbreak in the 1990s, foot and mouth disease in 2001 and 2007, H1N1 swine flu in 2009, as well as Zika and Ebola outbreaks abroad, and domestic civil emergencies like flooding all share some characteristics with the Covid-19 situation. The chart below (figure 1) gives a timeline of selected emergencies and how emergency planning structures developed over the same timeframe (Hodgkin and Sasse, 2022).

Figure 1: Timeline of selected emergencies and changes to emergency planning
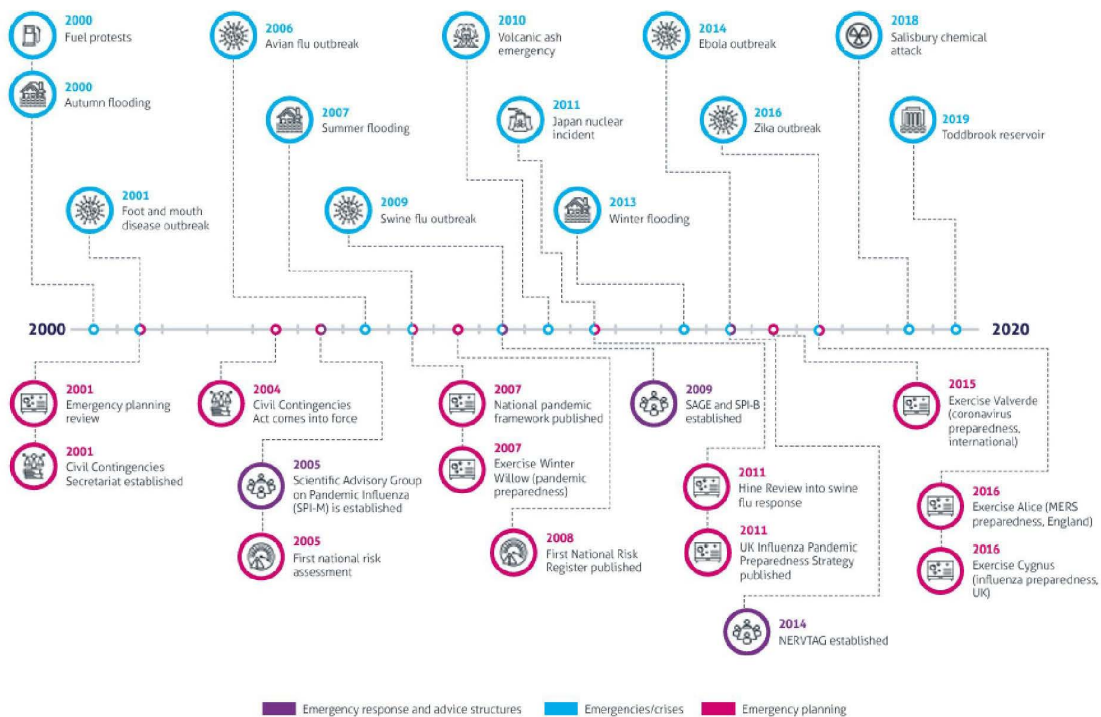
Source: Hodgkin and Sasse, 2022

55. This chart (figure 1) was published in the IfG's *Managing Extreme Risks* report in 2022. Subsequent comments received as part of the Covid-19 Inquiry process mean that I am happy to clarify that:

- the Scientific Advisory Group (SAG) was established in 2005, in 2008 SAG was incorporated into a wider Scientific Pandemic Influenza Advisory Group (SPI);

- SPI-B&C (behaviour and communications) was established in 2009, SPI-B was established later;

- the Hine Review was published in 2010 not 2011.

56. An instructive comparison for the purposes of Covid-19 is the 2001 foot and mouth outbreak – particularly as it compares to the 2007 outbreak of the same animal disease. (The Department for Environment Food and Rural Affairs, Defra, is also the crisis response department with which I personally am most familiar.) The 2001 outbreak became so widespread because slow detection and response times led to a 'starburst' spreading of the disease. By the time the government got to grips with the outbreak the spread had far outgrown the controls in place and made the crisis many times worse than it might otherwise have been. In 2007 while the circumstances were obviously very different (the disease was inadvertently leaked from a laboratory pipe) detection and response were much quicker in large part because lessons had been learned from 2001.

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57. The experience of 2001 led to numerous administrative improvements. Swift lessons had been learned and embedded in Defra as an entirely new government department. The 2001 outbreak led to the abolition of the Ministry of Agriculture, Fisheries and Food (MAFF) which was seen to be too close to agricultural interests, not to have focused enough on the needs of the wider rural economy, and to have been slow to respond to the disease outbreak. This machinery of government change reinforced the scale of the needed cultural change and was a permanent reminder to ministers and officials of the perils of getting things wrong. New ways of working were introduced with clear responsibilities for the Chief Veterinary Officer as 'gold command' in a crisis, working alongside a policy team that was able to advise ministers on policy decisions (which I should note for the record I led from 2018-2019) and an operations team in the animal health agency. The tensions between policy, science and operations advice were acknowledged and explicitly managed. These new ways of working and a revised operations manual were kept 'live' with regular practice exercises, some of which were required by statute. Expertise and knowledge were maintained, with consistent staffing and – more or less – protected budgets.

58. Not everything went smoothly in 2007 and mistakes were made, as in every crisis. But the underlying structure across the UK was more stable and the results better as a result of lessons having been properly learned. Where things did go wrong, whether on practical operations or with key personnel, the legacy of 2001 meant that they were corrected more swiftly than might otherwise have been the case.

59. A key difference between the covid pandemic and previous crises like foot and mouth or BSE, and other events like flooding, or even the financial crisis of 2008 (and perhaps that comes closest in recent decades to a fully cross-government emergency) is that earlier crises demanded a response that was primarily focused on one lead department, even as the consequences reached across other parts of the state. In these crises mistakes had been made, and lessons learned by the relevant department, but without fully grappling with the whole-of-government response which was required by the Covid-19 pandemic.

60. No-deal Brexit preparation, although the full crisis was not triggered, is another comparison, which was similar to Covid-19 in terms of the whole of the civil service and government needing to work through interdependencies and measures across a very wide range of different departments. Beyond that, the nearest comparison to Covid-19 in terms of a whole-of-government response would be a total war footing, with which this report does not attempt to draw comparisons.

61. The IfG has hosted events discussing how the government responds to crises. One key lesson that emerged from those discussions is that central government needs to stay 'restless' in its preparations for the unexpected, not simply relying on existing plans or manuals but making crisis response a part of the regular experience of officials and ministers. Another lesson, derived from reflection on the aftermath of the Grenfell Tower disaster, was that government at all levels needed to be better prepared to ask for help, and to prepare for a long tail of hard work. The emergency is not over once the critical phase of the crisis has played out. The evidence we have gathered as part of our research also stresses the importance of clear information

management, including ruthless honesty – privately and publicly – about what is and is not known (IfG, 2018).

The organisation of decision making over different periods, including cabinet committees, roles or organisations established to assist with decision making

62. There is a limit to the information that is publicly available, but what we have been able to establish about the main early phases of government organisation, including cabinet committees is set out below. Our IfG analysis focused on this phase, when we looked at how the cabinet committees and other decision making structures were organised (Haddon and Ittoo, 2020). The Inquiry might helpfully establish detail about the decision making structures after mid- to late-2020 as the Covid Taskforce was developed and acquired more authority to broker and advise on policy trade-offs.

Jan-Feb 2020: COBR and SAGE stood up as necessary

63. In the earliest phase, from January 2020 and during the course of February, as Covid-19 spread around the world, the Department of Health and Social Care played the leading role in the government response.

64. A COBR meeting was held on 24 January as the first main forum for crisis handling, to bring together relevant ministers, officials and agency staff. We understand that the early COBR meetings were chaired by Matt Hancock. Ministers from Scotland, Wales and Northern Ireland also began attending COBR meetings on 24 January, to ensure cross-UK co-ordination. There were numerous subsequent meetings during this period. SAGE first met on 22 January, led by the GCSA and the CMO.

