

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

UK COVID-19 INQUIRY

SECOND WITNESS STATEMENT OF JEREMY POCKLINGTON

Module 2 – Tranche 2

I, JEREMY POCKLINGTON, Permanent Secretary of the Department for Energy Security and Net Zero, 1 Victoria Street, London, SW1H 0ET, **WILL SAY AS FOLLOWS**

1. I am the Permanent Secretary of the Department for Energy Security and Net Zero. I commenced this role on 7 February 2023. Prior to holding this role, I was the Permanent Secretary for the Department of Levelling Up, Housing and Communities (“the Department”). I commenced this role on a temporary basis in the first week of March 2020. I held the post officially from 30 March 2020 until 7 February 2023. Unless otherwise stated, the facts contained in this witness statement are within my own knowledge and are true. Where they are not within my own knowledge, they are derived from the sources to which I refer and are true to the best of my information and belief. Privilege is not waived in any privileged document or communication which is referred to in this witness statement.
2. References in this witness statement are to exhibits in the form **(JP2/X – INQ/000000)**.
3. Module 2 focuses on core political and administrative decision-making by the Government in the period 1 January 2020 to 24 February 2022. My first witness statement dealt with the period between 1 January 2020 and 26 March 2020. This witness statement focuses upon 27 March 2020 to 31 October 2020. A further witness statement will follow, covering 1 November 2020 to 24 February 2022.
4. The Department for Levelling Up, Housing and Communities (and its predecessor forms) is referred to as “***the Department***” throughout.
5. In the ‘introductory points’ section of my first witness statement I explained the approach I have taken to addressing non-pharmaceutical interventions, and I adopt the same approach here.
6. This witness statement is structured as follows:
 - A. Departmental role and responsibilities

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

B. Overview of actions between late March and the end of October 2020.

C. Actions between late March and the end of October 2020

- (i) Shielding
- (ii) Adult Social Care
- (iii) Personal Protective Equipment (including distribution)
- (iv) Funding support for Local Authorities
- (v) Closures, local lockdowns, tiering and local outbreaks
- (vi) Safer Public Spaces and 'Covid Marshals'
- (vii) Test, Trace, Contain and Enable Programme ("TTCE")
- (viii) Domestic Abuse
- (ix) Homelessness, rough sleeping, and support for the housing sector
- (x) Faith race and integration issues (including support for Gypsy, Roma, and Traveller communities)
- (xi) Disproportionately impacted groups (including the 'Community Champions' initiative)
- (xii) Death management and burial practicalities
- (xiii) Steps in relation to forfeiture of commercial premises
- (xiv) Resilience and Emergencies Division (including work in relation to Local Resilience Forums support including 'Military Aid to Civil Authorities')
- (xv) Data Modelling
- (xvi) Role in development of legislation

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

7. This witness statement also includes Annex A, which contains an alphabetical glossary of acronyms appearing below.
8. Separately, the Department is providing a chronology comprising key events and decisions in which the Department was involved for the period 27 March 2020 to 31 October 2020 (“**the Chronology**”).

A. DEPARTMENTAL ROLE AND RESPONSIBILITIES

9. The Department's role and responsibilities up to 26 March 2020 are set out in my first witness statement. During the 27 March 2020 to 31 October 2020 period covered by this witness statement, the following change occurred: the Department's Closures team was stood down on 2 October 2020 (**JP2/01 – INQ000104703**), after which the Department of Health and Social Care (“**DHSC**”) formally assumed full responsibility for Public Health Regulations in relation to business closures. Prior to this time, this Department had held responsibility for drafting Public Health Regulations albeit that they were always signed off by DHSC.
10. The Department continued to communicate with local government throughout the period through a pre-established engagement framework including, daily bulletins providing updates to recipients across the sector, a dedicated web page, regular webinars and political roundtables with senior leaders, and meetings with Chief Executives. The engagement framework allowed cross-Government access (at Ministerial and Senior official level) to Local Authorities (“**LAs**”), and access by LA leaders to Central Government. The engagement framework did not replace relationships other departments already had with their own LA contacts. Relationship Managers in the Local Government Engagement team shared emerging local intelligence they were picking up from discussions with LAs, with officials across Government. In addition to these channels, the Department set up bespoke working groups to work through specific operational or policy challenges. The Department also facilitated senior secondments of council officials into DHSC to provide support.

B. OVERVIEW OF ACTIONS BETWEEN LATE MARCH AND THE END OF OCTOBER 2020

11. This section provides an overview of the various matters the Department was involved in (within the scope of Module 2) within the period 27 March 2020 to 31 October 2020. More detail is set out in Section C below.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

12. The Department continued and consolidated work that had commenced prior to 27 March 2020. Programmes established early in the pandemic became embedded and the Department addressed new issues as and when they emerged, increasingly doing so through setting up or utilising existing links with LAs.
13. In particular, the Department continued to co-ordinate the Shielding programme, including managing the relationship with LAs on behalf of all the engaged Central Government departments.
14. In relation to Adult Social Care ("**ASC**"), the Department also continued to work closely with DHSC. As explained in my first witness statement, the Department does not have responsibility for policy decisions in that area, but it nonetheless has a significant role because of its overall relationship with the LA sector who commission and deliver some ASC.
15. The Department also undertook work relating to Personal Protective Equipment ("**PPE**"). DHSC led on the provision of PPE, but the Department's involvement was necessary due to LAs requiring access to PPE for delivery of ASC and because of this Department's links with the Local Resilience Forums ("**LRFs**").
16. The Department continued to be alive to the wider need to ensure that LAs in England had sufficient resources to maintain services while responding to the pandemic and made arrangements for additional grants.
17. The Department continued to be tasked with leading for Government on closures of premises and the related public health legislation (though this changed in October 2020, as discussed further below). This also included managing regulations on social distancing; enforcement of new rules; and providing new, novel powers to local government to enable them to make decisions on closures of premises and/or public spaces (such as beaches). The Department also worked closely with the Joint Biosecurity Centre ("**JBC**") and DHSC on developing a framework for local outbreak management, and on the move to a tiered approach to restrictions. The Department led engagement with some local areas in relation to them moving to higher level (Tier 3) restrictions.
18. The Department also continued to offer clarification and public health communications in certain areas such as social distancing when it was tasked with considering what measures public space owners and operators could take, as well as exploring the introduction of Covid Marshals.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

19. Following the launch of DHSC's Test and Trace programme in May 2020, the Department played a supporting role to ensure local government concerns were escalated and their needs considered in policy development.
20. The Department had a role in supporting victims of domestic abuse ("DA") in line with its housing responsibilities and relationship with local government. DA was a focus for the Department, including the monitoring of available bedspaces and assessing need. An allocation of £10m was provided to be allocated to DA charities for safe accommodation services.
21. With regard to vulnerable rough sleepers, the Department continued its work to ensure that they were supported off the streets and into longer-term accommodation, where possible. The Department also made decisions to extend or adapt the significant measures that had been introduced in the housing sector in March 2020.
22. The Department continued to address Covid-19 related faith and community issues, including in new sector-specific taskforces, and worked towards re-opening of certain facilities for worship and services. In particular, the Department provided support for Gypsy, Roma, and Traveller communities.
23. The Department considered the adverse impacts of Covid-19 on disproportionately impacted groups ("DIGs") and how these might be mitigated. This included the introduction of the 'Community Champions' initiative to support LAs and community organisations to improve information sharing with groups at greater risk of Covid-19.
24. Death management was another area in which the Department had a supporting role, working with local areas to ensure that death management services were not overwhelmed. This included the roll out of additional body storage capacity where required; data collection and modelling; and statutory guidance which was updated.
25. Because of the Department's existing responsibility for commercial property, it also led on measures seeking to extend the moratorium on forfeitures of commercial premises during the pandemic (the rationale for which was primarily economic, but which also had a role in avoiding unnecessary movement spreading disease).
26. Another wider aspect of the Department's actions in this period involved developing a reporting framework for LRFs to report on situational awareness; and arranging additional senior level support to LRFs and military assistance where the Department held policy responsibility, or where it supported other departments to activate it.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

27. It is understood that the Inquiry is interested in the Department's involvement in data modelling. Such involvement was limited but is set out further below in Section C under the appropriate sub-heading.
28. Finally, and as alluded to above, during this period the Department had a role in the practical development of certain provisions in the public health and coronavirus legislation and regulations. In addition to the legislative aspects of the workstreams described above, this included promoting two Statutory Instruments ("**SIs**") in relation to postponement of elections and assisting LAs undergoing structural reform.

C. ACTIONS BETWEEN LATE MARCH AND THE END OF OCTOBER 2020

Shielding

29. The objective of the shielding programme was to minimise mortality and severe illness among those who were clinically extremely vulnerable ("**CEV**") by providing them with public health guidance and support to stay at home and avoid all non-essential contact. During this period, the Department remained overall programme lead for the shielding support offer. As set out in my first witness statement, the clinical decision to introduce shielding and who should shield was not taken by this Department. The original shielding support model was determined and introduced by 27 March 2020, including the issuing of guidance to LAs and LRFs. The first food boxes were delivered on 28 March 2020 and the National Shielding Helpline launched the same day.
30. The Department continued to coordinate the shielding programme and managed the relationship with LAs on behalf of all the engaged Central Government departments. This coordination role meant that the Department was responsible for making sure the different parts of the shielding programme, delivered by many different departments, came together in support of the overall goal of providing support to individuals who were defined as Clinically Extremely Vulnerable ("**CEV**") to Covid-19.
31. The Department established the Shielding Stakeholder Engagement Forum ("**SEF**") on 8 April 2020, to seek insights from LAs, who were best placed to understand issues arising in their area, and particularly needs of individuals that were not being met. The SEF consisted of Chief Executives and senior officers representing the 9 regions of England. The Forum focused on;
- working to improve shielding support for individuals who were identified as CEV through joint working; and

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- the establishment of a Regional Engagement team in late April 2020, providing a named contact in the Department for each LA.
32. The SEF provided the Department with feedback on how the system was working. The Department shared this with other departments to inform their own guidance and policymaking. For example, LA views directly influenced the new Business, Energy and Industrial Strategy (“**BEIS**”) employment guidance for CEV individuals, including clarifying protections against unfair dismissal. SEF feedback also informed updates to the Health and Safety Executive’s (“**HSE**”) page on ‘Protecting Vulnerable Workers’ to include information for employers on best practice when speaking to their vulnerable employees about workplace risk and reducing transmission of Covid-19.
33. A systematic log of much of the evidence the Department considered was created to identify trends. This includes media reports; feedback from LAs; issues raised in correspondence; stakeholder engagement; and research. During the time period covered by this witness statement, there were four key areas of decision making in which the Department was involved and the evidence gathered above fed into this. I deal with these four areas of decision making below by addressing each separately, although there is some chronological overlap.

(1) Core Support Offer of Food Boxes and Medicines is ended.

34. In June 2020, the Deputy Chief Medical Officer (“**DCMO**”) (the appointed clinical lead for Shielding) concluded that it was appropriate to relax shielding guidance. The Department was not involved in this decision.
35. On 22 June 2020, following the Prime Minister’s (“**PM’s**”) agreement with clinical advice on which DHSC led, the Government (via the Health Secretary) announced a staged relaxation of shielding measures from 6 July 2020, if the incidence rate in the community remained low, with a view to pausing the advice to shield (**JP2/02 – INQ000104275**) at the end of July 2020. On 22 June 2020 a letter (**JP2/03 – INQ000104733**) was issued to all CEV individuals in England by the Department and DHSC announcing the forthcoming pause of shielding.
36. The Department’s SoS (Robert Jenrick) considered advice on the approach to winding down the support made available, consisting of: the imposition of a deadline of 17 July 2020 for CEV individuals to register new requests for support (food boxes, priority supermarket status, free delivery of medicines and care) to enable them to access support up until 31 July 2020; signposting to other sources of support, e.g. supermarket

priority slots, access to support from the NHS Volunteer Responder Scheme and LAs; and notifying CEV individuals several times and sufficiently in advance of support being wound down to allow them time to prepare.

