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UK Covid-19 INQUIRY

WITNESS STATEMENT OF SAM LISTER

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Section 0: Preface

- 0.1. I am the Director General for Strategy and Operations at what is, as of the 7 February 2023, the Department for Culture, Media and Sport (DCMS). Throughout this statement, when I refer to DCMS it is to the Department for Digital, Culture, Media and Sport (DCMS) prior to February's machinery of government changes, at which point the 'digital' part of DCMS was moved across to the newly created Department for Science, Innovation and Technology (DSIT). Throughout this statement, when I refer to DCMS's functions I am referring to the department's functions prior to the machinery of government changes.
- 0.2. Similarly, I will refer to other departments by the title that was correct at the time. For example: the Ministry of Housing, Communities and Local Government (MHCLG) changed to the Department for Levelling Up, Housing and Communities (DLUHC) in September 2021, so references to the department before that date will be to MHCLG.
- 0.3. I make this statement pursuant to a Rule 9 request from the Inquiry dated 22 December 2022 for a witness statement covering the issues raised in the Provisional Outline of Scope for Module 2 (M2) of the Covid-19 Inquiry. M2 is concerned with the UK's core political and administrative decision-making in relation to the Covid-19 pandemic between early January 2020 until Covid-19 restrictions were lifted in February 2022. The contents of this statement relate primarily to matters that occurred within this date range, unless indicated otherwise. This statement is not intended to follow the numbering of the questions in the Rule 9 request. While it seeks to follow the sequence of topics contained in paragraph 4 of the Rule 9 request, I have sought to group together some of the areas by theme (for example, Section 4 includes all DCMS policies and functions that were particularly relevant to the Covid-19 pandemic and therefore encompasses paragraphs 4(f), (h), (k), (l) and (m) of the Rule 9 request).

Section 1: DCMS

A: DCMS's role, function and responsibilities prior to the pandemic within UK government

- 1.1. This section provides an overview of the principal structures and specialist bodies within DCMS and their operation.

Critical National Infrastructure

- 1.2. DCMS was the lead government department for the majority of the communications sector, a part of the UK's Critical National Infrastructure, throughout the period in question. The sector includes telecommunications, the internet, broadcasting and postal services, with DCMS responsible for all except postal services, which came under the then Department for Business, Energy and Industrial Strategy (BEIS). Following the machinery of government changes of February 2023, DCMS now has oversight of broadcast services, with telecommunications and the internet transferring to DSIT.
- 1.3. DCMS held responsibility for the telecoms sector from when it was transferred from BEIS in 2011 until the creation of DSIT. Key UK telecoms include fixed line communications, mobile communications and internet service providers. As the lead government department for this area over the period requested by the inquiry, DCMS led on security and resilience issues for telecoms, working with the industry to disseminate best practice and policy to enhance the sector's resilience. This was coordinated through the telecoms security and resilience team within DCMS, which led on all security and resilience work related to telecoms, internet and subsea fibre optic cables.
- 1.4. The broadcast sector broadly covers the operation of public broadcasting and distribution through radio and television programmes. DCMS has been responsible for media policy (including BBC policy) since the formation of the department, as the Department of National Heritage, in 1992. Responsibility for competition policy relating to the media, broadcasting and digital sectors was transferred to DCMS from BEIS in 2011. DCMS's responsibility for broadcasting security and resilience sits with the broadcast security and resilience team within DCMS. I will discuss the role of these teams further in Section 1B below.
- 1.5. During the Covid-19 pandemic response, DCMS's primary mechanism for engaging on Critical National Infrastructure and resilience issues with the key communications

service providers and infrastructure companies within the telecoms sector was the Electronic Communications Resilience and Response Group. This industry-led group is a cross government and telecoms industry forum whose aim is to ensure the telecoms sector remains resilient to threats and risks to services.