**Figure 2: Phase 1 of UK Government Covid-19 decision making: January to February**
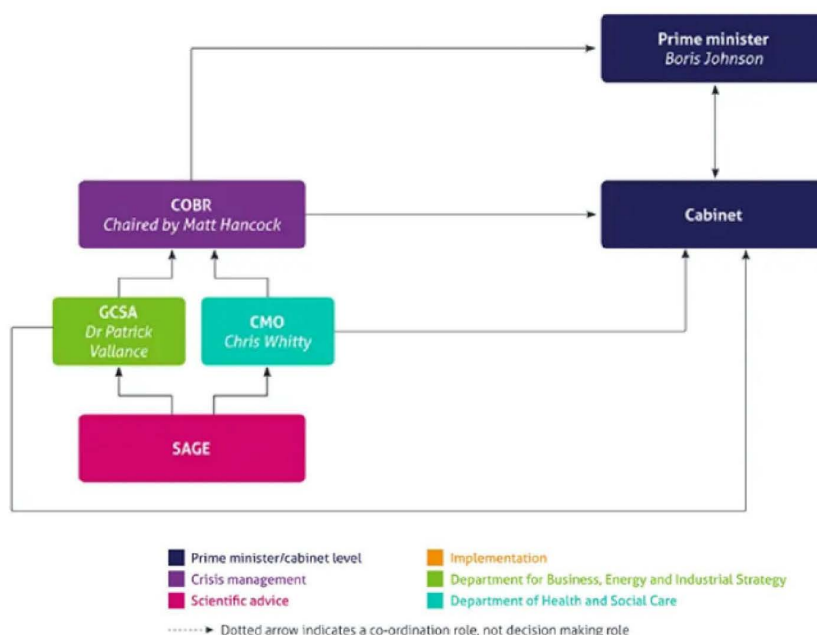
Source:
Haddon and Ittoo, 2020

65. This was the most acute phase of the crisis, as the scale of infection in the UK spiralled and the government initiated a lockdown. COBR appears to have been the main forum for decision making in this period, but the Prime Minister would have held daily meetings with his team. The cabinet and its committees will have discussed aspects of the response.

66. After public criticism emerged about the Prime Minister not chairing COBR for its first five meetings, No.10 said that Boris Johnson was kept in touch "throughout". He chaired his first COBR meeting on 2 March. COBR meetings at this time were a co-ordination forum for the whole of UK, including the devolved governments, but also at other times were decision-making meetings led by the Prime Minister. Generally these meetings included those with relevant interests in the co-ordination and decision making that was happening over this period, although we understand from our IfG research that then-chancellor Rishi Sunak was not present at the COBR meeting that decided on lockdown.

67. SAGE met 10 times during March. SAGE also serves the devolved governments, with chief medical officers or other representatives also sitting in on its meetings. SAGE minutes record participation of devolved representatives and show that issues relevant to Scotland, Wales and Northern Ireland were considered.

**Figure 3: Phase 2 of UK Government Covid-19 decision making: March**
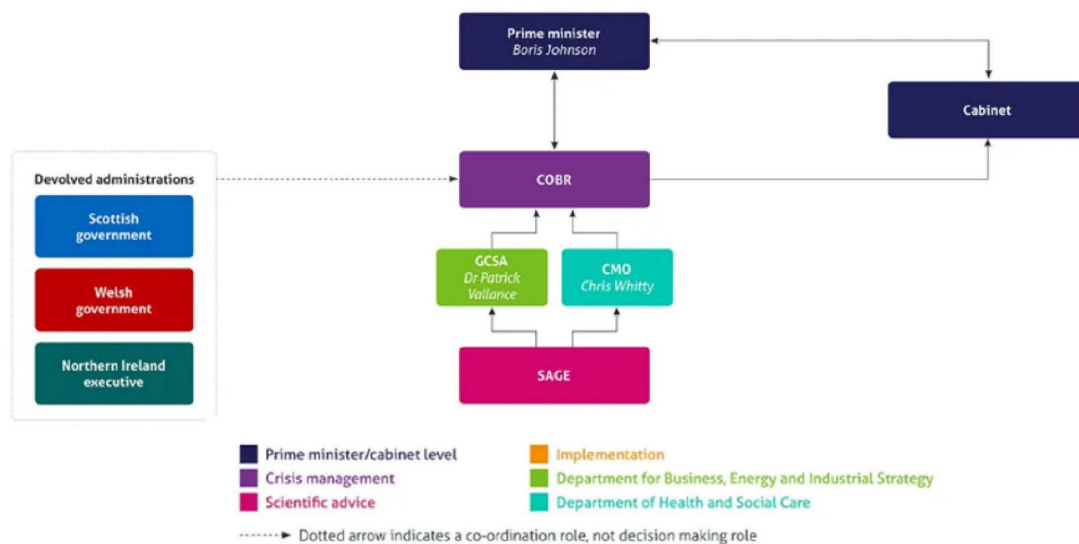
Source: Haddon and Ittoo, 2020

68. During the lockdown period, the Prime Minister began daily Covid meetings (C-19). This was a daily cabinet committee with a smaller group of senior ministers and officials than the earlier COBR meetings, but with a larger cast dialling in and observing.

69. Around 17 March, ministerial implementation committees (later called ministerial implementation groups, MIGs) were developed in four key areas: health was chaired by the Secretary of State for Health and Social Care, Matt Hancock; public services chaired by the Minister for the Cabinet Office, Michael Gove; economic response was chaired by the Chancellor, Rishi Sunak; and international aspects chaired by the Foreign Secretary, Dominic Raab. Other cabinet ministers attended the ministerial implementation committees, as at times did representatives of the devolved governments, but not all ministers and the wider cabinet were closely involved in all of the day-to-day decisions.

70. According to the 17 March government announcement on the ministerial implementation committees, COBR was still supposed to be the place where 'strategic decisions' were made. The C-19 daily meetings would 'monitor progress' and 'refine measures' agreed by COBR, with the implementation committees feeding into the C-19 meeting. By May, the C-19 meeting appears to have become the dominant decision-making body, as it became clear COBR had not been meeting from 10 May onwards. Both C-19 and the MIGs, as cabinet committees, could take decisions themselves, so not everything was reported upwards from the MIGs to C-19, or from C-19 to cabinet.

71. This was also the period in which the Prime Minister stepped away from government decision making for several weeks, having become ill. During the Prime Minister's time in intensive care from 7 April and during his recovery afterwards, the Foreign Secretary and deputy Prime Minister Dominic Raab chaired many of the meetings that would otherwise have been led by the Prime Minister, including both C-19 and cabinet. Decisions were taken collectively by cabinet ministers.

72. SAGE continued to play an important role. Although it was originally intended as an ad hoc forum for the early stages of a crisis, feeding into COBR, it carried on as a key forum to bring external scientific expertise into the heart of decision making. The CMO and GCSA both attended the C-19 regularly and other meetings as necessary.

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Figure 4: Phase 3 of UK government Covid-19 decision making: mid-March to mid-May
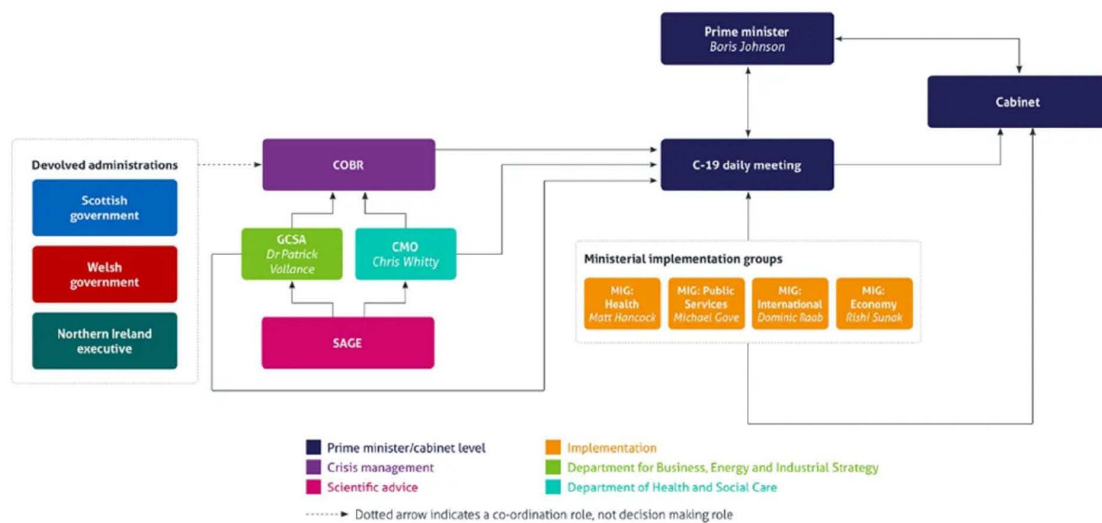
Mid-May to July 2020

73. As the country began to exit from full lockdown, decision making was streamlined around the Prime Minister, who had begun to return to work from his illness from 27 April. A series of changes were made in an effort to tackle some of the ongoing problems of implementation that had emerged as discussed below.

74. On 11 May, the government's 'recovery strategy' for easing lockdown announced that a new Joint Biosecurity Centre (JBC) would be developed to 'provide real time analysis and assessment of infection outbreaks at a community level'. The government said that the JBC would advise the Chief Medical Officer of any changes to the alert level for the risk to public of Covid-19, with the CMO then advising ministers. In early June, the government acknowledged that the JBC was still being developed and would not be up and running until September.

75. During April and May, changes had also been made to decision making to increase the emphasis on implementation. Three taskforces were set up led by individuals directly appointed by ministers: Personal Protective Equipment (PPE) provision would be overseen by Paul Deighton, developing the track and trace programme is overseen by Dido Harding. Baroness Harding was responsible to the Prime Minister and Cabinet Secretary until December 2020, when responsibility switched to the Department of Health and Social Care. The vaccine task force under Kate Bingham reported to the Department for Business, Energy and Industrial Strategy (BEIS), then jointly to BEIS and DHSC from March 2021.