37. On 31 July 2020, in line with the Government announcement of 6 July 2020, the national advice to shield and the associated support programme (of free food boxes, medicine delivery and help with care) ceased.

(2) Support for localised shielding in areas of extended lockdown.

38. On advice of the DCMO, DHSC decided to take a more targeted approach to shielding advice at LA level, in areas where incidence and transmission rates continued to be of particular concern. Decisions on which areas in local lockdown required targeted shielding were taken by the DCMO, and the Department played a role in the following locations; (i) Luton, (ii) Leicester and Leicestershire, and (iii) Blackburn with Darwen. The Department's role related to securing additional funding to allow local lockdown areas to continue with shielding arrangements, and liaising with those areas affected to ensure they were ready to provide appropriate support to individuals who remained subject to the advice.
39. In discussion with the LAs involved, the Department agreed (**JP2/04 – INQ000104680**) to provide funding to deliver support at a local level and worked closely with them to ensure a suitable support offer. The approach taken provided evidence to inform the development of a locally led model for the future. LAs' reported spend fed into future funding allocations for shielding, informing a funding formula which was agreed with His Majesty's Treasury ("HMT") to cover shielding support for future local areas where it was needed. Further information in relation to the Department's role in local lockdowns is set out in the relevant section below.

(3) Move to a Local Delivery Model for Support for Shielding.

40. In June 2020, Cabinet considered a Cabinet Office paper on what the support offer for CEV individuals should look like over the next 12 months. It was agreed that the Department would retain overall oversight of the programme.
41. Insight from LAs was critical in developing the local support offer, and guidance to LAs on their support offer was jointly developed with the sector. Over the summer of 2020, the Department established a project board and two 'task and finish groups' – one on local lockdowns, (**JP2/05 – INQ000104740**), and one on data - to design a local

1. Witness Name: Jeremy Pocklington

2. Statement No.: 2

3. Exhibits: [JP2/1 – JP2/90]

4. Dated: 22 August 2023

support offer for those shielding, in particular drawing on learning from “wave one” and local shielding support, as described above. The local lockdown group was co-chaired with the Chief Executive from Halton Borough Council.

42. On 6 August 2020, the Covid-19 Operations Committee agreed the need to continue providing support for those who may be asked to shield again in future and made the decision to *“move towards a targeted local delivery model for shielding services and to ensure this could be scaled up in the event of a larger wave”*. This paper also noted that there needed to be a contingency for national shielding support until such time as the local support offer was in place. The Department prepared a business case for this support model, **(JP2/06 – INQ000104681)**.
43. On 13 October 2020, updated guidance was published by the UK Health Security Agency (“UKHSA”) and DHSC, and a new LA Shielding Framework was issued, **(JP2/07 – INQ000137036)**. The framework was a live document, co-designed with LAs (including those that trialled the local model) and updated following feedback and national changes.
44. Plans were made in respect of assurance LAs could deliver. On 13 October 2020, the Department issued a letter to LAs about preparation for the potential reintroduction of shielding, this included the Shielding Framework intended to help with local planning, **(JP2/08a – INQ000104674, JP2/08b - INQ000104694)**. A self-assessment tool was sent to LAs on 16 October 2020, to understand their readiness to stand up shielding support and inform any targeted support that was needed, **(JP2/09 – INQ000104677)**.
45. The new National Shielding Support System website (“NSSS”) launched on 21 October 2020. The NSSS enabled CEV individuals to request access to priority supermarket food delivery slots and basic care support from their LA. The system matched data with NHS Digital’s Shielded Patient List (“SPL”) and shared information with participating supermarkets and LAs so that people on the SPL could be offered priority supermarket delivery slots and/or be put in touch with their LA for other support needed.

(4) A tiered approach to guidance for CEV individuals linked to local alert levels.

47. On 1 October 2020, SoS (Robert Jenrick) attended a COVID (O) meeting, where DHSC presented a paper recommending that Government introduce tiered protective advice for CEV individuals, linked to proposed Local Alert Levels. Ministers agreed that full shielding should not be reintroduced and that the approach to protecting the most

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

clinically vulnerable should be revised. The Department considered whether any further changes to the support offer were needed to reflect the new graduated approach.

48. On 5 October 2020, COVID (O) Ministers agreed to DHSC proposals for the new tiering framework.
49. On 9 October 2020, COVID (O) considered the support offer and link to Tier 3 restrictions. This included a recommendation from the Department that, in the event that people were advised to resume shielding and follow the most restrictive measures at Local Alert Level 3+, the Government would ask LAs to contact those previously in receipt of support and new additions to the SPL, triage their needs, and ensure they were able to access core support as needed. The Department also recommended asking LAs to provide a basic safety net for those CEV people without alternative means of support, with funding for LAs in Tier 3 to be agreed with HMT. Ministers agreed to the proposals for providing support to CEV people, reflecting the new tiering approach.
50. On 13 October 2020, the Department issued a letter to LAs setting out the steps the Government was taking to prepare for the potential reintroduction of shielding including new funding arrangements, alongside guidance for LAs on support to CEV individuals advised to shield, (**JP2/8a – INQ000104674, JP2/08b INQ000104694**). This Shielding Framework, co-designed with LAs over the summer of 2020, was intended to help with local planning and it set out the main considerations for LAs to address in order to support individuals to follow shielding advice if reintroduced. The letter also included a Supermarket Offer Toolkit, which provided information on the policies and pricing of supermarket deliveries, to enable LAs to help vulnerable people access food in a way that best met their needs, (**JP2/11 – INQ000104739**).
51. On 16 October 2020, DHSC issued a letter to LAs informing them about changes to the Contain Outbreak Management Fund ("**COMF**"), which included reference to funding LAs for supporting individuals who were shielding. This was followed by a letter on 2 November 2020 from the Department to LAs with further details of funding available, amounting to £14.60 per CEV individual on the SPL, (**JP2/12 – INQ000104706**).

Shielding data and communications

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

52. The Shielding programme was dependent upon the NHS Digital led SPL for England. The SPL included patients registered for healthcare in England and identified nationally using the clinical methodology, as well as patients routinely identified as at high risk by their General Practice or hospital specialist.
53. Analysts in the Department and the Department for Work and Pensions (“**DWP**”) explored the benefit profile of the SPL cohort to better understand the benefit distribution across the cohort. This work was sensitive, and only aggregated data was shared with policy officials at Cabinet Office (“**CO**”) and HMT.
54. The Office of National Statistics and DHSC (“**ONS-DHSC**”) conducted regular surveys about shielding behaviour of a sample of the SPL. These were very important for the Department and all other departments to understand and estimate the scale of need, and the experiences of shielding during the first and second tranches.
55. In terms of public health communications, DHSC led on communications with CEV individuals, but this Department gave input to ensure that the support offer was being described clearly and accurately. Examples include: a letter to patients after the 22 June 2020 announcement of forthcoming changes to shielding advice; a letter to CEV individuals in Blaby and Charnwood dated 27 July 2020; and updated guidance published on 13 October 2020.
56. In line with the Public Sector Equality Duty (“**PSED**”), the Department worked to build evidence of the characteristics of the shielding population, and consider equalities impacts during major changes of the programme. The Department gathered evidence and undertook equalities impact assessments to inform policymaking at key points in the programme, such as the decision to pause shielding and associated support at the end of July 2020, and the introduction of a locally-delivered model. Ministers were, for example, advised on 7 October 2020 that a local model could increase risk that CEV individuals with protected characteristics could not access support if funding proved to be insufficient. The document outlined a number of mitigations to prevent this, including publishing a local framework and new central registration scheme.

Adult Social Care

57. In this period, the Department’s role was (i) to work with DHSC to ensure LAs received adequate funding for the additional costs LAs faced and those faced by ASC providers; and (ii) to support communication and joint work between DHSC and LAs so that DHSC policy properly considered the needs of LAs in delivering their ASC roles and

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- responsibilities in the pandemic. This included DHSC's work on workforce, infection control and LAs work with care homes.
58. On (i) above, the Department led on funding for local government in line with its standing responsibilities. DHSC led on specific Covid-19 ringfenced funding, which the Department supported them with from a local government finance perspective. During the period of time covered by this witness statement, the Department led on 3 tranches of un-ringfenced grant funding as set out in the section below on Funding Support for LAs. LAs are always able to spend their un-ringfenced funding, including locally raised revenue, on ASC services. DHSC separately delivered 2 rounds of specific ringfenced funding to LAs for infection control, testing and workforce capacity during the period covered by this witness statement. Decisions taken on this funding were made by DHSC, with the Department contributing to communications to LAs.
59. On (ii) above, the Department supported DHSC on the guidance they were producing for ASC, facilitating consultation with LAs through stakeholders' groups from March 2020 into Autumn 2020 and beyond, on workforce, infection control and LAs' work with care homes. The Department emphasised that the system needed co-operation between the NHS and LAs to be effective and sought clarity on the LA role. Departmental involvement reduced as DHSC developed and strengthened relationships with LAs over the course of 2020.
60. While DHSC retained responsibility for decisions regarding ASC policy, from early March 2020 there were daily meetings, held between the ASC Covid-19 Cell and DHSC that subsequently transitioned to weekly meetings around April 2020. The ASC Cell had access to DHSC COVID situational reports for their Ministers, which allowed the Department to identify LA concerns and interests and share these with both Departmental and DHSC Ministers. Officials from this Department sat in on DHSC Ministerial meetings to give updates on LA pressures, in line with the Department's two priorities for ASC. Cross-Government decisions were made through the COVID-O Cabinet committee rather than Department-DHSC ministerial bilaterals.