- 1.6. The Electronic Communications Resilience and Response Group includes providers of fixed line services, mobile telephone networks, internet broadband and broadcasting together with government departments, Devolved Administrations and Ofcom. DCMS provided the secretariat for the Electronic Communications Resilience and Response Group and helped coordinate its work in testing the most appropriate processes to respond to a range of different risks. This was done through a number of working groups that reported to a plenary session held each quarter, based upon an annual work plan.
- 1.7. This group moved to DSIT in February 2023, and continues to meet quarterly and has a series of sub-groups that work on cross-sector resilience and response issues.
- 1.8. I will discuss the role of the Electronic Communications Resilience and Response Group further in the context of DCMS's functions as they related to emergency response measures during the pandemic.

Information, disinformation, media and social media

- 1.9. His Majesty's Government (HMG) defines disinformation as the deliberate creation and dissemination of false and/or manipulated information that is intended to deceive and mislead audiences, either for the purposes of causing harm, or for political, personal or financial gain. Misinformation refers to inadvertently spreading false information.¹
- 1.10. DCMS led on the government's counter disinformation policy, the operational side of which was coordinated through the DCMS-based Counter Disinformation Unit (CDU). The CDU leads the operational implementation of the government's domestic counter disinformation policy. As part of the machinery of government changes in February 2023, this responsibility moved to DSIT.
- 1.11. The CDU brings together expertise from across government and works with a range of partners including social media platforms, civil society organisations and providers of monitoring and analysis services to produce the most comprehensive picture of

¹ *Disinformation and 'fake news': Interim Report: Government Response to the Committee's Fifth Report of Session 2017–19.* House of Commons DCMS Committee Report, 23 October 2018.

disinformation and misinformation, and to address it. The CDU aims to reduce the potential impact of disinformation on UK democracy, society and economic and national security interests, in line with UK democratic values.

- 1.12. In January and February 2019, the CDU identified key stakeholders from across Whitehall to form the Counter Disinformation Cell. This structure was intended to provide the most comprehensive picture of the level, scope and impact of disinformation during times of heightened risk. Key departments in this cell alongside DCMS were the Foreign, Commonwealth and Development Office (FCDO), Cabinet Office (CO) and Home Office (HO). The UK Intelligence Community was also involved.
- 1.13. DCMS stood up the Counter Disinformation Cell on 5 March 2020 in response to the acute disinformation risks emerging from the Covid-19 pandemic. The cell brought together government expertise and partners (including social media platforms, and from academia and civil society) to produce the most comprehensive picture of disinformation and misinformation, and to address it. More detail on the approach to countering disinformation can be found in the witness statement provided to Module 1 of the Inquiry by Susannah Storey, who was Director General of the Digital and Media group within DCMS during the pandemic.

Media and creative industries

- 1.14. DCMS leads on the media and creative industry sectors. This includes creative industry sectors: advertising, architecture, crafts, design, fashion, film and high-end television, music, publishing and video games. I have discussed the role of DCMS in relation to Critical National Infrastructure and media above. DCMS also has wider policy responsibilities in relation to media, including general policy responsibility for TV, radio and press. This also includes sponsorship of the British Film Institute (a DCMS arm's-length body which is a cultural charity, national lottery distributor and organisation for film and the moving image) and the Office of Communications (Ofcom), the independent regulator for communications (including broadcast and telecoms). Sponsorship of Ofcom is transferring to DSIT as part of the recent machinery of government changes.

Arts, heritage and tourism

- 1.15. DCMS is the lead department for the arts, heritage and tourism. Within this policy area, we deliver a range of statutory responsibilities, sponsor 26 public bodies which deliver funding and leadership to their sectors, lead high profile programmes such as UK City

of Culture, guide evidence-based cultural policy development and maintain effective working relationships with other Whitehall departments, international bodies and partners outside the sector. The arts, heritage and tourism policy area comprises different sub-areas which I explain below.