76. On 22 May, Simon Case was appointed as Permanent Secretary to 10 Downing Street with a particular focus on co-ordinating and implementing the government's Covid-19 response. The creation of the Covid Taskforce was then an important step in – over time – improving decision making. This unit filled the gap that had previously

existed in synthesising analysis from across government departments and presenting more worked-through and sophisticated decisions to ministerial groups.

77. The government also first started publishing SAGE minutes in late May 2020, with a large tranche released covering its meetings up to the beginning of May. Publication then continued with shorter gaps between the relevant meeting and issue of the minutes (Sasse, Haddon and Nice, 2020).

Figure 5: Publication of SAGE minutes
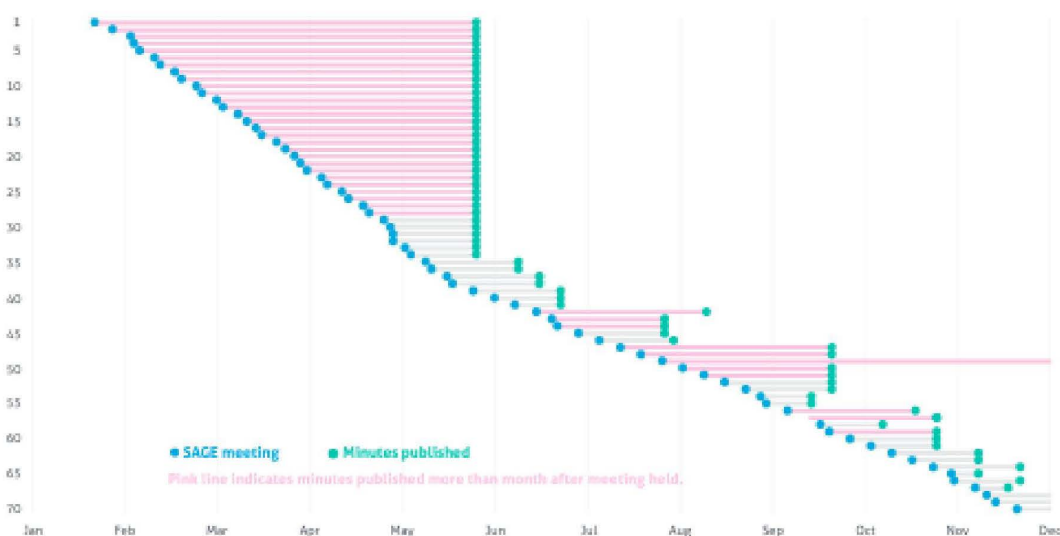
Source: Sasse, Haddon and Nice, 2020

78. In early June, the government moved away from the four ministerial implementation groups, and the daily C-19 meeting. Instead, cabinet committees for Covid strategic response (CS) and Covid operational issues (CO) were developed to mirror the model used for Brexit no-deal preparation in late 2019. The Prime Minister chaired the CS meeting and Michael Gove chaired the CO meeting. Other ministers, particularly those most closely involved with the coronavirus response, also sat on these, though not all cabinet ministers attended them. The core membership list for these meetings was published on 29 June.

Figure 6: Phase 4 of UK government Covid-19 decision making: mid-May to June

Source: Haddon and Ittoo, 2020. Note: Baroness Harding was for this period directly responsible to the Prime Minister and Cabinet Secretary.

79. Our team at the IfG stopped recording the detail of Covid-19 decision making response structures in summer 2020 to focus on other issues, although our work on many aspects of the pandemic response continued. Significant subsequent structural changes included the development of the Joint Biosecurity Centre and the establishment of the UK Health Security Agency over the course of the rest of 2020, then the development of the roadmap for lifting lockdown published in February 2021.

80. Looking more broadly than the administrative structures, it is possible to consider the course of decision making during the pandemic in three core phases (Tetlow and Bartrum, 2023). The first phase was the initial response, from the start of 2020 to around May of that year. Here decisions were driven by urgent emerging realities. Debate about how and when to lock down dominated decision making and other government decisions – from closing schools, to the economic support package, to the urgent healthcare and resourcing priorities – were consequences of the decisions to lock down. The government can be criticised for taking lockdown and other decisions too slowly, or in a disordered way, but the fundamental reasons for, and policy consequences of, decisions were clear.

81. The second phase was from May to December 2020. This appeared to be a confused period of decision making because the objectives of different parts of government were not aligned, and the centre was not clear or strong enough to impose coherence. The Department of Health and Social Care was focused on limiting the spread of the disease (arguably under-pricing the economic and social damage of lockdowns), the Treasury on opening up the economy (arguably under-appreciating that a thriving economy was reliant on successfully controlling the virus), and the rest of government on mitigating the fallout from the first phase of lockdowns. The lack of

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alignment led for example to mistakes like 'eat out to help out' and the complex and confusing rules around regional tiers.

82. The most stable and well-communicated period of Covid response activity was during the period in the lead-in to the February 2021 roadmap and then its implementation between March and October 2021. With confidence that the vaccine had arrived, and more hope and subsequently expectation that it would prove effective and be successfully rolled out, the government was able to produce a framework for decision making that took account of the different factors at play, and the Covid Taskforce had matured into a stronger synthesiser and broker of decisions.

83. The final challenge for decision makers was from November 2021 to February 2022, when government decision making focused on the response to the omicron variant and 'Plan B'. There was much continuing commentary about the decisions made over these periods, but our research has not focused in as much detail on decision making, or the structures for doing so. The Inquiry, as part of its work, could helpfully extend the analysis into the later phases of the pandemic.

UK government decision making during the pandemic

Challenges posed by the scale of the pandemic to the UK central government decision-making framework

84. Here I set out my view, based on research that the IfG has undertaken, on how different parts of the government's decision making architecture responded to the challenge of Covid-19. Again, I emphasise that this is not a comprehensive account of decision making across government in the pandemic, but is a summary of where our research points to issues for the Inquiry to consider.

Challenges posed to decision making structures around the Prime Minister, including internal communication

85. The immediate decision making support structure around the Prime Minister was clearly put under immense strain by the pandemic. Coronavirus emerged when the Johnson government was still new and inexperienced – the political attention of the Prime Minister and his team for the previous six months had been on Brexit and the 2019 general election campaign. This was not a government that had yet found its operating model. Part of the reason for that was also because of the Prime Minister's personal style. It is clear from IfG research – as well as reporting and other sources the Inquiry may wish to consider – that Boris Johnson engendered a chaotic No.10, with competing power sources and unclear lines of responsibility (for example comment piece Reforming No.10 should be about more than Boris Johnson's partygate response (Thomas, 2022b)). His tendency to say different things to different people, reverse settled decisions and be heavily influenced by pressure from parts of the media made it difficult for civil servants and special advisers to understand the policy direction the Prime Minister wanted, whatever structure was in place.

86. Any organisation will be less effective if the person at its head does not provide consistency and clarity as to what they want their staff to do. This was the state of No.10 at the outset of the pandemic. The No.10 unit, and particularly the private office and those closest to the Prime Minister, were at the heart of some of the most consequential decisions. On a practical level the staffing levels and organisation seemed – in my judgement – to be inadequate to the task. Through our Institute research we heard informally about staff working exceptionally long hours, beyond anything normal even in the busiest parts of government, and incompatible with high performance. Rota systems seemed to break down for weeks and months. This must have had consequences for the effectiveness of decision making in No.10. The circle of advisers and decision makers, as well as being small, was not diverse. We heard privately that there was some concern about the narrowness of personal and professional experience when decisions were made about childcare, whether children counted towards the 'rule of six' gathering restriction, or lockdown exemptions for those at risk of domestic abuse, for example.

87. The physical constraints of No.10, with small meeting rooms, and limited access to a Prime Minister who cultivated an erratic method of decision making also appears to have caused difficulties – I wrote in February 2022 about how the jostling for influence

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under Boris Johnson appeared to be extreme (Thomas, 2022c). Most obviously, of course, the nature of No.10 allowed Covid-19 to spread between key senior decision makers including to the Prime Minister himself. But also it reinforces a culture of small meetings and informality that had previously been criticised by inquiries into central government decision making, notably in the run up to the 2003 Iraq war, for example by Lord Butler's *Review of Intelligence on Weapons of Mass Destruction* (Committee of Privy Councillors, 2004: paragraph 611).

88. From evidence given by Dominic Cummings to the joint inquiry of the House of Commons Science and Technology Committee and Health and Social Care Committee, and more recently the partial revelations in The Daily Telegraph from the then-health secretary's WhatsApp cache, it is also evident that decisions were at times being made in an informal way, especially in the first phase of the pandemic. That reflects a breakdown in the normal brokering and co-ordination function of the Cabinet Office, as discussed below.