Personal Protective Equipment

61. From late March 2020, reporting by LRFs and Local Government indicated local shortages in PPE and difficulties in securing supplies, and concerns that suppliers were prioritising NHS users leaving other service providers, especially social care, in great difficulty. For example, on 20 March 2020, the Department were notified by

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- Bradford Metropolitan District Council that there was a lack of PPE to deal with the discharge of patients from hospital. Following this, the Department also received notification from Warrington Borough Council of its intention to close frontline services on 30 March 2020 if PPE were not delivered.
62. The Department also had Government Liaison Officers (“**GLOs**”) embedded in LRFs who produced written notes of local multi-agency meetings they attended, including details of any discussions around PPE shortages. These readouts were emailed to DHSC for situational awareness purposes. In addition, the Department also deployed liaison officers to work in the DHSC Operations Centre from 31 January 2020 until 27 June 2020 and again in the second wave of the Covid-19 pandemic, later in 2020.
63. On 25 March 2020, a new LRF reporting framework was developed by the Resilience and Emergencies Division (“**RED**”). The LRF reporting framework allowed systematic means for LRFs to highlight emerging issues to be shared with DHSC by the Department. Further information regarding reporting from LRFs can be found in the Resilience and Emergencies Division section, below.
64. Data collection from LRFs aimed to establish a picture of local PPE need and supply pressures, including those arising from the need to meet the needs of vulnerable groups. A Situation Report dated 27 March 2020 (**JP2/13 – INQ000104663**) indicated a challenging position in relation to the availability of PPE for care settings, with a “Red” status for all issues. On the same day, a meeting chaired by SoS (Robert Jenrick) and Ministers from DHSC, Ministry of Defence (“**MoD**”) and the Home Office (“**HO**”) discussed PPE distribution and availability at local level.
65. LRFs highlighted PPE pressures and by 29 March 2020, 20 of the 38 LRFs had raised it as a concern. As a result, a PPE cell (initially staffed by RED staff) was created in early April 2020, to collate situational awareness of PPE shortages and to continue to share this with DHSC. When LRFs were reporting critical PPE shortages, the Department escalated these cases urgently via the PPE cell and the DHSC Liaison Officer. In these situations, the Department RED Operations Centre joined up DHSC and the LRFs to ensure urgent delivery.
66. PPE supply was discussed at a PM-chaired Covid-19 Strategy Meeting 31 March 2020, attended by the Department’s SoS (Robert Jenrick), (**JP2/14 – INQ000104726**).
67. On 1 April 2020, DHSC sent a letter to LAs and care providers regarding access to PPE and advising on plans to support access to PPE. This letter included advice to

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- escalate to LRFs any issues with PPE supply if not resolved by other steps such as access to the national supply distribution response (“**NSDR**”) which was available to support small-scale emergency supply where care providers could not secure access via their normal supply chains.
68. On 4 April 2020, the decision was taken by the Department and DHSC Ministers to deliver an immediate supply of PPE to LRFs, to address pressure in the supply chain due to increased demand and three challenges which non-clinical service providers were experiencing in accessing PPE. This decision was communicated to LRFs by letter from the Secretaries of State for DHSC (Matt Hancock) and this Department (Robert Jenrick), dated 5 April 2020, (**JP2/15 – INQ000104660**). This was initially intended as a one-off delivery of stocks equivalent to a week’s supply of PPE.
69. Department liaison with DHSC and military planners took place to decide amounts of PPE to be allocated to each LRF, with LAs being assigned into one of 3 Tiers (such tiering was unrelated to later decisions about tiering of restrictions by LA area, later in the pandemic). First deliveries to Tier 1 LRFs began on 5 April 2020. By 8 April 2020 all LRFs had received a delivery. A second wave of deliveries was completed by 11 April 2020. This Department issued operational guidance on the logistics of PPE drops to LRFs, (**JP2/16 – INQ000104665**).
70. Distribution through LRFs became the interim solution while DHSC’s online ordering system was still under development. DHSC continued to lead on clinical definitions about PPE requirements in different settings and services, and determined the overall balance of PPE distribution between NHS settings and LRFs; and this Department fed in evidence to support these decisions. LRF data collected by the Department was shared with DHSC at daily distribution meetings to assist with distribution decisions. Some further key dates are set out below.
- 12 April 2020: A DHSC letter and accompanying guidance on the use of PPE was circulated by the Department to LRFs. This letter also set out that the online PPE ordering system was scheduled to be operational in around 4 weeks.
 - 16 April 2020: The Department provided guidance to LRFs on receiving and distributing PPE and expectations for data collection. This letter also clarified that LRFs would continue to play a role in distributing PPE until a website for ordering PPE was fully operational.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- 05 June 2020: A letter from DHSC to LRFs set out a further regular pattern of LRF deliveries to take place on scheduled days, with continued engagement and data collection from the Department.
- 16 July 2020: Department officials recommended to SoS (Robert Jenrick) the PPE deliveries to LRFs should stop at the end of August 2020, stating that distribution channels were now more stable and that DHSC were confident supplies could be maintained without the LRF deliveries, (**JP2/17 – INQ000104672**). The Department developed a PSED for this advice to consider the impact of the recommendation on people at risk of catching Covid-19, and the position of people with protected characteristics. The summary identified that no protected group should be adversely affected by stopping deliveries to LRFs.
- 04 September 2020: DHSC notified LAs of future arrangements for distributing PPE, and that the emergency supply of PPE to LRFs via the Department would be ending by 11 September 2020.

Funding Support for Local Authorities

71. In this period, the Department's role was to ensure that local government had the financial resources, both cashflow and expected funding in order to discharge its responsibilities on the national Covid-19 response, and to maintain key services. Building on the initiatives introduced up to 26 March 2020 described in my first witness statement, and in recognition of the need to provide additional assistance, further funding support was given to LAs during this period as outlined below.

- **Cashflow support** –The Department was concerned that interruptions to LA income as a result of the pandemic could have a short-term impact on their cashflow. To help manage this, the Department made arrangements to defer payments that LAs were due to pay Central Government under the 'Business Rates Retention' (BRR) system. Some LAs (unitary and lower tier councils, which are known as 'billing authorities') collect all business rates, but under the BRR system, that income is shared between local government and Central Government. There are requirements set out in regulations for LAs to make payments to Central Government and to other authorities at particular points. The amount paid to Central Government is called the 'central share'. Billing authorities were due to

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

make £877m of central share payments to government in April and May 2020. On 30 March 2020, advice was sent to SoS (Robert Jenrick) proposing to defer these payments to later in the financial year, (**JP2/18 – INQ000104664**). The deferral was to mitigate against the loss of income LAs were experiencing. It did not give LAs additional resources but allowed them to manage their immediate cashflow. On 6 April 2020, further advice submitted to SoS (Robert Jenrick) recommended a six-month deferral, though it was ultimately subject to agreement with HMT, (**JP2/19 – INQ000104661**). The deferral of the central share payments was set at three months and delivered via regulations laid on 23 April 2020. This advice also recommended bringing forward payment of grants covering April 2020 to June 2020, worth £850m in total, to April 2020. This was also done.

- **Monthly financial monitoring** – In order to better understand the financial impacts of the pandemic on LAs, the Department introduced a new monthly data collection on the additional spending pressures and lost income for councils. This enabled us to respond as the pandemic developed. We complemented this monitoring with ongoing engagement with LAs.
- **Additional unringfenced funding support** – As councils continued to see higher costs for new activities created by the pandemic and to maintain core services, we provided further unringfenced financial support. Tranche 2 of unringfenced funding was announced in April 2020, amounting to £1.6 billion, (**JP2/20 – INQ000104709**). Tranche 3 was announced, on 2 July 2020, amounting to £500m, (**JP2/21 – INQ000104708**). For this tranche, a new Covid-19 Relative Needs Formula ("RNF") was adopted to determine the distribution of this funding. In developing the formula, the Department tested various demographic groups, deprivation, Covid-19 case rises, shielding, density and sparsity, for their significance in terms of driving costs. Tranche 4, in October 2020, provided £919m in further unringfenced funding for all LAs, (**JP2/22 – INQ000104711**). The RNF again used to allocate funding. In addition, adjustments were made to account for the different methodology initially used for the first two tranches, but with all LAs receiving at least £100,000.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

Technical notes on the RNF were published alongside the third and fourth tranches, (JP2/23 – INQ000104673).

- **Sales, Fees, and Charges Scheme** – The economic effects of the pandemic included a significant reduction on LA sales, fees, and charges income streams, such as leisure centre charges and parking income. A co-payment scheme for irrecoverable losses in 2020/21 was introduced to mitigate this impact. Under the Scheme, LAs bear the first 5% of losses compared to their budgeted income, and Central Government would cover 75p in every £1 of losses beyond that.
- **Collection Fund Deficits** – The Department anticipated that the economic effects of the pandemic could lead to a one-off increase in irrecoverable losses in Council Tax and/or Business Rates income, and therefore introduced measures to help LAs manage such losses by spreading them across three years, rather than the usual one year. Provision was, therefore, made for LAs to spread deficits in their Collection Fund (“CF”) in 2020/21 across three years. The CF is the account through which local tax payments are collected. This decision was announced by SoS (Robert Jenrick) following agreement from HMT, (JP2/24 – INQ000104691). The change required promulgation of legislation, and regulations were subsequently laid on 5 November 2020.
- **Exceptional Financial Support (“EFS”) scheme** - Due to the unpredictable and exceptional circumstances, the Department developed a scheme for providing exceptional financial support to LAs experiencing localised pressures. This was to ensure that LAs facing specific challenges were able to access support to continue to deliver services and to ensure that Covid-19 expenditure was not curtailed. This was raised in the 30 March 2020 ministerial submission referenced above, which recommended developing a mechanism for providing such support. The EFS scheme was created and was underpinned by a set of principles against which the Department could consider requests from LAs. Government consistently emphasised in its communications that LAs concerned about being able to keep their budgets in balance should approach the Department. Through the EFS scheme, Government provided direct support and financial flexibilities to LAs subject to a set of

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

conditions which reflected the principles of the scheme, in particular securing value for money and financial sustainability. In structuring that support, the Department's aim was to ensure that LAs concerned could continue to set balanced budgets and that service delivery, including of Covid-19 related services, were appropriately maintained.

72. In addition to the measures set out above there was a wide range of smaller funding streams led by other departments, for example:

- **Contain Outbreak Management Fund ("COMF")** – This was a DHSC fund set up to support LAs to carry out their responsibilities during the pandemic. On 16 October 2020, DHSC issued a letter to LAs informing them about changes to the fund which included a series of payments to be made available to LAs depending on their Local Covid-19 Alert Level to support proactive containment and intervention measures.
- **Infection Control Fund ("ICF")** – The Adult Social Care Infection Control Fund was introduced by DHSC in May 2020, to support ASC providers in England to reduce the rate of Covid-19 transmission within and between care settings.

Closures, Local outbreak managements and Tiering

Periodic easing of national closures restrictions

73. In my first witness statement I outlined the Department's initial work on lockdown closures up to 26 March 2020. In summary, on 20 March 2020, the PM tasked the Department (through SoS (Robert Jenrick)) with leading on implementation of premises closure, including the categorisation of businesses and venues and determining which would be required to close, and under what circumstances. On 26 March 2020, renewed Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (SI/2020/350) the ("**Regulations**"), made under the Public Health (Control of Disease) 1984 came into force, enforcing lockdown, with penalties for non-compliance, and requiring people to stay at home unless they had a reasonable excuse.

74. Following this period, the Department was responsible for the implementation of decisions taken centrally to progressively ease restrictions across England from May 2020, and then move towards local outbreak management from July 2020, through a

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

series of regular review points. The Department led on drafting and managing the necessary secondary legislation ("**Bill Management**") agreeing policy detail and producing GOV.UK guidance on business and venue closures.

75. As the lead on Bill Management, the Department worked closely with DHSC to produce the necessary supporting documentation during this period. This Department's role included drafting explanatory memoranda, impact assessments, PSED assessments, and all associated parliamentary documentation. The Department also led on drafting of the signing submission, which was signed by DHSC Ministers. DHSC officials supported this process by inputting epidemiological data into the submissions, and leading drafting on the NHS Act and Family Duty annexes. Department officials also played a lead role in preparing and supporting DHSC Ministers in parliamentary activity related to the Regulations.
76. Policy detail was primarily based on steers from Cabinet Office relating to the strategic parameters of the regulatory change. The Department then played a key role in brokering agreements on policy detail across a number of departments including any necessary amendments required within upcoming legislation.
77. The Department was responsible for drafting, issuing, and maintaining public guidance for businesses and other affected venues that set out the detail of the closures and restrictions. In addition to this, whilst not responsible for enforcement, this Department took on responsibility in relation to overseeing the accuracy of guidance for enforcement officials produced by the Police and Office of Products Safety and Standards.
78. The process outlined above facilitated the gradual relaxation of national restrictions. The following list includes headline descriptions for the changes made.:
 - 21 April 2020: in light of the requirement to follow the 21-day review of the Regulations, the Department provided significant input into the decision not to make any changes to existing restrictions and that the restrictions would remain in place for at least three more weeks.
 - 13 May 2020: amendments were made to enable access to key services, such as recycling centres, and for key workers to utilise hotels as required, (**JP2/25 – INQ000104667**).