- 1.16. The department has oversight of national arts policy. This includes cultural placemaking, funding for the sector and sponsorship of Arts Council England, the public body responsible for national arts development. The department also works across government on shared policy objectives, for example with the Department for Education (DfE) to improve access to cultural education and career outcomes for children and young people. Additionally, DCMS is responsible for the Government Art Collection, a registered museum which acts as custodian of a portfolio of art owned by the government. Its role includes providing works of art for ministerial offices, British embassies and residences overseas.
- 1.17. DCMS is responsible for public libraries policy and sponsors the British Library which, in turn, supports the development of libraries nationally. The Secretary of State has a related statutory duty to superintend and promote public library services (funded by local government through DLUHC). DCMS also sponsors The National Archives.
- 1.18. The department is also responsible for the protection, promotion and conservation of England's historic environment. This includes supporting the Secretary of State to fulfil statutory heritage functions, such as the designation of listed buildings, scheduled monuments and protected wreck sites, and in the exercise of powers for upkeep and repair of historic buildings. DCMS sponsors five public bodies in this policy area: Historic England; the National Heritage Memorial Fund; the Churches Conservation Trust; the Royal Parks; and Historic Royal Palaces. Wider heritage policy responsibility includes leadership of the development of contested heritage policy, which DCMS works on alongside Historic England.²
- 1.19. The department's responsibility for museums involves setting policy for the sector, including on collections, skills and workforce. Within this area, DCMS is the policy lead for international protection and trade, art crime, restitution, sustainability and partnerships. Our policies aim to ensure the protection of cultural objects including through tax reliefs, cultural object export licensing, spoliation (the return to the rightful owners of Nazi-era looted art), and the treasure scheme (which aims to support the

² 'Contested heritage' refers to historic objects, structures, buildings or places where the associated stories or meanings have become challenged.

preservation and protection of significant archaeological finds for the benefit of the nation). DCMS sponsors 17 public bodies in this area: 15 national museums and galleries groups and two advisory committees on cultural property (the Treasure Valuation Committee and the Reviewing Committee on the Export of Works of Art).

- 1.20. DCMS is responsible for driving the growth of the visitor economy, which involves supporting the domestic leisure and tourism sector in England and supporting and facilitating international inbound visitors for leisure and business purposes. We also support the 'Global Britain' initiative through the promotion and protection of cultural and heritage assets as soft power to deliver economic and foreign policy objectives. We sponsor VisitEngland and VisitBritain³ (the devolved nations all have independent tourist boards which VisitBritain works closely with) and support events such as trade fairs and conferences. The department also plays a role in international cultural and heritage protection in partnership with the British Council, which includes engaging with international cultural stakeholders such as the G20, G7 and UNESCO.⁴ The department also leads government relationships with a range of sector stakeholders including industry representative bodies, local authorities and destination management organisations.

Civil society and youth

- 1.21. DCMS also leads on government policy relating to the voluntary and community sector and volunteering through its Civil Society and Youth (CSY) directorate (this was known as the Office for Civil Society prior to 2021; I refer to the CSY directorate throughout this statement for clarity and consistency). This function moved to DCMS in 2016 from CO. The CSY directorate is responsible for policy relating to charities, volunteering, social action, social enterprises, voluntary and community sector organisations and a range of functions including charity law, dormant asset legislation and the local authority statutory duty for youth services.
- 1.22. While the CSY directorate leads on overarching policy with an impact on civil society and its ways of working, many other government departments interact directly with civil society organisations and mechanisms in the course of their work, including planning

³ The British Tourist Authority trades as VisitBritain.

⁴ The Group of Twenty (G20) is an international, intergovernmental political forum comprising nineteen countries and the European Union. The Group of Seven (G7) is an international, intergovernmental political forum consisting of Canada, France, Germany, Italy, Japan, the United Kingdom and the United States.

and preparation for emergencies (which I will discuss further in Section 1B). The directorate is able to support other departments' engagement where required.

- 1.23. The CSY directorate sponsors the National Lottery Community Fund (a public body which awards money raised by National Lottery players to communities across the UK) and the Charity Commission, a non-ministerial department which registers and regulates charities in England and Wales. The Charity Commission has played an important role in emergency preparedness, which will be discussed in Section 1B. DCMS also funds the National Citizen Service Trust (a Royal Charter body delivering the National Citizen Service programme, a voluntary and social development program for 16–17 year olds in England).