89. WhatsApp clearly played a major role in government decision making. It is a quick and convenient form of communication, usable in pairs or groups with little logistical hassle and can be used to bypass the hierarchy of Whitehall to get decisions directly from ministers. It also helps advisers liaise and generally keep in touch. The scale and severity of Covid-19 and the consequent response were extraordinary and in light of a rapidly changing situation where people were feeling the need to act quickly and decisively, ministers and their advisers were drawn towards communication tools that allowed them to interact as quickly as possible.

90. IfG research shows that some of the ways WhatsApp has been used in government – generally, not just during the pandemic – are not new (Lilly, Durrant and Tingay, 2022). Government decision making has long been a mix of formal and informal processes. But the speed and accessibility of WhatsApp has accentuated the use of the informal. Ministers have been drawn in by the benefits of the technology, but it has exacerbated existing problems with informal decision making. Because of the speed and informality of the technology, decisions are taken without all the available facts being known or with key individuals not involved. It risks being a superficial way to make decisions, and with overlapping groups, parallel conversations and a chaotic process. Contributions are unequal depending on how people use the app. At the same time record keeping and scrutiny are more difficult.

91. During the pandemic, as was seen from the Dominic Cummings WhatsApps, and the more recent reporting in The Daily Telegraph, there were numerous groups with overlapping membership, key players left out or left off groups, and a proliferation of confused communication. So while WhatsApp can be a great benefit for informal communication, formal decisions are better taken in thought-through committees where information can be properly assessed, supported by considered papers and decisions recorded. It seems – although the Inquiry will have access to the papers to take a rounded view – that government decisions and particularly the assessment of trade-offs would have been better considered, debated and recorded with a more consistently formal process from the start of the Covid crisis.

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92. While, as noted, ministers and civil servants were clearly drawn towards WhatsApp as a swift communication tool, good process does not need to be the enemy of speed. Civil servants – and ultimately the Cabinet Secretary – have a responsibility rapidly to develop appropriate structures, not necessarily large formal cabinet committees, but to have meetings, drawing in the information needed, and to ensure that decisions made are communicated well.

93. Improved meeting discipline and decision making can be seen in the more effective performance of government decision making later in the pandemic, when more standardised methods seemed to have been adopted. The government's roadmap out of lockdown, published in February 2021, was in my view something of a reassertion of more 'normal' policy making and reflected a more realistic grappling with trade-offs than had been the case at times previously. While partly a public communication tool, the roadmap did reflect internal decision making and is useful evidence of the development of a more coherent approach. There are reasons for that beyond meeting discipline, as explored below, but the four step approach, a commitment to make decisions based on 'data not dates' but with indicative timings for lifting restrictions was reflective of a more serious effort to present a plan, that reflected a genuine reckoning with the difficult decisions that needed to be made. It also coincided with the government's most successful and authoritative period of administration as regards the pandemic.

Challenges posed to the Cabinet Office and the centre of government

94. In terms of government decision making, the Cabinet Office faced as great a challenge as any part of government. As noted above it is ultimately for the Cabinet Office to integrate different forms of advice and bring the strands together. This, from the outside, seemed to be lacking especially in the first phases of the pandemic. Announcements were made without the government seemingly able to deliver them, and trade-offs were not addressed between different sources of evidence.

95. A lack of clarity around the decision making process within the Cabinet Office was problematic – one SAGE participant described the centre of government as a "void of decision making" (Sasse, Haddon and Nice, 2020). We also heard in our research that there was for a period a divide between No.10 and the Cabinet Office, with No.10 officials at one point barred from speaking to or commissioning work from the Cabinet Office. This, in my view, is an important area for the Inquiry to explore.

96. This confusion was reflected in the ever-changing mix of committees and decision making structures adopted in the early phase of the pandemic as noted above. As discussed, the first few months of the pandemic the variety of decision making fora was strikingly changeable and difficult to grasp. Decision making appeared to move from COBR, to the Prime Minister's personal meetings in No.10, to cabinet committees often chaired by the same secretaries of state who needed to be held to account for progress, before finally settling on a 'strategy' and 'operations' structure that then seemed to sustain for the duration of the crisis (Thomas, 2020h). There were also, as discussed above, decisions made outside the formal architecture of committees. For some minor matters that is not necessarily a problem, and of course personal messages and discussions should supplement points of decision, but

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generally this informality creates a significant risk that decisions are made without the full available information being presented and without the right people in the room.

97. Some of the best decision making in the early phase of the pandemic was in the economic sphere. Decisions on the coronavirus job retention scheme, the self-employment income support scheme and the coronavirus business interruption loan scheme were strong. With clear objectives, close working with relevant groups inside and outside government, and delivery factored in from the start, the personnel involved choreographed a model of how to take decisions under pressure (Nickson, Thomas and Mullens-Burgess, 2020). The unusually close working between the Treasury and HMRC and DWP is particularly notable. In the first phase of the pandemic, the Treasury was in our view a 'policy taker' in terms of the public health response. In these early weeks there was little need or opportunity to weigh up possible economic impacts and mitigations against the health impacts. The decision was made to lock down for health reasons and then the economic policy response took that as a given.

98. From late spring to late autumn 2020, as the IfG report 'The Treasury during Covid' (Tetlow and Bartrum, 2023) sets out, the sharing of information and synthesis of analysis at the centre of government were weak. The Cabinet Office was not able to draw together evidence from different departments, with the Treasury and others sharing analysis strategically to support particular points of view. Decision making became a 'tug-of-war' rather than a search for the best outcome. The same report finds that through much of 2020 the Treasury suffered from an optimism bias that the government's public health advisers did not share. This meant the Treasury did not implement some relatively straightforward improvements to economic support schemes (on the assumption they would soon be discontinued), developed the Eat Out to Help Out policy in summer 2020 which was inconsistent with scientific advisers' assessment of the risk of a second Covid wave, and announced a very late extension to furlough in autumn 2020.

99. The establishment of the Covid Taskforce in summer 2020 was an important development in the way the Cabinet Office, and the whole government, responded to the pandemic and proved highly influential on the efficacy of decision making. This was an attempt to update the mechanics of the centre of government in light of the experience of the first phase of the crisis, and acted as a new secretariat to co-ordinate government policy making on the covid response. It was headed by Simon Case, brought in as a permanent secretary. James Bowler took over in October 2020.

100. We have not done a detailed analysis of the Taskforce per se, but it is clear that it took time to bed down over the summer of 2020. By spring 2021 it was central to the successful roadmap out of lockdown. A strong secretariat like this was necessary and should be included in the contingency planning arrangements for any future similar crisis.

101. More generally across government, our research points to questions about what the wider strategy was. The government needed to be clear not just what it wanted to do, but also why it wanted to do it. 'Protecting the NHS' was articulated as the priority,

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even when that appeared at times in tension with saving lives, for example in relation to care home discharge decisions (Nickson, Thomas and Mullens-Burgess, 2020). And in the early phases of the pandemic scientific advice appeared to set the strategy by default. The limitations of the strategy, and a limited framework for managing trade-offs, made it more difficult for the whole system to operate – for example making it harder for SAGE to provide useful advice. The Inquiry could usefully consider what consideration was given to protecting the NHS as the objective and what alternatives were considered, and the Cabinet Office's role in setting direction and brokering differences between government departments, ministers and civil service advisers.

102. Separately, and while we have not researched it in detail, the fact that outside the very centre of government most officials, and many ministers and political advisers, were working from home for large periods of time, must have had consequences for decision making. Government as a whole transitioned relatively smoothly to remote working, as did parliament, but the impact was important. Increased use of WhatsApp and messaging tools has been noted above, another consequence was the unavoidable loss of 'serendipity' with chance meetings and overheard conversations between colleagues making it harder to forge links between different teams and policy decisions.

Challenges posed to risk assessment and contingency planning

103. There is, in the IfG's view, a widespread problem in UK government that it is unclear to what extent accountability and responsibility for the work of a government department rests with the Secretary of State (or equivalent) and to what extent with the Permanent Secretary Accounting Officer. This ambiguity was evident in the decision making around the National Security Risk Assessment (NSRA) and the National Risk Register (NRR) over who should make the final decision on which risks to record and for the mitigating activity. To put the question at its sharpest – was the absence of a novel coronavirus on the risk register the fault of successive Health Secretaries, or of successive Department of Health Permanent Secretaries? The constitutional theory of the UK would have it that the ministers should be held accountable, but that would leave the existence of a permanent bureaucracy that should be focused on long term risks unaccountable (Thomas et al., 2022a).

104. Regardless of the responsibility, it was evidently the case that the National Security Risk Assessment underestimated the impact of a novel infectious coronavirus disease epidemic. The fact that influenza was much higher up the risk register mitigated this to some extent but also led to some incorrect assumptions. IfG research suggests that the focus on influenza did constrain government decision making. In particular a lack of personal protective equipment, a slower than necessary start to testing and tracing Covid-19 cases and assumptions baked into the plans that a vaccine would soon be available were based on influenza planning. There were also some assumptions, notably that lockdowns would not be possible, that turned out to be incorrect. This would be a helpful area for the Inquiry to consider.