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- 1 June 2020: gatherings of up to 6 people from different households outdoors were permitted, as were outdoor markets, **(JP2/26 – INQ000104678)**.
- 15 June 2020: visits for those at the end of life, giving birth, in hospital, hospices and care homes were relaxed, and non-essential retail reopened, **(JP2/27 – INQ000104669)**.
- 4 July 2020: a number of important leisure establishments including food and drink establishments and holiday accommodation were permitted to reopen, as well as places of worship, **(JP2/28 – INQ000104670)**.
- 11 and 13 July 2020: further relaxations allowed the reopening of outdoor swimming pools and other services such as nail salons, **(JP2/29 – INQ000104671)**.
- 25 July 2020: further relaxations to reopen indoor pools and indoor fitness venues, **(JP2/30 – INQ000104688)**.
- 14 August 2020: regulations were made to reopen indoor theatres, bowling alleys and soft play areas, **(JP2/31 – INQ000104675)**.

Local outbreak management – development of the Contain Framework

79. On 11 May 2020, the Government published “Our plan to rebuild – UK COVID-19 strategy” setting out the roadmap of restriction easements and the transition to locally led local outbreak management.
80. The Department set up a Local Outbreaks team in May 2020 to liaise with the newly formed Joint Bio-Security Centre (“JBC”) to support the transition to local outbreak management, assisting with the development of proposals for how this might be implemented in the form of a ‘Contain’ Framework of non-pharmaceutical interventions, which JBC owned. The Contain Framework set out the range of options to contain transmission at a local level.
81. The Department worked with both the JBC and DHSC to review gaps in existing legislation, which confirmed that without further regulations there were not sufficient powers by which either Ministers or LAs could impose all the local or regional interventions set out in the Contain Framework.
82. The Department provided support to DHSC and the JBC in relation to policy advice, the drafting of necessary regulations, and guidance on local outbreak management.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

83. On 26 June 2020, the JBC provided advice to the DHSC SoS and this Department's SoS (Robert Jenrick) on proposals to make regulations to provide LAs with powers to manage local outbreaks of Covid-19 as part of the Contain Framework. DHSC SoS took the decision on the wider Contain policy framework and the legislative underpinning for the local outbreak management powers. The advice set out the options and risks relating to the provision of new powers for Ministers to impose more stringent local outbreak management measures, such as stay at home orders, in response to outbreaks of Covid-19. It also highlighted a number of operational and economic challenges to address, including the matter of financial reimbursement for affected businesses and workers, as well as the enforcement of such powers. It also provided options for not proceeding with the regulations.
84. Following this advice, the work above culminated in the introduction of regulations to enable LAs to respond to local outbreaks through implementing the Contain Framework and the following publications in relation to local outbreak management:
- On 17 July 2020, the Contain Framework was published by DHSC on the same day as the cross-Government strategy 'The next chapter in our plan to rebuild'. The Contain Framework set out how LAs and Government would work together to manage local outbreaks.
 - On 24 July, a menu of options for Ministerial interventions was published by DHSC. Following advice from JBC, this set out how Ministers could control an outbreak if more wide-ranging action was necessary, building on the approaches taken nationally and in response to local outbreaks. It included draft options for intervention, including draft regulations, that illustrate how Government could legislate in a targeted, proportionate way to respond to the particular circumstances of an outbreak.

Local lockdowns

85. On 29 June 2020, DHSC SoS announced that the UK's first local lockdown would be applied in Leicester and parts of Leicestershire. On 4 July 2020, the local lockdown came into force, the same day as most national lockdown restrictions were lifted. Further local lockdowns were applied in a number of areas in the following weeks.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

86. During this period, the Department worked with DHSC in agreeing and supporting the laying of a number of local lockdown Regulations. Responsibilities were often shared on an ad hoc basis, with close cross-departmental collaboration.
87. These Regulations were revoked once the Covid-19 Alert Level Tiers strategy was introduced on 14 October 2020.
88. Regulations covered the following local areas between July and September 2020:

Regulations	Date introduced	Number of area changes	Date revoked
The Health Protection (Coronavirus Restrictions) (Leicester) Regulations 2020	4 July 2020	3	3 August 2020
The Health Protection (Coronavirus Restrictions) (Blackburn with Darwen and Luton) Regulations 2020	25 July 2020	0	1 August 2020
The Health Protection (Coronavirus Restrictions) (Blackburn with Darwen and Bradford) Regulations 2020	1 August 2020	5	22 September 2020
The Health Protection (Coronavirus Restrictions) (Leicester) (No.2) Regulations 2020	3 August 2020	1	14 October 2020
The Health Protection (Coronavirus Restrictions) (North of England) Regulations 2020	5 August 2020	9	14 October 2020
The Health Protection (Coronavirus Restrictions) (Bolton) Regulations 2020	10 September 2020	0	3 October 2020
The Health Protection (Coronavirus Restrictions) (Birmingham Sandwell and Solihull) Regulations 2020	15 September 2020	1	14 October 2020
The Health Protection (Coronavirus Restrictions) (North East of England) Regulations 2020	18 September 2020	5	14 October 2020

89. On 5 August 2020 SoS (Robert Jenrick) commissioned Dame Mary Ney to carry out a rapid stocktake of lessons learnt and good practice in the management of local Covid-19 outbreaks with a focus on the experience in Leicester City and Leicestershire. This was submitted to the Department on 21 August 2020 and published on 14 September 2020, (**JP2/32 – INQ000104719**). The report was used by the Department to feed its

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

learning points into work on engagement with LAs and diverse communities and to consider how best to secure compliance with local regulatory regimes.

90. As set out in Section A above, the Department's Closures team was stood down on 2 October 2020 after which DHSC formally assumed full responsibility in relation to Public Health Regulations.

National tiering approach and discussions in relation to local areas entering the very high level of restrictions (Tier 3)

91. At Covid-S on 21 September 2020 it was agreed that a local risk level approach for rationalising local interventions would be implemented.
92. A move to tiering was announced by the PM on 12 October 2020. This was intended to standardise local rules and introduced a three Tier system of local Covid-19 Alert Levels in England - set at medium, high, and very high. The PM's announcement asked local leaders in areas rated 'very high' to work with Government to introduce the restrictions in return for more support for local test and trace; more funding for local enforcement activity; the offer of help from the armed services; and a job support scheme announced by the Chancellor.
93. The role and approach of the Department in relation to tiering restrictions evolved during October 2020. From 14 October 2020 onwards, most of the country was placed in the least restrictive medium level (Tier 1).
94. Initially, the Department provided support to the Cabinet Office COVID-19 Taskforce and DHSC to ensure that decision making took appropriate account of the needs and impacts for a small number of LAs in areas of concern. This primarily focused around the level of financial and non-financial support that would be provided when entering very high (Tier 3) restrictions. The Department also fed local intelligence gathered through its coordination and engagement role with LAs.
95. Decisions on which areas were to enter Tier 3 were taken at COVID-O based on recommendations from DHSC's GOLD structure. The Department played a supporting role to the Cabinet Office Covid-19 Taskforce and DHSC on discussions with places expected to enter very high (or Tier 3) restrictions. Exact Departmental roles and responsibilities necessarily evolved and were set out in a checklist, **(JP2/33 – INQ000236605)**.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

96. During the time the Department had this role, it was announced that the following areas would enter very high (Tier 3) restrictions on;
- 14 October 2020: Liverpool region
 - 17 October 2020: Lancashire
97. On 16 October 2020, the Cabinet Secretary wrote to me, as the Permanent Secretary for this Department, to say that SoS (Robert Jenrick) would become the lead Cabinet Minister in discussions with local areas' leaders, where it had been decided that they should enter the Tier 3 (also known as "LCAL 3"), (**JP2/34 – INQ000104714**). On the same date, an initial LCAL Tier 3 framework was established by the Cabinet Office Covid-19 Taskforce setting out the role of this Department, DHSC and Cabinet Office, (**JP2/35 – INQ000104684**). This framework was adapted over time, taking into account decisions on funding arrangements – for example, from 21 October 2020, the Business Support element of funding for Tier 3 areas was led by BEIS and was based on a pro rata funding package similar to that which Lancashire had already received. Formal decisions on which areas were to enter Tier 3 continued to be made at COVID (O) meetings based on advice provided by DHSC and the JBC. Once a decision was made the Department's SoS (Robert Jenrick) or a member of the Department's Ministerial team chaired discussions with the local tier to discuss next steps. Meetings were typically attended by representatives from DHSC, HMT and the Covid-19 taskforce.
98. During this period the following places entered into Tier 3:
- 20 October 2020: Greater Manchester, (**JP2/36 – INQ000104731**) - after discussions between SoS (Robert Jenrick) and local leaders did not reach agreement on the quantum of support for entering Tier 3, (**JP2/37 – INQ/INQ000104715**), this decision was announced by the PM.
 - 24 October 2020: South Yorkshire, (**JP2/38 – INQ000104717**)
 - 27 October 2020: Warrington, (**JP2/39 – INQ000104718**)
 - 30 October 2020: Nottingham, (**JP2/40 – INQ000104716**)
 - 2 November 2020: West Yorkshire (**JP2/41a – INQ000104724, JP2/41b – INQ000104747, JP2/41c - INQ000104685**)

There were other ongoing conversations with other areas, until this initial approach to tiering ended with a return to a national lockdown on 5 November 2020.

Safer Public Places and ‘COVID Marshals’

99. Following the 26 March 2020 lockdown restrictions, many venues and sectors were closed. This included outdoor playgrounds and outdoor gyms. However, the spaces in between these venues – the public realm – were not subject to legal closure. The Department was tasked with considering what measures public realm owners and operators, for example LAs and private management companies, could take to adapt these areas to facilitate social distancing. The Department communicated these measures via three key pieces of COVID Secure guidance:

- COVID Secure: Urban Centres and Green Spaces (first published 12 May 2020 by SoS (Robert Jenrick)) (**JP2/42 – INQ000104742**). This Department led on this guidance with contributions from the Department for Transport (“**DfT**”) and BEIS.
- COVID Secure: Guidance for managing Playgrounds and Outdoor Gyms (first published 26 June 2020 by Local Government Minister Simon Clarke) (**JP2/43 – INQ000104744**). The Department led on this guidance with contributions from the Department for Digital, Culture, Media, and Sport (“**DCMS**”) and the Department for Education (“**DfE**”).
- COVID Secure: Guidance for managing beaches, the countryside, and coastal areas (first published 10 July 2020), (**JP2/44 – INQ000104743**). (To note, this was a collection of existing guidance rather new material).

100. “COVID Secure” was a catch-all term for the actions that individuals and businesses/organisations could take to help reduce the risk of catching Covid-19 and passing it on to others.

101. It was important that as guidance was developed, the non-pharmaceutical interventions suggested aligned with those being suggested for other key areas, such as transport hubs (DfT lead), businesses (BEIS lead), and leisure and entertainment venues (DCMS lead).

102. Supported by analytical colleagues, detailed PSED analyses were conducted for each of the guidance documents, apart from the guidance for managing beaches, the

countryside and coastal areas, as this document contained no new policy. Some key dates are set out below.