Science and analysis

- 1.24. DCMS has focused in recent years on becoming a more analytically rigorous and data-driven department. The establishment of a science advisory function and enhancement of our analytical capability has been a part of this coordinated effort.
- 1.25. The role of Chief Scientific Adviser in DCMS was introduced in January 2019, with Professor Tom Rodden appointed to the post. Prior to this, DCMS was a significantly smaller department and did not have a dedicated science advisory function, although it established a science advisory council in 2015, which was intended to provide independent advice and met three to four times a year.
- 1.26. The Chief Scientific Adviser (CSA) provides scientific and technical leadership within the department, gives direct advice to ministers and officials, and oversees the use of research, evidence and external expertise. The CSA's office did not take part in any pandemic planning related exercises, as these predated the introduction of this role. However, the CSA has taken part, when requested, in other emergency preparedness exercises conducted by the Scientific Advisory Group for Emergencies (SAGE) and the Government Office for Science (GO-Science).
- 1.27. Our department's CSA works with other departmental Chief Scientific Advisers, led by the Government Chief Scientific Adviser in GO-Science, to ensure a joint approach to key government policies.
- 1.28. One of the key responsibilities of the DCMS CSA's office is external engagement and promoting links with the science and research community. This is to ensure that the department is aware, and can quickly make use, of research knowledge and that it actively promotes activity in areas of research interest to the department.

- 1.29. DCMS also houses a central analysis team, made up of economists, operational researchers, statisticians, social researchers and data scientists. DCMS operates a 'hub and spoke' model for its analysis function: the central analysis team acts as a central hub with various 'spoke' analysis teams embedded within policy directorates in DCMS. This model allows the central analysis team and spoke analysis teams to work closely with DCMS policy officials to ensure that evidence is at the heart of DCMS's policy making process, including by assessing policy options, ensuring expected impacts and outcomes are clearly articulated, and using monitoring and evaluation to demonstrate impact, adjust policies during development and learn lessons for future policies. In order to give leadership and direction to the work of the analysis teams, the department has established two oversight mechanisms: the DCMS analytical leadership team, which was established in May 2018, and the DCMS Evidence and Analysis Board, which was established in early March 2020.
- 1.30. DCMS has continued to strengthen its focus on evidence-based policy processes, including with the appointment of the department's first Director of Analysis in August 2021. The Chief Scientific Adviser's office and central analysis team work closely together to increase access to research and evidence and to embed the use of science and evidence in the culture of the department.

Sport, gambling and lotteries

- 1.31. DCMS is the lead department for government policy relating to sport, major sporting events and gambling.
- 1.32. The department's responsibilities for sport cover elite and professional sport, international sport, sports participation, diversity in sport, sport integrity and football regulation. DCMS sponsors four public bodies within this area. Sport England which aims to transform lives and communities through sport and physical activity. UK Sport is the nation's high-performance sports agency, investing in the UK's elite athletes, teams, sports and events to achieve success. UK Anti-Doping works with athletes and national sports bodies to promote clean sport and ensure compliance with the World Anti-Doping Code. The Sports Ground Safety Authority is the government's expert advisory and regulatory body on safety at sports grounds. It has a statutory responsibility for issuing licences to all Premier League and English Football League grounds, Wembley and the Principality Stadium and oversight of local authority duties to sports grounds safety and safety certification.

- 1.33. DCMS also supports the bidding for and hosting of major sporting events in the UK. This can include providing government funding through UK Sport, as well as working with other government departments on guarantees and delivery governance arrangements. For example, DCMS has worked with His Majesty's Revenue and Customs (HMRC) on tax and customs exemptions for income from winnings and with the Home Office on additional safety and security measures for sports people and officials associated with events.
- 1.34. In relation to gambling, we are responsible for the regime set out in the *Gambling Act 2005*, which provides the framework for gambling regulation, online gambling, casinos, betting shops, bingo halls and arcades. This policy area also includes the national lottery and society lotteries, and horse and greyhound racing. We also sponsor two public bodies in this policy area. The Gambling Commission licences and regulates commercial gambling in Great Britain. The Horserace Betting Levy Board collects the levy from bookmakers for the improvement of horseracing or breeding of horses, veterinary science and education.