105. On the procedural side, interviewees for our research criticised the NSRA for being too closed, not bringing in those outside and not appointed by the government, and

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constrained by too high levels of classification. That seems to have hindered decision making and reduced the challenge that was given inside the government. We also heard that the NSRA timeframe is too short in considering risks over a two year time horizon not five or ten. That limited the way that risks were considered and so skewed decisions about what to prioritise in the risk register. There were also shortcomings in integrating public bodies' risk assessments and planning into the central scenarios. Our research reflects evidence that the Cabinet Office did not require information on the risks in arm's length bodies. There is a need for more shared contingency planning across all relevant public bodies (Hodgkin and Sasse, 2022).

106. The way risks were monitored was also variable – with monitoring of infectious disease risks led by departments and spread across agencies rather than by dedicated bodies as was the case with national security. More fundamentally there was no agreed level of risk that ministers were prepared to accept. The risk appetite of government changed as the pandemic proceeded and was highly influenced by political pressure. That is not in itself a bad thing – decision makers have to be aware of the political and public debate as well as their own risk appetite, but the way the system was set up meant that there was limited central co-ordination over risk, with nobody taking a system view on over-arching risks.

107. Our research also found that communication of the role of the "reasonable worst case scenario" was problematic. It was not always presented clearly, not helped by the way some media reported it as a central scenario. This was also the case during the swine flu outbreak, and during no-deal Brexit.

Challenges posed to the COBR architecture

108. As noted above, at the start of the pandemic there was a very limited committee structure to take decisions, with the main relevant response committee being COBR. On risk management and horizon scanning, the Threats, Hazards, Resilience and Contingencies subcommittee of the National Security Council had been disbanded in July 2019 which meant that it was not clear where final accountability lay for activities to tackle pressing biological risks. There was no central function for ensuring departments took action to mitigate risks – and CCS needed to do more to fill that role. CCS co-ordinated but had no powers to audit or interrogate risk plans which left a gap in the system.

109. Problematically, parts of the CCS architecture also appeared to be put aside by No.10 in the early months of the pandemic. It was reasonable for the Prime Minister not to attend COBR in the very early January 2020 phase of the emergency, but it was a sign of a lack of understanding of the severity of the crisis. Decision making in this phase shifted between different fora, meaning that over time the location of core decisions moved from COBR to a smaller group centred around the Prime Minister in No.10 – the 'C-19' group, then to themed 'Ministerial Implementation Groups', then to strategy and operations committees, adapted from a structure the government had used during the EU exit process (see charts above). The CCS could have been used more effectively to co-ordinate and refine the scientific questions that were being put to SAGE. IfG research finds that in the early stages of the pandemic SAGE was

overloaded with un-coordinated questions and that more structure as CCS would have provided was needed (Sasse, Haddon and Nice, 2020).

110. The civil contingencies emergency powers legislation was not used to respond to the crisis. Instead, legislation prepared for pandemic influenza was taken off the shelf and adapted according to the demands of the moment. As described as part of our research, ministers and officials "just assumed we would use bespoke legislation". That was a reasonable decision, although the Inquiry could usefully investigate to what extent use of the Act was actively considered in the early stages of the pandemic. Had the Civil Contingencies Act powers been used it would have meant even more centralised control by the government. The Inquiry could helpfully consider the effectiveness of the Civil Contingencies Act and whether its powers are appropriate.

111. The lessons from Exercise Cygnus will have helped to set the framework for decision making, though the publicly available material suggests that some recommendations, including to address the finding that preparedness was insufficient in some areas, had not been fully implemented by 2020.

112. 'No-deal' Brexit planning also set some of the context for decision making in response to the pandemic. The work departments put into this planning appears to have helped in some departments – notably from our research Defra, the Department for Work and Pensions and loans for business including joint work between the Treasury and Bank of England. But the pressure and resource demands that followed from ministers' decision to 'keep no deal on the table' as a negotiating tactic distracted as a competing priority – for example in March 2019 56 of 94 CCS staff were preparing for a no-deal exit. The Inquiry could helpfully consider this context for the pandemic response.

113. Another challenge posed to the civil contingencies architecture is that these crisis management structures (also including SAGE) were intended as short-term response vehicles. The pandemic was not a short term crisis, but something that became 'normal' business, dominating all else for a long period. So the wider government machinery had to adjust to become a Covid-19 decision making vehicle, rather than the COBR crisis machinery becoming the substitute for all government decision making. It appears to have taken some time for the government to make this adjustment, and to consciously appreciate how the response structure needed to be changed (Sasse, Haddon and Nice, 2020).

Challenges posed to resource allocation

114. The allocation of resources was clearly of fundamental importance to the decisions made during the pandemic. Decisions were constrained by both short and long term factors, although the 'money no object' response in the first phase of the response was necessary. The UK had the benefit of a degree of fiscal space, which the Office for Budget Responsibility argues "may be the single most valuable risk management tool". More problematically the government found it very difficult to manage spend on cross-cutting risks, in part due to a failure of the Treasury to do or share its analysis and to let others fill the gaps. A decades long focus on efficiency had also left public

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services with limited capacity to respond, severely constraining some of the decisions ministers and senior officials made on health in particular, but also on social care, criminal courts, prisons and schools. And in the last decade in particular, public services would have entered the crisis performing better, with stronger workforces, better equipped and with more modern buildings were it not for the austerity focus of spending decisions made since 2010.

Challenges posed to non-lead government departments

115.   One of the most serious problems with decision making during the pandemic was an accountability gap in non-lead government departments for preparing and mitigating risks. The relationship between the lead government department – DHSC – and others did not appear to be sufficiently strong. It is clear that different departments were at very different levels of preparedness in relevant areas – the Department for Education and schools, the Home Office and borders, and Treasury and economic support.

116.   There is a debate ongoing, one which our work suggests is particularly acute in the Treasury, about the value in some non-lead government departments of doing extensive preparation for a civil emergency like this. The argument is that the Treasury was able to mobilise quickly at the start of the pandemic, so it is unclear what benefits arise from detailed preparation and contingency planning. Instead, efforts should be concentrated on the agile response. However that is not the approach set out in the National Risk Register, and simply focusing on agile response, even for the Treasury, is not sufficient mitigation.

117.   One of the reasons why education decision making seems to have been particularly poor is that the Department for Education not only had no plan for a coronavirus pandemic, but had also been working under the assumption that schools would remain open throughout such an episode. The policy in its 2011 plan for influenza was "that schools should not close – unless there are specific local business continuity reasons (staff shortages or particularly vulnerable children)". The focus had been on how to keep schools open by bringing in retired staff, not on how to close them. The government completely abandoned this approach over a weekend in mid-March 2020 as teachers and parents were on the brink of taking matters into their own hands and the implications of the government's self-isolation policy kicked in.

118.   Despite the lack of planning there were successes, including the definition and identification of key workers whose children could remain at school, but many of the problems experienced by the department stemmed from this initial failure of planning assumptions.

119.   The incentives for policy makers to develop skills in risk management are limited. That meant there were serious weaknesses in the response, with gaps exposed in the structures, co-ordination and principles of emergency management. One example was the lack of clarity of responsibilities across the delivery chain – for example the Health Secretary's target to complete 100,000 covid tests a day – did not set out soon

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enough, or in enough detail, who was responsible for which parts of the delivery process.

Challenges posed to scientific advice and input into decision making

120. The scientific advice structures developed and adapted in response to previous crises, felt the strain during Covid-19. There was a blurring of policy decisions and expert advice, with ministers' mantra that they were "following the science" very damaging. The repeated assertion undermined the importance of ministerial judgement, and the accountability of ministers for decisions. It made it harder for experts to set out their view. And "the" science implied that there was one single view, which was rarely the case. From the start, ministers and other government communicators should have been talking about being "informed by", not "led by", science.

121. There needed to be more clarity about the questions being asked of scientific experts and what the answers meant. Our research indicates that at times questions to experts were poorly formulated, and that the process did not always work well, for example questions about the return of students to universities in the new academic year in autumn 2020, were asked too late. The channelling of questions at the start of the pandemic was ad hoc, with no single channel to direct the agenda for SAGE.

122. SAGE ended up filling a gap in government strategy and decision making. That meant that government decisions were held off until the scientific advice was overwhelming, rather than using scientific inputs alongside other analysis to take decisions at the most appropriate time. Our research also finds that decision making at the centre was chaotic, certainly until things settled down into a clearer strategy and operations committee structure, and ministers did not communicate their priorities to science advisers.

123. We also concluded that SAGE, as an ad hoc group, was not designed to take on such a prolonged role through the pandemic. After COBR meetings were wound up, we heard that the Prime Minister wanted SAGE to continue. That caused staff burnout, and prolonged the media scrutiny of scientists and medics, until the resourcing of SAGE caught up with the demands being placed upon it – which was perhaps unavoidable but should be considered for future crises.