- 28 July 2020, the Department provided the Local Government Minister, Simon Clarke, with advice on potential non-pharmaceutical measures that could be explored to further aid social distancing in the winter months to manage the risk of Covid-19 in public places and waning compliance. This included further guidance on queue management, deploying “Christmas Marshals” in public spaces, and further digital interventions.
 - 27 August 2020, Minister Simon Clarke confirmed that the Department should engage with stakeholders to explore the potential of deploying “Christmas Marshals” to facilitate social distancing during the high-footfall Christmas shopping period.
 - 9 September 2020, the PM announced the introduction of “*COVID Secure Marshals to help ensure social distancing in town and city centres*” as well as the creation of a register of Environmental Health Officers that LAs could draw upon for support, as part of his speech on that day.
 - 2 October 2020, advice was provided to SoS (Robert Jenrick) on grant funding for LA enforcement and compliance, including for COVID Marshals.
103. The Department secured a £30m grant to unitary and lower tier LAs to support compliance and enforcement activities, which was announced on 8 October 2020 (**JP2/45 – INQ000104745**). This grant was to support LAs in funding Covid-19 compliance and enforcement activities including the deployment of COVID Marshals should the LAs wish to do so.
104. To increase the availability of qualified staff to carry out Covid-19 compliance and enforcement activity, the Department alongside DHSC commissioned the creation of the Environmental Health Officer Register (“**EHO Register**”). The Department contracted the Chartered Institute of Environmental Health (“**CIEH**”) to create, maintain and populate the register with suitable candidates. DHSC commissioned the Local Government Association (“**LGA**”) to create the IT platform for the register, working with CIEH. The register launched on 9 November 2020. The EHO Register allowed LAs to access a list of already trained Environmental Health Officers (“**EHOs**”) to support with Covid-19 compliance checks in businesses.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

Test Trace Contain Enable Programme (“TTCE”)

105. On the 28 May 2020 the NHS Test and Trace programme was launched, also referred to as Test, Trace, Contain and Enable (“**TTCE**”) policy, work in this area was owned by DHSC. The Department did not make any key decisions on this programme of work but had a supporting role to ensure local government concerns were escalated and their needs considered in policy development.
106. The Department regularly attended a cross Whitehall Test and Trace Steering group meeting and in June 2020 set up an internal team to manage this engagement. This was driven by the Department’s interest in communities, the responsibilities of LAs, and wider public services including LRFs.
107. The Department sought to understand what local government needed to enable it to deliver its responsibilities in respect of TTCE. This included engaging with local leaders and Directors of Public Health (“**DPHs**”) to understand their data needs and working with DHSC to enhance the quantity and quality of datasets available to LAs.
108. For example, on 9 June 2020, NHS Digital and DHSC launched a LA Dashboard which allowed LAs and DPHs to view anonymised data on the total number of tests conducted, positive tests including a rolling average, and Covid-19-related 111/999 calls. The Department subsequently worked with LAs, LRFs and DPHs to understand the additional data that the local tier required.
109. This work culminated in advice, being sent to SoS (Robert Jenrick) on 24 June 2020 setting out the additional data requirements of the local tier with 10 priorities identified, (**JP2/46 – INQ000104738**). This advice recommended that SoS (Robert Jenrick) send a letter to DHSC, though ultimately this letter was not sent as agreement was reached through discussions between the Departments’ officials.
110. Throughout the rest of this time period the Department provided support to DHSC in relation to policy advice, feeding into the Test and Trace Steering group meetings, providing feedback and advocating for the needs of the local tier.
111. Further work in relation to TTCE falls outside the chronological scope of this witness statement but will be dealt with in a future witness statement covering the subsequent period.

1. Witness Name: Jeremy Pocklington

2. Statement No.: 2

3. Exhibits: [JP2/1 – JP2/90]

4. Dated: 22 August 2023

Domestic Abuse

112. The Department has an existing role in supporting victims of domestic abuse (“DA”) in line with its housing responsibilities and relationship with local government. In March 2020 the Department became aware of additional pressures facing the sector based on information from sector partners and the DA Commissioner. For example, the Department received an email, with accompanying guidance, from the Campaigns and Public Affairs Manager for Women’s Aid dated 18 March 2020 (**JP2/88a – INQ000224534, JP2/88b – INQ000224533**).
113. This feedback culminated in a submission to Minister Luke Hall on 25 March 2020, which recommended £5m of a pre-existing budget be repurposed into an emergency fund for refuge services (**JP2/47 – INQ000104662**). However, £5m was not repurposed because the evidence was anecdotal. Ministers were keen that solutions were evidence-based.
114. The Department worked to co-ordinate with the HO (as the lead Government Department (“LGD”) on Violence Against Women and Girls (“VAWG”)) and the Ministry of Justice (“MoJ”) (as the LGD on support for Victims and Witnesses). In April 2020, a weekly Ministerial Tri-lateral Group was set up across these three departments. The Department provided regular reports on refuge vacancy availability to this group. Department officials also attended MoJ-led Victim and Witness Silver Command.
115. On 8 April 2020 the Chancellor Rishi Sunak announced that a support package of £750m would be made available to the charity sector. On 16 April 2020, a submission to SoS Robert Jenrick recommended that the Department bid to DCMS for £35.3m for refuges and safe accommodation services (including a contribution from the Department’s own budget of 20% - £7.06m), (**JP2/48 – INQ000104666**). The outcome of this was an allocation of £10m which was subsequently allocated to charities to deliver safe accommodation for victims of DA and their children.
116. After the initial rapid survey of refuges, the Department monitored refuge vacancies using weekly data from Women’s Aid ‘Routes to Support’ (a secure on-line database of VAWG services, including refuges) and through the data provided by Refuge taken from the National DA Helpline data. The Department shared this with the groups established across Government noted above.
117. On 27 April 2020, whilst applications for funding were still being considered by HMT, Minister Luke Hall wrote to LAs asking them to support local DA services. This included

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- suggested measures they could take and asking that they work closely with DA safe accommodation providers in their areas to ensure that victims of DA and their families, including those from out of their areas, could be provided with safe emergency accommodation, **(JP2/49 – INQ000104720)**. At this time there was pressure from the sector for more support. On 27 April 2020, two DA charities sent a pre-action letter to bring a Judicial Review against the Department due to lack of funding provision for DA. However, the letter arrived just before the announcement of funding for DA, and thereafter the charities did not take the case any further.
118. On 2 May 2020, funding allocations from a £76m package administered by HMT and the DCMS for the most vulnerable in society were announced. This included the £10m noted above for this Department for DA charities. In order to develop a scheme to award funding to the sector, there was a submission to Minister Luke Hall on 5 May 2020 **(JP2/50 – INQ000104693)**. As part of the scheme design set out in this submission, a PSED assessment was conducted to consider the impact of the proposed emergency fund on particularly vulnerable victims of DA. The summary identified that specialist providers who work with protected groups were often smaller services with tighter margins and lower reserves which may be more affected by the loss of fundraising opportunities. At the same time, these services were often providing tailored support to victims from protected groups, who can face additional barriers in accessing support. The PSED summary section of the Ministerial submission advised that it was critical to protect the very specialised DA services serving those groups, which are often unique and harder to replace if lost. Fund criteria set out that bids from such specialist services would be prioritised in the event of being over-subscribed.
119. On 4 June 2020, a submission, to Minister Luke Hall sought approval for grant awards to a list of organisations totalling £8m, **(JP2/51 – INQ000104729)**. There remained a further £1.9m in relation to which the submission sought approval to re-open the bid process to allow further distribution.
120. On 8 June 2020, the first grants to charities were announced. There were four subsequent submissions requesting approval of additional grants dated 23 June 2020, **(JP2/52 – INQ000104734)**, 30 June 2020, **(JP2/53 – INQ000104735)**, 7 July 2020 and 14 July 2020, **(JP2/54 – INQ000104736)** and the Department continued to monitor the impact of Covid-19 on the DA refuge sector.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

Homelessness, Rough Sleeping and Support for the Housing Sector

121. Having taken action in March 2020 to support LAs to respond to the pandemic, the Department continued its work to ensure that vulnerable rough sleepers were supported to come off the streets and where possible moved on into longer-term accommodation. The Department also prioritised ensuring mitigations were put in place across existing accommodation to help stop the spread of Covid-19.
122. On 1 May 2020, Dame Louise Casey was appointed to head the Covid-19 Rough Sleeping Response Taskforce ("**Taskforce**"). The Taskforce worked with LAs to provide the necessary support to ensure that those individuals who were provided with accommodation during the pandemic did not return to the streets and to continue protecting people sleeping rough from Covid-19. The Taskforce was comprised of officials from the Department including expert rough sleeping advisers, and worked closely with external partners in health (DHSC, Public Health England ("**PHE**"), NHS England), Local Government and the voluntary, community and faith sector.
123. On 20 May 2020, advice was provided to SoS (Robert Jenrick) to accelerate delivery of the Rough Sleeping Accommodation programme. On 21 May 2020, SoS (Robert Jenrick) approved this proposal. This was to deliver 3,300 of the planned 6,000 new homes within the first 12 months of the programme. This was announced on 24 May 2020.
124. On 28 May 2020, Minister Luke Hall wrote to LAs to explain the importance of conducting individual assessments of an individual's circumstances and needs when considering providing accommodation and support to people sleeping rough, and to ensure that support was prioritised to those who were most vulnerable, (**JP2/55 – INQ000104712**). This letter also restated the Government's position on eligibility relating to immigration status, including for people with No Recourse to Public Funds.
125. On 7 June 2020, the Department announced an emergency fund of £6m to provide relief for frontline homelessness charitable organisations. This was part of the £750m package of Government support for UK charities impacted by the Covid-19 pandemic.
126. On 24 June 2020, the Department announced additional funding of £105m to help LAs support people placed into emergency accommodation during the pandemic, including to support them into the private rented sector; to reconnect with friends or family; and to continue to provide interim accommodation where needed.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

127. Following advice provided to Minister Luke Hall on 20 May 2020, on 28 June 2020 the Department also extended nationally the suspension of a European Union (“EU”) derogation normally applied through Article 24(2) of the EU Free Movement Directive which enabled a specific group of European Economic Area (“EEA”) citizens access to existing rough sleeping accommodation services and floating support for up to 3 months.
128. On 18 July 2020, the Next Steps Accommodation programme funding guidance (**JP2/56 – INQ000104722**) was published. This combined the two recent funding streams (the Rough Sleeping Accommodation programme and the £105m for those in emergency accommodation).
129. On 18 September 2020 advice was submitted to Minister Kelly Tolhurst recommending additional funding be provided to LAs and faith and community organisations to support rough sleepers throughout winter, (**JP2/57 – INQ000104737**). This work culminated in the announcement on 13 October 2020 of £12m to support rough sleepers, including a £10m Cold Weather Fund for LAs and £2m for faith and community groups, (**JP2/58 – INQ000104732**).
130. On 23 September 2020, the Department advised SoS (Robert Jenrick) and Minister Kelly Tolhurst, following partnership working with (then) PHE and DHSC, to publish operating principles to advise night shelters how to open safely if needed as a last resort, (**JP2/59 – INQ000104723**). The vast majority of communal night shelters had otherwise been closed at this point. This sat alongside additional winter funding, including funding to transform communal night shelters into self-contained accommodation.
131. Beyond these measures, the Department made decisions to extend or adapt the measures that had been introduced in the housing sector in March 2020 to reduce the number of people who might be made homeless. These were (i) Section 81 and Schedule 29 of the Coronavirus Act 2020, requiring landlords to give tenants at least three months’ notice before seeking possession of residential property; and (ii) Practice Direction 51Z (“**PD 51Z**”) which stayed all proceedings for possession until 25 June 2020).
132. In regard to Section 81 and Schedule 29 of the Coronavirus Act 2020, the key dates are as follows:

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- On 28 March 2020 the Department published guidance for landlords and tenants, in the private and social rented sectors on the provisions in the Coronavirus Act 2020 and their rights and responsibilities during the Covid-19 outbreak, **(JP2/60 – INQ000104746)**.
- This guidance was updated regularly throughout the pandemic until being withdrawn on 25 March 2022.
- On 29 August 2020 the Department extended the provisions for longer notice periods (announced on 21 August 2020) and a PSED was carried out for that decision. This meant that from 29 August 2020 to 31 March 2021 (although this was subsequently extended until 31 May 2021), a notice period of six months was required in most cases, with exemptions for certain serious cases, including anti-social behaviour, extreme rent arrears, no right to rent and fraud.