Public bodies

- 1.35. As I have explained in the preceding sections, DCMS works with a large number of public bodies. This stood at 47 before the machinery of government change in February 2023, and the recent dissolution of the Organising Committee for the Birmingham 2022 Commonwealth Games, and is now at 42. This is the largest number of any government department. Engagement with all our public bodies is primarily through senior civil servants and working-level sponsors. They are responsible for ensuring there is appropriate financial oversight, risk management, governance and accountability, and that our public bodies are fully informed on government policy and direction. Our oversight mechanisms include quarterly meetings with the Chairs/Chief Executive Officers of the public bodies, regular meetings with functional directors (for example, human resources or finance) and quarterly partnership meetings (a governance meeting between the arm's-length body and its DCMS sponsorship team).

B: DCMS's role, function and responsibilities for emergency response measures including managing pandemics

- 1.36. DCMS does not have direct responsibility for any emergency response measures. We are involved in general cross-government planning for pandemics - for example, the CSA takes part in emergency preparedness exercises conducted by the Scientific

Advisory Group for Emergencies and the Government Office for Science. We also work with stakeholders to ensure that they are properly prepared for emergency situations as part of our Critical National Infrastructure responsibilities, and that the voluntary and community sectors are resilient in their role responding to different types of emergency.

Pandemic Flu Readiness Board

- 1.37. A cross-Whitehall Pandemic Flu Readiness Board was established in 2017 alongside various working groups, including a group for critical sectors' resilience.⁵ DCMS was represented on both the Board and the critical sectors resilience working group, taking the lead on telecoms and broadcast sectors in both capacities. The relevant DCMS teams worked together on planning for the impact of pandemic flu and consulted with their sectors via the Electronic Communications Resilience and Response Group. The department attended a challenge panel in December 2017 made up of representatives from the Department for Health and Social Care (DHSC), CO, Go-Science and Public Health England (PHE), and which subsequently produced a detailed statement of preparedness for the telecoms, internet and broadcast sectors in February 2018, which was submitted to CO [SL/1, INQ000182633].
- 1.38. This statement of preparedness was produced following extensive consultation and research. Based on consultation with the main telecoms and broadcast industry stakeholders, each of whom were members of the Electronic Communications Resilience and Response Group, the likely impact on telecoms networks in the event of a major pandemic was assessed as limited. Both the National Emergency Alert for Telecoms and the Telecoms Industry Daily Information Exchange (established for the 2012 Olympics) were regularly tested and noted to have been used a number of times in 2017. The Electronic Communications Resilience and Response Group also ran its own annual emergency planning exercise. Given the existing mechanisms in place, it was considered unnecessary to have additional measures. It was also noted that individual companies ran their own internal emergency planning exercises.
- 1.39. This work underlined the high level of readiness in both sectors and the expected limited impact of a pandemic [SL/2, INQ000182655]. Overall, the statement of preparedness identified that the main impact of a pandemic would be on the engineering workforce, noting that home working was common practice in the sector,

⁵ Post Covid-19, the Pandemic Flu Readiness Board evolved into the Pandemic Diseases Capability Board (PDCB), which was established in 2022 and looks beyond pandemic flu to enhance preparedness for a wider range of pandemic disease scenarios. DCMS is represented on the PDCB by the head of the incident response team - I discuss this team further in Section 7 below.

and that companies planned for significant staff absence as part of their business continuity.