124. The SAGE sub-groups worked effectively, and it was sensible to bring its sub-groups SPI-M, SPI-B and NERVTAG into the structure. But there was a lack of definition of the role for all of these groups. There was confusion about what SAGE advice meant and the extent to which the scientists on it were speaking on behalf of the government.

125. All this put a lot of pressure on the personal skills of the CMO and GCSA. They needed to be credible publicly, and to make clear where their advice suggested stronger action was needed, while maintaining the confidence of the Prime Minister and other ministers. This, with a very regular rhythm of press conferences, put civil service experts at times in an impossible position – for example during the furore about Dominic Cummings' reported breach of lockdown rules. This incident put

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scientific advisers in a very difficult position and made it harder for them to reinforce public health messaging.

126. Our research identified five persistent challenges across crises related to the inherent tensions in how scientific expertise is incorporated into policy decisions in a political and highly pressurised situation:

    126.1.   The relationship between ministers and scientific advisers is essential but difficult to get right;

    126.2.   Ministers and non-expert civil servants have often found it hard to understand and interrogate scientific advice;

    126.3.   Ministers have, throughout different crises, tried to blur the line between policy decisions and scientific advice, and GCSAs and CMOs have struggled to protect their independence;

    126.4.   A lack of challenge in the groups GCSA and CMO oversee leading to a vulnerability to group think; and

    126.5.   The difficulty of working out when and how to make scientific advice public.

127. All of these tensions played out during Covid-19. The emergency was on a different scale to previous crises, but the essential tensions had echoes in the past. The difference with Covid-19 was the extreme and entirely understandable uncertainty about the pathogen itself, which increased the importance of scientific advice while also exacerbating the tensions within government.

128. During Covid-19 there was a problem that SAGE focused quite narrowly on considering one kind of advice. It was 'scientific' but that can overstate how much of the potential evidence base SAGE was considering. The GCSA and CMO assembled a range of experts from key disciplines, and established subgroups to increase breadth, but evidence on much of the relevant material on economic, social and other aspects of responding to the outbreak was outside SAGE's remit, which led to problems with how this evidence was brought in and how it was explained to the public. Once the Covid Taskforce in the Cabinet Office was in full operation our research indicates that trade-offs around the evidence were more effectively managed (Tetlow and Bartrum, 2023).

Challenges posed to sub-UK government decision making

129. Pandemic decision making exposed serious problems with how central government worked with local government in England. We concluded during the crisis that relationships between central and local government needed urgent repair, with a lack of understanding on both sides leading to working relationships characterised by "bitterness" and "suspicion" (Thomas and Clyne, 2021).

130. The lack of clarity about what central government was trying to achieve also caused problems with how central government communicated with local government. Because it was unclear what ministers' objectives really were at times, this made it harder for local government (and others on the front line) to know exactly how to

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implement policies, and where there were conflicts between different policies it was not clear what to prioritise.

131. On devolution and the devolved governments, there was perhaps more overall consistency in approach than appeared to be the case at the time. Many – though not all – of the differences in lockdown rules were a matter of timing and communication rather than due to substantively different approaches. Some in the Welsh government argued that some of the divergence between England and Wales did not have to happen, and they saw it as the result of the UK government not working effectively with the Welsh government. First Minister Mark Drakeford in one press conference said "I am committed to a four-nation approach. Getting a four-nation approach becomes more complicated and challenging as we move out of lockdown. Therefore you need more conversations, more opportunities to share information, share perspectives, share ideas and hammer out a common way ahead. Without the opportunities to have those conversations, I think that becomes more difficult" (Hayward, 2020)

132. But IfG research shows that on some occasions where there was divergence it was not just acceptable but necessary to allow different parts of the UK to respond to local circumstances and political preferences. Democratically elected governments had a duty to take the course of action they thought was right and not feel compelled to follow the judgement of others (Sargeant, 2020).

133. Scientific advisory structures evolved during the pandemic. The core structures at UK government level remained COBR and SAGE and its sub-committees, with varying devolved representation, but the Scottish government developed a new advisory group, and the Welsh government a new tactical advisory cell. The structures, as far as we can tell from our research, operated as set out below in figure 7.

Figure 7: Scientific advisory structures in the UK and devolved governments
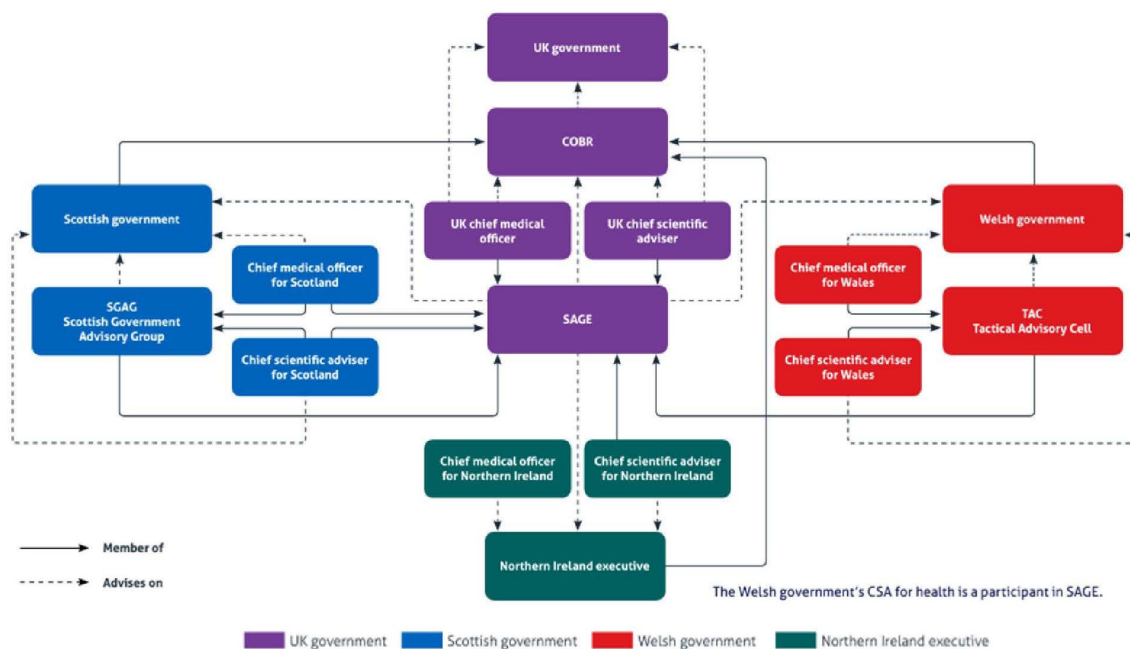
134.   Covid meant the consequences of devolution were more visible and 'real' than ever before as people in different parts of the UK lived under different restrictions. That included for ministers, some of whom at the UK level at times appeared not to have appreciated the extent of some devolved powers, like on 10 May 2020 when Boris Johnson tried to change the Covid communications to 'stay alert' for the whole of the UK, which was swiftly rejected by governments in Scotland, Wales and Northern Ireland. Often during the pandemic it appeared that the four governments were developing policy independently leading to differences that were perhaps at times not necessary, for all that it was legitimate for there to be divergence. For example, minor differences in lockdown rules such as the number of people that could meet, the number of households they could be from, and whether or not these totals included children. We produced an IfG 'four nation lockdown explainer' which proved to be one of the most popular explainers ever on our site – showing the need for more public information (Sargeant and Nice, 2020).

135.   Despite close co-ordination by the four governments in the early stages of the pandemic, as the response developed while meetings continued in some areas, they became more sporadic. Co-ordination is not an end in itself – it was desirable to the extent that it led to better outcomes. And co-ordination does not mean uniformity. It does mean working together, sharing information and understanding the implications of decisions for one another.

136.   Our research (up to November 2020) identified three phases in the initial response in co-ordination across the different administrations:

136.1.   Lockdown March to May 2020 – with close co-ordination between the four governments. The Joint Ministerial Committee was not used, instead first ministers (and deputy first minister for Northern Ireland) attended COBR and MIGs. Initial decisions were taken and guidance published on a UK wide basis, and differences were small and/or short-lived.

136.2.   Exit strategy May to August 2020 – collective decision making frayed. Ministerial Implementation Groups were disbanded and devolved ministers were less involved in their replacement cabinet committees, so there appeared to be less regular contact between UK and devolved ministers. The devolved governments announced an extension to social distancing regulations ahead of the UK government. 10 May as noted was a particular moment, when the Prime Minister announced the government's 'stay alert' plans without consulting the devolved governments. Then separate lockdown easing plans were published, and from then onwards the nations followed different timelines for reopening different sectors.

136.3.   Facing a second wave in September 2020 – there were efforts to co-ordinate, for example with a joint statement on 25 September and with working level and ministerial contact through the summer. But Scotland and (even more so) Northern Ireland and Wales tightened restrictions, and the UK government introduced tiers for England so the outcome was further divergence.