133. As to PD51Z, the key dates are as follows:

- On 18 April 2020, the measures were amended to clarify that the stay did not apply to claims against trespassers; that parties could still agree case management directions for compliance after the stay was lifted; and that possession claims could still be made by claimants but would not progress until the stay had ended.
- On 5 June 2020, the Department announced that the stay on possession proceedings be extended to 23 August 2020, **(JP2/61 – INQ000104687)**. This was implemented by a new Civil Procedure Rules (“**CPR**”) Rule 55.29 taking effect from 25 June 2020 when the stay under PD 51Z expired. This measure was led by MoJ with policy input from this Department. This was introduced primarily to protect renters from eviction, however the announcement also explained that Ministers were also working with the judiciary, legal representatives, and the advice sector on arrangements, including new rules, which meant that courts would be better able to address the need for appropriate protection of the housing needs of all parties, including those shielding from Covid-19. This work was carried out through the judicial-led Working Group on Possession Proceedings. The group met regularly throughout 2020 until July 2021 and officials from the Department attended these meetings and shaped the arrangements which were agreed.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- On 17 July 2020, regulations implementing a new Practice Direction 55C (“PD 55C”) were laid, (JP2/62 – INQ000104727). This was one outcome of the cross-sector work, which the Department fed into, to introduce new arrangements within the courts to protect parties once the stay was lifted and cases resumed. PD 55C set out new requirements for claimants to follow, including the need to reactivate claims made before 3 August 2020 and to provide a notice in new and reactivated claims setting out what knowledge they had about how the defendant and their dependants had been affected by the Covid-19 pandemic.
134. Separately, a permanent rule change was introduced on 17 July 2020 by a new CPR Rule 83.8A, to align the process of enforcing evictions across the High Court and County Court, and providing that at least 14 days’ notice of an eviction was required. This had been consulted on prior to Covid-19 and was seen to take on greater importance in the context of providing an orderly return of possession cases. These measures were initially due to come into force from 23 August 2020 and last until 28 March 2021, but the date of introduction was moved to 20 September 2020 when the stay on possession proceedings was extended.
135. On 10 September the Housing Secretary announced that with Covid-19 still posing a risk, if an area was in a local lockdown that included a restriction on gathering in homes, evictions would not be enforced by bailiffs, (JP2/63 – INQ000104710). MoJ issued guidance to enforcement officers (bailiffs) on this matter.
136. Alongside these measures, on 27 March 2020, Minister Luke Hall wrote to caravan park owners, making it clear that they should remain open for key workers and vulnerable groups who would otherwise have nowhere to live.
137. Finally, the Department also took action within the housing market sector generally, in particular in relation to the two key areas discussed below.
- **Home Moves** – Following Cabinet agreement on 6 May 2020 to proceed with opening up the housing market by removing the requirement that home moves should only take place “where reasonably necessary”, the Department led in producing the revised guidance to ensure suitable protections and reformed business practices were in place, e.g., remote viewings. In preparing this revised guidance, the Department worked in consultation with PHE, BEIS and No. 10 and the guidance was ultimately

reviewed and signed off by SoS (Robert Jenrick) and CO having also been cleared through PHE. On 12 May 2020, the revised Regulations were published followed on 13 May 2020 by the publication of the Government branded guidance prepared by this Department entitled “Government Advice on Home Moving”.

- **Housing Construction Sites** – In line with broader Government focus on safe return to work, the Department also collaborated with the Home Builders Federation (“HBF”) to draw up a Charter that HBF members could sign up to, committing to specified on-site working practices designed to minimise infection risks between workers. The Department worked closely with the HBF to agree the final content of the Charter and a communications plan, Ministers signed off the final draft in May 2020 and the Charter was published on 13 May 2020.

Faith, Race and Integration

138. The Department's Faith Team played a primarily facilitative role in ensuring Government understood the needs of faith groups and the challenges they faced. At the end of March 2020, the Department drew up a faith engagement plan which included the establishment of a weekly formal Covid-19 Faith Leaders' Forum, (**JP2/64 – INQ000224531**). There were also a series of roundtables (one for each major Faith group, known as the “Faith Roundtables”). Meetings were chaired by Lord Greenhalgh, the Minister for Communities and began on 13 April 2020.
139. In early May 2020, the PM announced that a series of sector-specific taskforces would work towards the safe re-opening of certain facilities. On 15 May 2020 the first meeting of the Places of Worship Taskforce took place, chaired by SoS (Robert Jenrick) with its launch then being announced on GOV.UK.
140. This Places of Worship Taskforce, (subsequently chaired by Lord Greenhalgh), was formed to develop a plan to enable the phased and safe reopening of places of worship. Leaders or nominated representatives of each major faith community met to review developing information and scientific advice and consider options for reopening. Public Health information was provided to the Places of Worship Taskforce by consultants from PHE, who attended the meetings. Attendees also included Public Health Advisors from specific faith groups. The second meeting of the Places of Worship Taskforce took place on 20 May 2020, before which a submission to Lord

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

Greenhalgh dated 19 May 2020 set out options for the Minister to consider around individual prayer, small wedding ceremonies and post-burial outdoor rituals. These were subsequently discussed at the meeting.

141. The views of the Places of Worship Taskforce, and those of the ongoing Faith Roundtables, fed into the developing the cross-Government Covid-19 Recovery Strategy which set out a roadmap to relaxing regulations.
142. A submission dated 3 June 2020 was sent to SoS (Robert Jenrick) and Lord Greenhalgh setting out further policy issues that had been identified following feedback from the Places of Worship Taskforce members, for the return of individual prayer including concerns of certain faith groups on the definition of “individual prayer”, **(JP2/65 – INQ000104668)**. These, and other issues raised by the Places of Worship Taskforce, were shared with CO, DHSC and PHE colleagues by Ministers and officials as the regulatory framework took shape. The resulting regulations included provision for the opening of places of worship for individual prayer. The key dates were as follows:
 - On 29 June 2020, working with the Places of Worship Taskforce the Department published guidance alongside the regulatory changes, explaining how lifting of legal restrictions affected the use of Places of Worship, **(JP2/66a – INQ000104697, JP2/66b - INQ000104698)**. (This was updated subsequently on 9 July 2020, 17 July 2020 and 15 August 2020). A checklist for the safe observance of Religious Festivals was also produced.
 - On 29 June 2020, guidance on the conduct of weddings, on which the Department led was published (revised 3 August 2020), **(JP2/67 – INQ000104695, JP2/68 - INQ000104696)**. (The Department also supported PHE in the development of guidance for the conduct of funerals).
 - On 4 July 2020, the regulations were amended so that places of worship could reopen for worship and services, including weddings with a maximum of 30 people, all subject to the wider social distancing rules in place at that time, **(JP2/28 – INQ000104670)**.
143. The Places of Worship Taskforce and Faith Roundtables continued to meet over the course of the pandemic to discuss emerging issues, developments, and the concerns of faith communities.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

144. Work also included dealing with applications for Judicial Review in respect of regulations. The Department team led on one case brought by an individual on behalf of Muslim objectors to the original closure regulations and supported DHSC and others in applications where faith formed just one element of a wider case.

Gypsy, Roma, and Traveller support

145. The Gypsy, Roma, and Traveller (“**GRT**”) team within the Department sought to ensure that LAs supported GRT communities to reduce their non-essential movements in accordance with the legal restrictions introduced on 26 March 2020.
146. On 7 April 2020, a submission was made to SoS (Robert Jenrick) and Ministers setting out advice for mitigating the impacts of Covid-19 on GRT communities and recommending key actions (**a- INQ000224530, JP2/89b – INQ000224528, JP2/89c – INQ000224532, JP2/89d – INQ000224526, JP2/89e – INQ000224527, JP2/89f – INQ000224529**). The submission outlined the particular issues faced by such communities and that travelling, either by deliberate choice or because of eviction from unauthorised encampments, ran the risk of increasing transmission of Covid-19 to the wider population because of reducing access to sanitation and other essential healthcare support. It also explained that public health officials at NHS England and NHS Improvement advised that continuing evictions during this crisis would put communities and the wider public at risk.
147. As part of the Ministerial submission referred to in the previous paragraph, the Department produced a PSED assessment assessing impacts of policy proposals on GRT people who are protected under the Equality Act 2010.
148. Following the submission of 7 April 2020, to limit movement and the risk of spreading the virus, the Minister for Communities, Lord Greenhalgh, wrote a letter, (**JP2/69 – INQ000104699**), to LAs in April 2020 (which was also publicised in the daily Local Government Bulletin), encouraging them to use their discretion regarding the evictions of unauthorised encampments, and to consider providing basic amenities for the communities to help ensure they were better able to adhere to the public health rules regarding self-isolation.

Disproportionately Impacted Groups

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

149. During Summer 2020, research being conducted through SAGE highlighted an association between belonging to some ethnic groups and the likelihood of testing positive and dying with Covid-19.
150. This issue was discussed at a Covid-19 Cabinet Secretary officials Meeting on 24 August 2020 chaired by Simon Ridley, Head of the Cabinet Office Covid-19 Taskforce and attended by Emran Mian, Director General in this Department. The meeting reviewed a paper produced by the Cabinet Office's Covid-19 Taskforce which highlighted data on the disproportionate impacts of Covid-19 on several groups including BAME communities, people with disabilities, and working aged men, and recommended further work in this area.
151. Following this meeting Emran Mian became the cross Whitehall Senior Reporting Officer ("SRO") for this work on behalf of the Cabinet Office, (**JP2/70 – INQ000104721**). Ministerial oversight was via the Minister for Equalities Kemi Badenoch, who was supported by the Government Equality Office and the Race Disparity Unit in the Cabinet Office. This work was supported primarily by a joint group comprising officials from the Covid-19 Taskforce and this Department who formed the DIGs team.
152. On 28 August 2020, Permanent Secretaries from across government were commissioned to work up detailed recommendations for inclusion in a paper for a COVID-O meeting. Each department, including this Department, was responsible for its own actions, (**JP2/71a – INQ000104689, JP2/71b - INQ000053736**). A list of key events is set out below. Two of the Department's specific actions were in relation to Community Champions and Self-Isolation for Multigenerational Households. These are covered in more detail in the relevant sub-headings below.
- 18 September 2020: COVID-O officials meeting, further actions agreed for departments to add to the paper for the Ministerial COVID-O the following week.
 - 24 September 2020: COVID-O Ministerial discussion chaired by the Chancellor of the Duchy of Lancaster ("**CDL**"), Michael Gove and attended by SoS (Robert Jenrick). An initial package of measures c.£31.5 million was agreed to mitigate any disproportionate health outcomes for minority ethnic groups, older people, and disabled people in the second wave.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- 7 October 2020: the PM was briefed on this work by the DIGs team. The PM considered the data and the package of measures and gave direction for Ministers to agree a more ambitious package of proposals and departments were given a list of specific actions to consider.
153. After the meeting with the PM an additional commission, (**JP2/73a – INQ000104679, JP2/73b - INQ000104701, JP2/73c - INQ000104705**), was sent to departments to contribute to a revised paper for a future COVID-O. Following initial returns, on 16 October the CDL Michael Gove wrote a letter to departments across Government asking them to go further with their recommendations.
154. This work culminated in a Ministerial COVID-O on 29 October attended by SoS (Robert Jenrick) to consider the more ambitious package of measures requested by the PM, to supplement interventions that had already been agreed. For the Department this included: potential to scale up the Community Champions scheme (detailed further below) to a wider range of areas across England and accelerating funding to national Voluntary and Community Sector ("**VCS**") organisations to support target communities.
155. COVID-O agreed with the proposed supplementary package of measures and gave an action for the Department to engage bilaterally with HMT on the need to align funding for the new package of measures.
156. Emran Mian continued in his role as cross-Government SRO until late 2021. Further information in relation to this role will be dealt with in detail in a further witness statement covering the subsequent period.

