

Witness Name: Ian Trenholm

Statement No.: 1

Exhibits: CQC/1 – CQC/21

Dated: 26 July 2023

## **UK COVID-19 INQUIRY**

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### **WITNESS STATEMENT OF IAN TRENHOLM**

**Chief Executive**

**Care Quality Commission**

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I, Ian Trenholm, Chief Executive of the Care Quality Commission, Citygate, Gallowgate, Newcastle upon Tyne NE1 4PA, will say as follows: -

1. I am employed by the Care Quality Commission (CQC) as Chief Executive, a post I have held since August 2018.
2. Prior to this I was Chief Executive of NHS Blood and Transplant from 2014, and previously Chief Operating Officer at the Department of Environment, Food and Rural Affairs (Defra). Prior roles have included Chief Executive of the Royal Borough of Windsor and Maidenhead and Strategic Director for Resources at Buckinghamshire County Council. I began my career as an Inspector in the Royal Hong Kong Police Force and then served with the Surrey Police for four years, before moving to the commercial sector.
3. I make this statement in response to the request from the UK Covid-19 Public Inquiry (“the Inquiry”), dated 3 July 2023, asking that I provide a witness statement in respect of matters I raised with the Inquiry in my letter of 30 June 2023 [CQC/1 - INQ000225962]. I am duly authorised to make this statement on behalf of CQC.
4. Save where it is stated otherwise, the contents of this statement are within my own knowledge. This statement is to the best of my knowledge and belief accurate and

complete at the time of signing. Notwithstanding this, it is the case that CQC continues to prepare for its involvement in the Inquiry. As part of these preparations, it is possible that additional material will be discovered. In this eventuality any additional material will of course be provided to the Inquiry and a supplementary statement will be made if required.

5. This statement has been prepared following consultation with colleagues at CQC in order to provide as accurate an account as possible on behalf of CQC.
6. The first witness statement of the Rt Hon Matt Hancock MP to the UK Covid-19 Public Inquiry (the Inquiry), dated 12 May 2023 [CQC/2 - INQ000181825], states, at paragraph 87: “No-one even knew how many care homes were in operation across the country each council had a separate list. Even the Care Quality Commission (“CQC”) did not know.” Whilst giving oral evidence to the Inquiry on 27 June 2023, Mr Hancock commented similarly: “For instance, how many care homes are operating right now in the UK? That was a fact that we did not know at that time.” (Transcript from Module 1 hearing on 27 June 2023, page 46 line 23 – 25 )
7. CQC is not a Core Participant in Module 1 and therefore we had not had sight of Mr Hancock’s statement, or any of the other evidence provided in Module 1, until it was published on the Inquiry’s website.
8. On 30 June 2023, following Mr Hancock’s oral evidence to the Inquiry on 27 June 2023, I wrote to the Inquiry setting out our position around the availability of the directory of registered adult social care providers, to ensure that the Inquiry has accurate information [CQC/1 - INQ000225962]. I have been asked to provide this statement to support this position.
9. A list of all adult social care providers within our scope of regulation, including all care homes registered to care for older people (the Care Directory), is publicly available on our website and is updated monthly. Detailed changes to the core records occur internally on a daily basis.

10. Dormant services, where a provider is registered with us but not currently providing the regulated activity covered in their CQC registration, are included in this list. This is because, although currently dormant, the service remains registered with us and the provider has the ability to resume providing that regulated activity.
11. It is an offence to operate as an unregistered provider.
12. CQC was established in April 2009. Since that date information on what providers and locations are registered with us has been available on request. When we upgraded our website during 2011 and 2012, we included the option for people to download this data directly. This was presented on our website as an automatically generated file listing all locations in England where care is regulated by us, updated weekly. This has been available since at least 3 May 2012 and has continued to be available on our website, with an automated weekly update, ever since. Our website now features this information in a data spreadsheet with the heading 'Locations regulated by CQC'. A copy of the spreadsheet, correct as at 20 July 2023, is annexed as [CQC/4 - INQ000225961]. Our website also features additional data spreadsheets, for example: 'Care directory with filters' which was added to our website on 24 June 2015; a further version, 'Care directory with ratings', which was added on 2 September 2015; and three further data spreadsheets, all added on 1 August 2017, which are linked on our website where it says 'See also: CQC register: nominated individuals, managers and regulates activities' under the heading 'Care directory with ratings'. A screenshot of our website taken on 20 July 2023, which reflects the information described above, is annexed as [CQC/5 - INQ000225977], the website URL is <https://www.cqc.org.uk/about-us/transparency/using-cqc-data>.
13. On 25 March 2020 we contacted DHSC asking that some clarification be provided, as we were concerned that our list of registered providers was not being used when providers were seeking information about access to PPE. This concern was prompted by a registered provider contacting us, having been informed on a phone call with NHS Supply Chain that they were not on the list for distribution of PPE. We provided a link to our online register and confirmed that, as it was updated monthly, it would be updated a week later. We offered to provide an update to cover the list of providers registered with us during the previous three weeks, to

ensure the information was as up-to-date as possible. DHSC agreed this would be useful and confirmed that our list was being used. We provided this bespoke update of our Care Directory the following day, 26 March 2020, in order to help with the roll-out of PPE. This included all registered care providers. We did not receive a specific request from DHSC for a list of care homes registered to care for older people. The relevant correspondence is annexed as [CQC/6 - INQ000225978].