137. Of course as noted the ability for the four nations to diverge was an important part of the political reality and the nature of devolution, there was a need to be conscious of and to manage the consequences of divergence. Divergence led to problems with enforcement at the Scottish and Welsh borders (particularly the latter) and the police were sometimes unclear on their role. It was difficult for people who worked across borders, especially when work from home guidance was different, for compliance for businesses that worked across the UK, including where for example warehouses were in one part of the country and retail outlets in another. The public was confused by differences in the rules, compounded by a failure of government ministers, including the Prime Minister, to state clearly the territorial extent of the rules. For example, in the 10 May 2020 address the Prime Minister announced an initial easing of restrictions, but did not once make the point that it applied in England only.

138. The IfG report 'Co-ordination and divergence: devolution and coronavirus' identified drivers of divergence and convergence:

138.1. Epidemiological evidence, which best explains variation *within* each government's territory, for example during local lockdowns like in Leicester;

138.2. Scientific advice, which was closely co-ordinated between the four governments and was generally a force for convergence. Structures for co-ordinating in scientific advice were more developed than in other areas. The Welsh and Scottish governments established their own advisory groups to apply SAGE modelling to their local contexts, and there was shared participation and regular information exchange;

138.3. Political judgements, which were the main force for divergence. Different governments came to different conclusions about how to balance competing factors and interests. It should also be noted that devolved funding arrangements meant different governments had different financial incentives when making decisions on social distancing restrictions – and some aspects of the funding arrangements, like the furlough scheme, were exercised at a UK level and so a driver of convergence; and

138.4. Weakening of intergovernmental working, where reduced frequency of meetings led to less managed and unintentional divergence.

139. The Inquiry could usefully consider in particular how intergovernmental working could be institutionally strengthened to improve co-operation and co-ordination processes during emergencies even as political and communication differences exist across different administrations.

Successes, failings and lessons learned from the pandemic

140. This report sets out some of the relevant frameworks for UK decision making during the pandemic and, based on my experience and IfG research, offers suggested insights about how the UK government made those decisions. It does not purport to be a comprehensive study of decision making during the pandemic, but from the material above and the breadth of Institute research I would offer these observations on the successes and failings of decision making, and potential areas for Inquiry recommendations.

141. Decision making successes included:

    141.1. The development, implementation and rapid consultation on furlough and the initial economic measures implemented in the first phase of the pandemic. The Treasury, HMRC and DWP mobilised immediately and comprehensively to support people whose livelihoods had all but disappeared overnight. Decision making was particularly aided by the Treasury's openness to bringing in the right people from the private sector, unions and delivery experts from HMRC to work out the best policy response.

    141.2. The Deputy Prime Minister's assumption of the Prime Minister's roles when Boris Johnson was hospitalised was, on balance, a success and meant that decision making continued. Ministers and civil servants behaved appropriately and the system broadly held together. However this was entirely contingent on the Prime Minister nominating a deputy and on those involved acting with restraint. Given the centrality of the Prime Minister to the government's response during an emergency, uncertainty over succession is uncomfortable at best. IfG research also notes that, perhaps inevitably, during the period of the Prime Minister's incapacity there was something of a vacuum, felt for example by the devolved governments' frustration at the lack of engagement on a joint plan.

    141.3. The February 2021 exit roadmap, that successfully addressed the trade-offs involved in lifting restrictions and provided a comprehensible framework for communicating changes to the public. This points to the eventual success of the Covid Taskforce, in synthesising evidence and making policy recommendations, that had been lacking earlier in the pandemic.

    141.4. The organisation of cabinet committees into 'strategy' and 'operations' groupings allowing senior ministers to set direction, and ministers and officials to work together on operationalising and monitoring high level decisions. The Ministerial Implementation Groups developed in the early weeks of the crisis were less successful because they separated decision making into artificial silos and also meant a number of ministers were chairing committees which were holding their own departments to account. My view is that the 'strategy' and 'operations' distinction is better for accountability – with the Prime Minister

or a nominated deputy putting ministers and officials on the spot – and for cohesion.

141.5. The vaccine taskforce. Ministers and senior officials recognised early on the need to cut through the usual procurement and other gateways for government decision making and created an effective team to identify and procure vaccines for the UK. Once fully established, its organisational structure, leadership and risk appetite were appropriate to the task at hand. The taskforce mobilised a wide range of experts able and willing to deploy their expertise in the service of developing and – particularly – procuring vaccines. Ministers and senior officials communicated a, correctly high, risk appetite well. Better analytical synthesis through the Covid Taskforce helped support more coherent decision making. Though I note that Kate Bingham's public comments suggest that the business case process and communications approach were limiting factors.

141.6. Once the vaccine had been developed and it was clear that it would be largely effective and able to be rolled out quickly, incentives within government that had been working against each other came into alignment. The tussles that had been happening between the Treasury, that was resisting lockdown and arguing for a faster move to 'business as usual' and the Department of Health and Social Care, that had been resisting such a move, were able to be considered as part of a logical framework to open up the country. The February 2021 roadmap and associated work seemed the crucial moment here, where the government could properly address the trade offs and mobilise towards a logical exit strategy.

141.7. Compliance with lockdown rules can be considered a success of decision making – although the public's willingness to comply was reportedly under-estimated when decisions about lockdown were being taken. This may also have contributed to some over-zealous policing of the restrictions. But once the decisions were taken they were generally communicated clearly and in a way that encouraged compliance.

141.8. This report does not cover data as an input to decision making, but it is worth noting the success of the Office for National Statistics and how it, and the government as a whole, rapidly found ways to use new data sets to understand how the pandemic was progressing and how the behaviour of the public was evolving.

142. Decision making failings included:

142.1. That ministers' primary objective for the government response was unclear for parts of the pandemic. An enormous focus on not overwhelming the health service was understandable, but was often in tension with an objective to reduce the loss of life. Using the capacity of the health service as a proxy objective meant that decisions were at times distorted, and ministers delayed taking life-saving decisions until the health capacity forced their hand. Outside the first weeks of the pandemic it seems clear that neither of these was the

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only objective – re-opening the economy and public services were very present in discussions. 'Eat out to help out', lack of sick pay support, delayed lockdowns and a firebreak all ran contrary to 'protecting the NHS'. The tensions were not addressed until the vaccine was being rolled out and the February 2021 exit roadmap was produced. This was also never satisfactorily addressed in the public communications put out by the government, perhaps because of an internal failure to clarify objectives.

142.2. Co-ordination across the UK and devolved governments frayed as different governments chose to move at different speeds. There is a good case for more co-ordination and for intergovernmental structures to support it, although a new and revised structure following the government's review of intergovernmental relations seems to have improved matters, at least in terms of more meetings and improved atmospherics. Closing internal borders for any length of time was not practical or sustainable. The UK is likely – more or less – to be a single epidemiological unit for Covid-like diseases, and divergence often led to complexity and perceived unfairness. Failure to effectively manage divergence and its consequences can also undermine the effectiveness of a response.

142.3. The government's approach to some issues, especially Test and Trace, showed the problems with a lack of understanding of local government in emergency responses. A missing link between central and local government led to unhelpful and counter-productive centralisation. It is not covered in any detail in this report, but decision making around different 'tiers' of lockdown appeared chaotic and left some places, notably Leicester, in a prolonged series of tight restrictions.

142.4. There was at times a reluctance – and sometimes a severe breakdown – in the sharing of advice between government departments and particularly with the centre of government, and between different parts of the centre of government. Trust broke down and decision making suffered. The Cabinet Office did not appear – from the outside – to be able to synthesise advice as well as was needed in the first months of the pandemic.

142.5. The civil contingency response model of assigning a lead department the primary responsibility for responding to an emergency was overwhelmed by the whole-of-government pandemic requirements. This was particularly evident in the failings of departments that needed to play a central part in the response being under-prepared and lacking resilience. The clearest example was the failure of the Department for Education's pandemic response planning.

142.6. The Prime Minister was consistently incorrect in claiming that Covid response decisions were "following the science". Scientific advice should have been treated as one input to a decision making process, but in public communications was elevated to being determinative. In practice it appears to have been used a shield for decisions which ministers found uncomfortable to make and/or an easy response to questions posed by journalists at daily press

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conferences. This undermined public confidence and meant less effective decision making and delaying decisions until the epidemiological evidence was overwhelming. The government needed to come up with clear messaging for the public, in terms that were memorable and actionable, but that messaging needed room for nuance. People generally understood the very difficult trade-offs ministers were making in their decisions.

142.7.   A lack of agility and a reluctance amongst ministers to change course or admit mistakes hindered decision making. Matt Hancock's WhatsApps leaked to The Daily Telegraph showed his reticence to modify decisions, and the government's maintenance of slogans like "hands, face, space", or messages about Covid-19 transmission through surface contact long after it became clear that they were not grounded in evidence.