Community Champions

157. On 24 September 2020, the SoS (Robert Jenrick) presented recommendations to COVID-O to develop a new 'Community Champions' scheme to support LAs and community organisations to improve their reach into groups at greater risk of Covid-19.
158. Community Champions (also known as "**Health Champions**") are community members who volunteer to promote health and wellbeing or improve conditions in their local community. Community Champions are individuals with credibility in target communities, who can tap into existing social networks to help bridge the gap between services and communities.
159. Key dates relating to the establishment of the scheme were as follows;

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

- 7 October 2020: advice was submitted to SoS (Robert Jenrick) with a proposal to fund the Community Champions scheme with up to £27m. Recommendations for the allocation of funds were (i) £18 million to target up to 40 LAs with at risk or with high transmission rates; (ii) £7 million to fund up to 100 projects through a national and local community organisation grant scheme to enhance existing activity in the sector; and (iii) Up to £2 million for the development of national resources, **(JP2/74 – INQ000104683)**.
- 8 October 2020: following the meeting with Emran Mian and the PM, further work was commissioned on disproportionate impacts which included an action on the Community Champions scheme to review whether specific funding could be provided to local charities/support groups who provide outreach support to particular groups, **(JP2/75 – INQ000104730)**.
- 10 October 2020: in response to the PM's commission, an amendment to the advice was sent to SoS (Robert Jenrick) with proposals to rapidly deliver a portion of the funding to VCS organisations to address higher rates of transmission amongst Pakistani and disabled groups, with additional funding for innovative projects with smaller organisations to be opened later in the year.
- 12 October 2020: SoS (Robert Jenrick) agreed to allocate £25m to the Community Champions scheme – split into two pots: £18m for LAs and £7m for VCS organisations, to fund more LAs/charities/support groups who provide outreach support to particular groups. This was formally announced on 22 October 2020 by the Minister for Equalities, Kemi Badenoch MP, making an oral statement setting out new measures to tackle Covid-19 disparities experienced by individuals from an ethnic minority background. Amongst the new measures set out was the Community Champions scheme.
- 16 October 2020: letter from the CDL, as detailed above, the Department was asked to review its work on DIGs. An updated return was therefore submitted ahead of COVID-O on 29 October, **(JP2/76 – INQ000104700)**. This recommended that additional funding be provided for the Community Champions scheme to fund more LAs, charities and support groups to provide outreach and support to particular groups. COVID-O agreed with these

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

recommendations, which included funding in the range of £16m-21m to fund an additional 35 LAs, and an additional £7m to fund 50-100 VCS organisations.

160. The majority of work on Community Champions falls outside the chronological scope of this witness statement but will be dealt with in detail in a further witness statement covering the subsequent period.

Self-isolation for multigenerational households

161. Another action the Department was commissioned to explore was whether alternative accommodation could be provided to allow individuals living in multi-generational homes to self-isolate and whether there were public health grounds to consider in extending this to ethnic minorities with no recourse to Public Funds.
162. Prior to this commission, the Department's Housing team was undertaking some related work on Housing and Covid-19 which included submitting advice to SoS (Robert Jenrick) on 25 September 2020, (JP2/77 – INQ000104682).
163. In light of the additional commission, officials in the Department provided two further pieces of advice on this matter on 12 October 2020, (JP2/78 – INQ000236603), and a follow-up on 14 October, (JP2/79 – INQ000236604). Ultimately, SoS (Robert Jenrick) decided that this work should not be progressed at this time.

Death management and burial practicalities

164. As is set out in my first witness statement, the arrangements for the management of excess deaths were important to ensure capacity in the system was not overwhelmed. CO was the LGD for the management of excess deaths and MoJ had overall responsibility for coronial process, the funeral industry, and death registration services as part of the cross-Government response to death management. During the period covered by this witness statement, this Department continued to take the lead for ensuring that LAs and LRFs in England had local excess death plans and procedures in place as part of the wider Government response. The Department's key objectives were ensuring that the deceased were treated with sensitivity, dignity, and respect.
165. The Department supported the CO in development of the Coronavirus Act 2020 with input (among other things) on s.58 and schedule 28 concerning powers for the transportation, storage, and disposal of the deceased. The Department led on production of the related statutory guidance and oversight of LA use of the powers.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

166. In terms of policy, legislation and guidance, on 17 April 2020 the Department published statutory guidance on schedule 28 of the Coronavirus Act. This was subsequently updated in May 2020, **(JP2/81 – INQ000104741)**. This included guidance on how authorities should “give due regard to the deceased person’s wishes, religion and beliefs” as they carried out their powers under the Coronavirus Act. Other key dates are set out below;
- On 31 March 2020, PHE published guidance for those managing a death in the community, secondary care, residential care, and ASC settings.
 - On 9 April 2020, the Department introduced the Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020 to provide a time-limited permitted development right for Health Bodies and LAs to carry out developments for the purposes of preventing, controlling, or mitigating the effects of a health emergency. LAs drew on this power to erect temporary mortuaries.
 - On 16 September 2020, the Department produced guidance for LAs on public health funerals, **(JP2/80 – INQ000104728)**.
167. Minister Simon Clarke wrote to all LAs on 17 April 2020, **(JP2/82 – INQ000104692)**, to emphasise PHE’s guidance that delays to funerals should be avoided, and on 19 April 2020 PHE issued further guidance for those managing or organising funerals during the Covid-19 pandemic. On 23 April 2020 Minister Simon Clarke issued a further letter to all councils encouraging burial, crematoria grounds and gardens of remembrance to remain open to the public, **(JP2/83 – INQ000104713)**.
168. In line with the Health Protection (Coronavirus, Restrictions) (No.2) (England) Regulations 2020 mentioned in the section above on Closures, restrictions governing the numbers attending funerals were capped at 30 people from 4 July 2020. In later 2020, a two-tier system was introduced permitting commemorative events and keeping the capacity limit for funerals at 30.
169. On 28 September 2020, self-isolation became a legal requirement, but with an exemption in order to attend the funeral of a close family member. PHE subsequently issued revised guidance for funerals in light of an LAs concerns in relation to this exemption.

Steps in relation to forfeiture of commercial premises

170. Following the implementation on 26 March 2020 of the moratorium on forfeiture of leases for non-payment of rent under s.82 of the Coronavirus Act 2020, the Department pursued four tranches of work in this area, as set out below.

- **Occupier Protection** – This involved close engagement with business tenant stakeholders and data to understand the impact of mandated business closures and consider any unintended consequences from the moratorium. Department officials worked with BEIS and MoJ colleagues on further policy interventions to limit the use of statutory demands, winding up petitions, and Commercial Rent Arrears Recovery which were required to ensure the moratorium was effective. Without these measures, landlords would have been able to take differing routes to recover rent which in turn may have bankrupted tenants. This resulted in the Government legislating to limit the use of these measures through the Corporate Insolvency and Governance Act 2020 and the Taking Control of Goods and Certification of Enforcement Agents (Amendment) (Coronavirus) Regulations 2020.
- **Owner protection** – The Department recognised that s.82 of the Coronavirus Act 2020 shifted the rent burden onto landlords and sought to monitor the impact on them through engagement with landlord stakeholders and through work with policy officials from HMT. Mitigations such as commercial mortgage holidays and the impact on lenders, as well as on LAs from a landlord perspective, were considered. This resulted in ministerial agreement to a voluntary Code of Practice (“**the Code**”) for rent collection in the commercial property sector, first published in June 2020. Ministers considered whether to make the Code mandatory but decided against it given that the moratorium was in place.
- **Data and analysis** – The Department developed a collaborative workstream with analysts and the Department’s High Streets Task Force (“**HSTF**”) and Professional Research and Data Group (“**PRDG**”) to understand and analyse the picture from the perspectives of both tenants and landlords, enabling all other workstreams above to be effective. Information was shared with all teams that required it, by linking in with teams across both the Department and BEIS and leading on internal stakeholder engagement.

- **Options to bring to an end the moratorium on forfeiture for non-payment of rent** – The Department considered other options available to HMT, such as mandated rent cuts or the Government covering rents for some businesses, including looking at international evidence to consider the best approach. Options were presented to Ministers as set out below but were not recommended by officials.

171. In respect of these tranches of work, the Department's Regeneration Policy team gave advice to the Economic and Business Response Implementation Group ("**EBRIG**") to consider on 14 May 2020, (**JP2/84 – INQ000104686**). This covered a number of issues related to the commercial property sector, including an agreement to extend the moratorium on forfeiture and accompanying preventions against debt enforcement for three months, and that in the meantime officials would provide more advice for targeting these measures. HMT colleagues were tasked with working with lenders on forbearance to prevent lenders pursuing landlords who had not yet received rental income.
172. The Department's Regeneration Policy team then put advice to SoS (Robert Jenrick) on 22 May 2020, which recommended extending all protections beyond 30 June 2020 without targeting specific sectors or businesses that could demonstrate the negative impact of Covid-19 on their balance sheet, (**JP2/85 – INQ000104702**). Following further advice on 29 May 2020, (**JP2/86 – INQ000104704**), SoS (Robert Jenrick) accepted this recommendation and on 16 June 2020 was presented with a signing submission to sign secondary legislation to extend the moratorium for three months to 30 September 2020, (**JP2/87 – INQ000104707**).
173. On 21 August 2020, advice was put to SoS (Robert Jenrick) and BEIS, the Chancellor, and the PM, on whether to extend the moratorium on the forfeiture of commercial leases. This advice considered different options for the length of the extension. This included an outline of advantages and disadvantages to a further three-month extension. It was noted that a further extension would compound the already serious issue of accruing rent arrears, but that a further extension would give landlords and tenants more time to reach agreement over future rent and the payment of arrears. It would also potentially give time for businesses to trade in the reopened economy and build up revenue to address rent payments and accumulated arrears. The guiding principle remained to preserve as many viable tenant businesses and the jobs that they supported as was reasonably possible without putting the landlord, lender, and

investor sectors at greater risk of insolvency. The decision taken was to extend the moratorium for a further 3 months to 31 December 2020.