14. To enable comparison between this bespoke version and what was publicly available, [CQC/7 - INQ000225979] shows what was available on our website under 'Care Directory with filters' in March 2020 (published on 2 March 2020). Based on the date range of focus in Module 1 of the Inquiry (11 June 2009 to 21 January 2020), [CQC/8 - INQ000225980] has been included to show what was available on our website in January 2020 (published on 2 January 2020).
15. On 10 June 2021, Mr Hancock, then Secretary of State, responded to a question at the Health and Social Care Committee and Science and Technology Committee joint inquiry into 'Coronavirus: lessons learnt'.
16. On 10 June 2021, the Evening Standard reported on the comments made by Mr Hancock at that hearing into 'Coronavirus: lessons learnt' [CQC/9 - INQ000225981]. The following day they published a further article, reiterating Mr Hancock's claims and including a statement from DHSC, which stated that 'an "accurate list" of all care homes was "not readily available" at the start of the pandemic'. [CQC/10 - INQ000225963]
17. When DHSC contacted CQC in the usual way on 11 June 2021 to ask for comment on their proposed statement to the Evening Standard, we responded to confirm that it was not accurate. However, as can be seen from [CQC/10 - INQ000225963], this statement appeared in the Evening Standard article of 11 June 2021. Our Director of Engagement then made contact with the Director for NHS Quality, Safety, Investigations at DHSC, seeking to understand why DHSC had stated that an accurate list of care homes had not been available. In response, on 16 June 2021, DHSC stated that the list was "not sufficient for monitoring and delivery

purposes in a pandemic situation”. We were not given an adequate explanation for why our list was insufficient, as it contained the details of all care homes in England that were registered with us, reflecting the legal requirement to be registered with CQC in order to operate. The relevant correspondence is annexed as [CQC/11 - INQ000225964] - [CQC/12 - INQ000225965].

18. On 17 June 2021, the Evening Standard contacted us again, regarding a further article they were researching. As can be seen from the attached email log [CQC/11 - INQ000225964; CQC/13 - INQ000225966; CQC/14 - INQ000225967; CQC/15 - INQ000225968; and CQC/16 - INQ000225969] we repeatedly advised DHSC of the factual inaccuracies in their statement. However, as had been the case the previous week, and despite an assurance that edits would be made, the Evening Standard article of 23 June 2021 [CQC/17 - INQ000225970] contained quotes from both DHSC and ‘a Government source’.
19. This ‘Government source’ alleged that the data from us ‘contained “insufficient detail”, that there were some care homes “missing” from the list that needed to be “identified and added”. In addition, the article quoted DHSC as saying that an “accurate list” of all care homes was “not readily available” at the start of the pandemic. It also continued to insist that our list “may not be up-to-date”, despite the legal requirements and the additional bespoke list we provided. DHSC was quoted as having worked to “revise” our published list, stating this included removing care homes that had closed or were inactive and separating out care home locations where a care home has multiple sites but a single CQC ID/registration. The fact that services not regulated by us would not be included in our list, a point we had previously noted to DHSC in our attempts to clarify their statements, was acknowledged.
20. In the absence of any correction, on 25 June 2021 I wrote to the Permanent Secretary to address the matter. [CQC/18 - INQ000225971]
21. I confirmed that a list of all adult social care providers within our scope of regulation, including all care homes registered to care for older people (the Care Directory), was publicly available on our website and was updated monthly. I also

confirmed that we had not received a specific request for a list of care homes registered to care for older people. However, as the latest list had been published earlier that month, in line with our monthly reporting, on 26 March 2020 we provided DHSC with a bespoke update of the Care Directory to ensure the information was as up-to-date as possible.

22. On 5 July 2021 I received a response from Michelle Dyson, Director General, Adult Social Care, on behalf of the Permanent Secretary. [CQC/19 - INQ000225972].
23. On 28 June 2023 we were approached by the Telegraph for comment on Mr Hancock's evidence to the Inquiry provided on 27 June 2023. On 28 June 2023 CQC notified DHSC of our intended response to the Telegraph which included reference to my letter to the Inquiry sent on 30 June 2023. The relevant correspondence is annexed as [CQC/20 - INQ000225974].
24. On 3 July 2023 DHSC's Briefing Team for the Adult Social Care Strategy Directorate wrote to CQC seeking our comments regarding a question for the Care Minister on the issues which have been set out in this statement. CQC responded on 4 July 2023 and we shared our updated media lines on the issues as provided to the Telegraph. The relevant correspondence is annexed at [CQC/21 - INQ000225975].
25. The Inquiry has also invited us to cover any other information that we believe they ought to have knowledge of when considering the issue of planning, preparedness and resilience of the care sector in the context of Module 1 and in the context of my letter to the Inquiry of 30 June 2023. As we are not a Core Participant for this Module and therefore only have access to the publicly available information, we have no further comment at this stage.

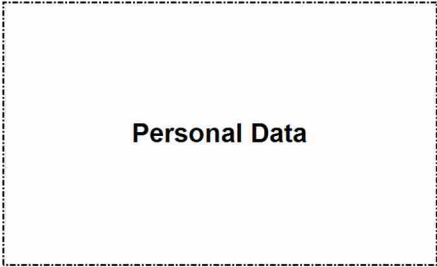
### **Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false

statement in a document verified by a statement of truth without an honest belief of its truth.

**Signed:** \_\_\_\_\_  **Personal Data**

**Dated:** 26 July 2023

 **Personal Data**