142.8.   There was at times a lack of clarity on who was responsible for decisions – ministers or civil servants, central departments or arm's length bodies, or organisations outside central government. That was most obvious in the Department for Education in decisions about exams, but also seemed to be the case in health as NHSE cultivated direct relationships with No.10 and the Treasury cutting out the sponsor department. This knock-on ambiguity had consequences for who got blamed – in education but also more widely, as the abolition of Public Health England demonstrated.

142.9.   The impression remains that the system of decision making close to the Prime Minister was too informal, reliant on WhatsApp and mobile phone messaging rather than a full assessment of the evidence with relevant expertise available. It also appears to be heavily reliant on a small number of individuals, at times one or two advisers, which is an unsustainable support mechanism for a Prime Minister in these circumstances.

142.10.   The UK system is too reliant in a crisis on the personal attributes of a Prime Minister, particularly if a Prime Minister's style leads to a slow response when a rapid one is required. Of course for critical decisions it is essential that the democratically accountable leader is in charge, but the UK needs a more resilient model, with permanent secretaries and other senior civil servants more explicitly responsible for long term contingency planning, and more conventions and trigger points for, for example, convening COBR, mobilising a government response and synthesising advice.

142.11.   Before the February 2021 roadmap created a workable framework for decision making, the use of dates and targets by the government was haphazard and often counter-productive. Targets for opening up and for boosting testing capacity, for example, drove behaviours and media scrutiny that were unhelpful. The Prime Minister's optimism in March 2020 that "we can turn the tide in 12 weeks", in April 2020 that "we are past the peak" and in July 2020 that there should be "a significant return to normality by Christmas" fed optimism bias and a failure to take decisions for the long haul.

142.12. This was a mix of success and failure, but the extent to which the pressures on the system created by no-deal Brexit planning helped departments to respond to the demands of the pandemic, or diverted resources and led to greater strain and burnout than would otherwise have been the case should be considered by the Inquiry.

143. A common factor to many of these issues is that, in retrospect, after the initial lockdown decisions were taken there appeared to be a strong path-dependency in government. An all-consuming crisis meant that through 2020 there was not sufficient capability in government to properly work through exit strategies, to synthesise evidence and to resolve trade-offs in advance. This links to an optimism bias – understandable on a human level at the time – around the length and severity of the crisis. Had decision makers gone into February and March 2020 holding open the possibility that they were dealing with a two year (or longer) crisis their decisions would have been better informed and more well-judged.

144. My final point in this report is that the Inquiry might wish to consider what would have happened if the vaccine had not been developed and deployed so rapidly. It was the existence of the vaccine that, as well as of course being extremely good news in and of itself, resolved misaligned incentives and confused objectives inside the government. Had the vaccine taken longer to develop, test, procure or distribute then no doubt these tensions would at some point have been resolved, but the problems of 2020 would probably have continued for longer. A crisis with many of the same elements of the Covid-19 pandemic, but without the resolution offered by the vaccine, would test the UK's resilience to an even more intense degree.

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Annex 2: Matters to be addressed from Letter of Instruction

Professional Background and Expertise

1. Please provide details about your academic qualifications and professional experience. In particular, please provide details about your roles and responsibilities as:

> a. Programme director leading the Institute for Government's work on policymaking and the civil service;
>
> b. Director in the Department for Environment, Food and Rural Affairs (Defra), leading teams working on Brexit and animal and plant health;
>
> c. Principal private secretary to Sir Jeremy Heywood, Cabinet Secretary and head of the civil service; and
>
> d. A civil servant with the Department of Health from 2015–16, the Cabinet Office from 2010–15 and in Defra from 2003–10.

2. Please provide details about any reports, articles or papers you have published about the response of the UK Government to the Covid-19 pandemic.

Relevant Framework for Decision-Making

3. Module 2 will consider the efficacy of core political and administrative decisions taken during the pandemic, particularly on the use of NPIs. In order to review the process for decision-making this will need to be considered in the context of the framework which was in place through the Civil Contingencies Act 2004 and the structures that supported the Prime Minister and Cabinet in responding to emergencies. Module 1 of the Inquiry will consider the UK's preparedness for whole-system civil emergencies, including resourcing, the system of risk management and pandemic readiness. We do not therefore ask that you comment on this overarching framework but you are asked to include within your report as much information about the existing framework for managing emergencies as necessary to enable you to analyse the decisions taken during the response to the pandemic and the framework that was established to assist with that. That might include addressing some of the following matters:

The extent to which any legislative or regulatory framework prescribed, as at 1 January 2020, how the UK government should make decisions in response to a pandemic. In answering this question, please specifically address the role the following bodies or individuals were intended to play in or informing Government decision-making in the event of a pandemic:

> i. No 10 Downing Street, and the Prime Minister's Office;
>
> ii. The Cabinet Office;
>
> iii. The Civil Contingencies Secretariat;
>
> iv. COBR;

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v. The Government Chief Scientific Adviser;

vi. The Chief Medical Officer in each of the 4 nations of the UK;

vii. SAGE and its sub-groups;

viii. The Cabinet Secretary;

ix. The Lead Government Department;

x. The governments of the devolved nations;

xi. The UK Cabinet; and

xii. The Prime Minister.

4. Whether there are any examples of good, or poor practice from how previous UK Government administrations responded to serious, or catastrophic emergencies before the Covid-19 pandemic and observations on whether any learning from the Government decision-making in response to these events should have informed the role of each body listed at 3(i) to (xii) to the Covid-19 pandemic, and whether it in fact did so. You may wish to provide examples, from 2004 onwards, of when the CCA and the organisations and individuals listed at 3(i) to (xii) were used by the governments of Tony Blair, Gordon Brown, David Cameron, Theresa May, and Boris Johnson to respond to a serious or catastrophic emergency before the Covid-19 pandemic.

UK Government decision-making during the Pandemic

5. Please provide an overview of the challenges posed by the scale of the Covid-19 pandemic to the UK central-government decision–making framework established by the CCA and outlined in the first section of your report. Please comment in particular on the challenges the pandemic posed to the decision-making framework on the matters listed below. This is not an exhaustive list and please provide any further observations on the challenges to decision-making during the pandemic:

a. The concept of a Lead Government Department to spearhead the response to a prolonged, multi-faceted emergency;

b. The role of the Cabinet Office as a cross-government policy broker to respond to a prolonged, multi-faceted emergency;

c. The timing and involvement of the Prime Minister in COBR and other Cabinet committees;

d. The size, role and membership of SAGE and its sub-groups to advise Cabinet committees, the Cabinet and the Prime Minister through a prolonged, multi-faceted emergency;

e. The role of intergovernmental structures between the UK Government and the devolved governments to ensure a 4-nation approach through a prolonged, multi-faceted emergency;

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f. The appropriate balance to strike when establishing structures around the Prime Minister to assist and inform effective and efficient decision-making (such as the use of WhatsApp, informal meetings etc.), but to maintain an appropriate level of bureaucracy to ensure decisions are properly prioritised, accurately recorded and actioned.

6. Bearing in mind your answers to question [5], please comment on how the decision-making for the UK central government response to the Covid-19 virus was organised by reference to the periods outlined below (these time periods have been identified for guidance only – please use any different periods that you consider more illuminating / appropriate). In answering this question please outline any new Cabinet committees, roles or organisations established during any of the periods to assist with UK central government decision-making and the reasons for these changes and how that reduced or increased the challenges to decision-making. You may also wish to consider the impact, if at all, of the merger of government departments, the creation of new arms length bodies and changes in government ministers during any of the periods listed.

> a. 1 January to 29 February 2020;
>
> b. 1 to 14 March 2020;
>
> c. 15 March to mid-May 2020;
>
> d. mid-May to 6 July 2020;
>
> e. 7 July 2020 to 19 Dec 2020;
>
> f. 20 Dec 2020 to 13 March 2021;
>
> g. 14 March to 31 October 2021; and
>
> h. 1 November 2021 to February 2022.

7. In explaining how the UK central government response was organised for each period, as far as possible, please set out the role and involvement in decision-making of each of the individuals and organisations listed below.

> a. The Cabinet Office;
>
> b. The Civil Contingencies Secretariat;
>
> c. COBR;
>
> d. The Government Chief Scientific Adviser and the Chief Scientific Advisers of the
>
> 3 devolved administrations;
>
> e. The Chief Medical Officer in each of the 4 nations of the UK;
>
> f. SAGE and its sub-groups;
>
> g. The Cabinet Secretary;

h. The Lead Government Department;

i. The governments of the devolved nations;

j. The UK Cabinet;

k. No 10 Downing Street, and the Prime Minister's Office; and

l. The Prime Minister.

8. Please set out your views on successes, failings and lessons learned with regard to the structures for UK central government decision-making during the pandemic. In answering this question, please include details of any reviews undertaken into the structures of UK government decision-making, including work by the Institute for Government and the National Preparedness Commission. Please also identify areas for recommendations that the Inquiry should consider in this field.