Resilience and Emergencies Division

174. As set out in a previous witness statement for Module 1, the Department acts as a conduit for information to the local tier. As referred to earlier on in this witness statement in the section on PPE, in addition to engaging with LRFs via embedded GLOs, the RED developed a reporting framework for LRFs allowing a systematic means for LRFs to report on impacts and emerging pressures, which was shared with across government by the Department. The LRF reporting framework was issued for the first time on 25 March 2020 and standardised by 27 March 2020.
175. LRFs provided a daily self-assessment through the DELTA , an online system provided by the Department to facilitate the collection of data from partners. This included an overall self-assessment and self-assessments on specific elements of their response, along with preparedness. This information was combined with human intelligence and insights gathered from GLOs in a regular review meeting known as a Discovery meeting. These meetings were organised on a regional basis and were attended by departmental representatives from DHSC, MoD, CO, and other departments as required. Discovery meetings allowed an in-depth review of situational awareness and LRF issues and formed the regular systematic data flow of information into central government from the LRF tier. Information was reported to Ministers in this Department and the PM, to support and enable targeted Government action and communication. The first Discovery meeting focused on the London and Southeast region and took place on 23 April 2020.
176. A daily dashboard was compiled from the LRF self-assessments and data from other Government departments and Health Bodies. This LRF Dashboard was shared with LRFs via Resilience Direct.

Work in relation to LRF Support

192. By late March 2020, there was concern about the outbreak numbers and potential spread of Covid-19 in London. It was decided that there needed to be a separate London Government Taskforce ("LGT") to provide additional help to their resilience arrangements. Meetings were initially co-chaired by SoS (Robert Jenrick) and Edward Lister, Downing Street Chief of Staff. Lord Greenhalgh and Kit Malthouse, the Home Office Minister for Crime and Policing were also involved in this work. This Department

initially led the taskforce to unblock operational challenges through engagement with other Government departments, PHE and, following its establishment in May 2020, the JBC.

193. As increasing numbers of LRFs declared major incidents, and bespoke senior level support had already been provided to the London LRF, on 26 March 2020, Ministers agreed that RED senior officials would identify an additional 6 Covid-19 “hotspots” to provide additional support. On 30 March 2020, 7 senior official teams were put in place to support other LRFs in areas in England that had high Covid-19 numbers or capability issues with one of their component agencies. Each priority LRF was assigned a lead responsible Minister as set out below:

- Minister Christopher Pincher: Nottinghamshire and West Midlands.
- Minister Luke Hall: Northamptonshire.
- Lord Greenhalgh: Sussex and Thames Valley.
- Minister Simon Clarke: South Yorkshire and Greater Manchester.

‘Military Aid to Civil Authorities’

194. As discussed in my first witness statement, two additional Military Aid to Civil Authorities (“**MACA**”) requests were raised by the Department on 18 March 2020 for a total of 118 military planners. This enabled work at greater pace to stress test and revise LRF pandemic flu plans to reflect Covid-19. From late March onwards, several LRFs requested additional military support, including requests to use military property for the storage of bodies, or to assist with logistics.
195. Military planners were subsequently withdrawn from 25 LRFs from 1 August 2020 in agreement with the LRFs.

Data Modelling

196. The Analysis and Data Directorate (“**ADD**”) continued to provide data and analysis supporting various Covid-19 related workstreams within the Department. The emphasis was on analytical work to inform policy development or operational activity. ADD’s role was largely centred on providing data and analysis, rather than data modelling, and this is further described below.
197. With the Covid-19 outbreak emerging, the Department rapidly established a multidisciplinary Situational Awareness team to support Central Government and local

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

areas in shaping response actions. ADD brought together new data from local areas and across government, delivering it via an interactive dashboard to provide the latest daily data. This dashboard, referenced earlier in the 'Resilience and Emergencies Division' section, was shared daily with LRFs and other departments including HO, CO, BEIS, and DHSC and with No.10 until July 2020, when LRF data collection was moved to weekly rather than daily. The dashboard continued to be shared with other departments on a weekly basis until December 2020 when departments were given access to the new live LRF Winter Dashboard. Alongside this, ADD developed a tool to 'mine' text comments which was used to identify issues within LRF daily returns, combining qualitative intelligence alongside the quantitative data. A snapshot of the dashboard showing the metrics is exhibited to this statement, **(JP2/90 – INQ000226496)**.

198. Tasks included:

- Data collection largely from LRFs and LAs, acquisition and management, and processing, including working with other Government departments and the LGA to bring in relevant data, agreeing memoranda of understanding etc;
- Producing reports, briefings and outputs from evidence and analysis to enhance the debate and decision-making process and to meet user needs;
- Working closely with RED to design and implement data collections to collect the data required from LRFs, which fed into the regional Discovery meetings further described above;
- Developing and maintaining data products (including data dashboards for LRFs), using data collected from LRFs, and tools for sharing textual comments for briefing purposes;
- Being an integral part of the strategic and policy thinking and development of the Situational Awareness function.

199. At GOLD (M) on 26 March 2020, SoS (Robert Jenrick) requested a comprehensive overview of all data feeds across government that related to the readiness of the local tier that could be shared across government.

200. With assistance from the management consultancy organisation Bain & Company on a goodwill basis, an LRF Dashboard was created for this purpose and became fully operational on 30 March 2020.

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

201. Examples of how data and analysis were used in practice include:

- To understand how significantly businesses were being impacted data on rent arrears and real-time footfall data was used. This is referred to in the section above on Steps in Relation to Forfeiture of Commercial Premises.
- To understand which LAs were susceptible to income changes due to a loss of Sales, Fees, and Charges income. This is referred to in section above on Funding Support for Local Authorities.
- To endeavour to ensure that funding was allocated to communities which had been impacted disproportionality as a result of Covid-19. This is referred to the section above on DIGS including Community Champions.
- Combining different data sources to analyse multiple vulnerabilities of people sleeping rough, the number of rough sleepers and homeless people in hostels and estimates of costs to accommodating individuals in hostels.
- Data were collected from April 2020 on storage capacity, usage, and available death management space; funeral director capacity; and average time and capacity for cremations; which informed the Department in death management resilience.

Other work in relation to the development of Legislation

202. Many aspects of the Department's role in the development and enforcement of public health and Covid-19 legislation and regulations during this period, have already been referred to above. Additional work undertaken by the Department in respect of legislation is set out as follows.
203. In relation to local elections, the Department progressed two SIs, the first related to the postponement of local elections and the consequences of this, and the second to address the impact of that first SI on LAs undergoing structural reform in the establishment of unitary authorities.
204. On 4 April 2020, regulations came into force which enabled LA meetings of all types to be held remotely until 6 May 2021, with provision for remote public participation. LAs were also enabled postpone their May 2020 annual meetings if they wished to do so.

1. *Witness Name: Jeremy Pocklington*
2. *Statement No.: 2*
3. *Exhibits: [JP2/1 – JP2/90]*
4. *Dated: 22 August 2023*

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Name: Jeremy Pocklington

Date: 22 August 2023

1. *Witness Name: Jeremy Pocklington*
2. *Statement No.: 2*
3. *Exhibits: [JP2/1 – JP2/90]*
4. *Dated: 22 August 2023*

UK COVID-19 INQUIRY

ANNEX A: GLOSSARY OF ACRONYMS

The acronyms below appear in the body of the witness statement and are collated here for ease of reference. They are listed alphabetically.

ADD	Analysis and Data Directorate
ASC	Adult Social Care
ASC Cell	Adult Social Care Cell (Team)
BAU	Business as Usual
BAME	Black, Asian and Minority Ethnic
BEIS	Department for Business, Energy and Industrial Support
BRR	Business Rates Retention
CCS	Civil Contingencies Secretariat
CEV	Clinically Extremely Vulnerable
CF	Collection Fund
CIEH	Chartered Institute of Environmental Health
CO	Cabinet Office
COBR	Cabinet Office Briefing Rooms
COMF	Contain Outbreak Management Fund
COVID (O)	Covid Operations
COBR	Cabinet Office Briefing Rooms
CPR	Civil Procedure Rules 1998
DA	Domestic Abuse
DASS	Directors of Adult Social Services
DCMS	Department for Digital, Culture, Media & Sport
DCMO	Deputy Chief Medical Officer
DEFRA	Department for Environment, Food & Rural Affairs

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

DEL	Departmental Expenditure Limits
DfE	Department for Education
DfT	Department for Transport
DHSC	Department of Health and Social Care
DLUHC	Department of Levelling Up, Housing and Communities
DWP	Department for Work & Pensions
DPHs	Directors of Public Health
DIGs	Disproportionately Impacted Groups
CDL	Chancellor of the Duchy of Lancaster
EBRIG	Economic and Business Response Implementation Group
EEA	European Economic Area
EFS	Exceptional Financial Support
ERDF	European Regional Development Funding
EHO	Environmental Health Officer
EHO Register	Environmental Health Officer Register
EU	European Union
FCDO	Foreign, Commonwealth and Development Office
FRI	Faith, Race and Integration
GDS	Government Digital Service
GLO	Government Liaison Officer
GRAD	Governance, Reform & Democracy Unit
GRT	Gypsy, Roma and Traveller
GPSMIG	General Public Sector Ministerial Implementation Group
HBF	Home Builders Federation
HMCTS	His Majesty's Court and Tribunal Service
HMIG	Health Ministerial Implementation Group
HMT	His Majesty's Treasury
HO	Home Office
HSE	Health & Safety Executive
HSTF	High Streets Task Force

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

JBC	Joint Biosecurity Unit
IMIG	International Ministerial Implementation Group
LA	Local Authority
LEP	Local Economic Partnerships
LGA	Local Government Association
LGBT	Lesbian, Gay, Bisexual and Transgender
LGC	Local Government Coronavirus
LGD	Lead Government Department
LGF	The Local Government Finance Directorate
LRF	Local Resilience Forum
LGT	London Government Taskforce
MAIC	Multi Agency Information Cell
MACA	Military Aid to Civil Authorities
MCA	Mayoral Combined Authorities
MCD	Minister for the Constitution and Devolution
MIG	Ministerial Implementation Group
MoD	Ministry of Defence
MoJ	Ministry of Justice
NSDR	National Supply Distribution Response
NSSS	National Shielding Support System
ONS-DHSC	Office of National Statistics-DHSC
OPSS	Office for Products and Safety Standards
PD 51Z	Practice Direction 51Z
PD 55C	Practice Direction 55C
PHE	Public Health England
PM	Prime Minister
PMO	Programme Management Office
PPE	Personal Protective Equipment
PRDG	Professional Research and Data Group
PSSED	Public Sector Equality Duty

1. *Witness Name: Jeremy Pocklington*

2. *Statement No.: 2*

3. *Exhibits: [JP2/1 – JP2/90]*

4. *Dated: 22 August 2023*

RA	Resilience Advisor
RED	Resilience and Emergencies Division
RNF	Relative Needs Formula
RNIB	Royal National Institute of Blind People
RWCS	Reasonable Worst-Case Scenario
SAGE	Scientific Advisory Group for Emergencies
SCG	Strategic Co-ordinating Group
SCS	Senior Civil Servant
SEF	Shielding Stakeholder Engagement Forum
SFC	Sales, Fees and Charges
SI	Statutory Instruments
SITREP	Situation Report
SoS	Secretary of State
SPL	Shielded Patient List
SPOC	Single Point of Contact
SRO	Senior Reporting Officer
Taskforce	Covid-19 Rough Sleeping Response Taskforce
TTCE	Test, Trace, Contain and Enable
TCG	Tactical CG
UKHSA	UK Health Security Agency
VAWG	Violence Against Women & Girls
VCS	Voluntary and Community Sector