Critical National Infrastructure

- 1.40. The Electronic Communications Resilience and Response Group has developed the industry process for dealing with emergencies which have an impact on service provision for telecoms. The Electronic Communications Resilience and Response Group manages the National Emergency Plan for telecommunications, which sets out processes for handling emergencies and how to deal with priority customers and services [SL/3, INQ000182646]. The telecoms industry response to an emergency is known as the National Emergency Alert for Telecoms, which is part of the National Emergency Plan. The National Emergency Alert for Telecoms is a conference call convened when telecoms providers become aware of a problem or potential problem that may affect services. All key UK telecoms companies, including fixed, mobile, internet and other service providers, together with relevant government departments (including DCMS), are represented on the call. The Electronic Communications Resilience and Response Group carries out an annual exercise to test the National Emergency Alert for Telecoms using a realistic scenario.
- 1.41. The Electronic Communications Resilience and Response Group also provided a mechanism for DCMS to disseminate best practice and policy advice about the government's resilience priorities to the industry - for example, flu pandemic planning or security policy.
- 1.42. In addition to its work via the Electronic Communications Resilience and Response Group, DCMS's telecoms and broadcast security and resilience teams engaged extensively across government and industry on matters relating to security and resilience.
- 1.43. Where appropriate, and on specific security policies, the telecoms security and resilience team engages with business continuity and resilience representatives of individual companies, including their government affairs teams, as well as with trade bodies on a bilateral and multilateral basis. The telecoms security and resilience team and the broadcast security and resilience team both engage with the Centre for the Protection of National Infrastructure and the National Cyber Security Centre as part of their security work, as well as CO's National Security Secretariat on specific policy issues.

- 1.44. As the lead department for broadcast Critical National Infrastructure, one focus of DCMS's security and resilience work is the BBC. The broadcaster carries special responsibilities in the event of a national emergency, when ministers may ask the BBC to distribute specific information to the public via its networks. Its overall responsibilities, set out in its Charter and Agreement, include requirements to take reasonable steps to minimise the risk of the loss of, or a significant disruption to, the broadcast and distribution of BBC radio and television services. As part of the last Charter review in 2016, DCMS added a new clause governing the BBC's responsibility to maintain the resilience of its broadcasting networks, including specific requirements for the BBC in relation to cyber security preparedness to minimise the risk and have effective mitigations to deal with cyber attacks on BBC systems.
- 1.45. The focus of the department's engagement across government changes depending on the risk under consideration. For example, issues of personnel security would be addressed by the Centre for the Protection of National Infrastructure; those relating to subsea cables would be discussed with CO, Ministry of Defence (MoD) and Foreign and Commonwealth Development Office (FCDO); satellite position navigation and timing issues (for example, relating to GPS) would be discussed with DSIT; while space weather (which is monitored to identify events which might impact UK infrastructure) would involve work with DSIT and the UK Space Agency.

Information, disinformation, media and social media

- 1.46. During the pandemic DCMS led on the government's disinformation policy, as referenced above. I will set out DCMS's role in managing disinformation and misinformation during the pandemic in Section 4C below. More detailed information on this work has been provided in the statement to the Inquiry for Module 1, made by Susannah Storey. In terms of emergency response measures more generally, it is relevant to mention here that DCMS worked with CO and other departments to ensure that potential disinformation risks were accurately reflected in the National Security Risk Assessment in 2019 and 2020.⁶ Following this work, disinformation was included as a risk in the public National Risk Register for the first time in 2020.

⁶ The National Security Risk Assessment is the main tool for assessing the most serious civil contingencies risks facing the UK. It assesses, compares and prioritises the top national level risks facing the UK, focusing on both likelihood of the risk occurring and the impact it would have, were it to happen. It is an internal government document, owned by the Cabinet Office. A public version - the National Risk Register - is published after each refresh of the NSRA.

Civil society and youth

- 1.47. The CSY directorate took on greater resilience and emergency response responsibilities in the aftermath of the Grenfell Tower fire and London and Manchester terrorist attacks in 2017. During 2018, DCMS worked with CO's Civil Contingencies Secretariat on helping communities to be more resilient, engage with voluntary and community sector organisations with an interest or role in community resilience, and support the continued integration of the sector into emergency planning [**SL/2, INQ000182655**]. The work was taken forward through the Communities Prepared National Group, which was led by CO and the Civil Contingencies Secretariat, with the CSY directorate attending on an ad hoc basis.
- 1.48. During 2017 and 2018, DCMS sought to cooperate more closely with the voluntary and community sector and began working with the Charity Commission and partners towards developing the voluntary and community sector's capability to respond to major incidents. This included awarding funding, through the Nesta Connected Communities Innovation Fund,⁷ to a number of schemes aimed at mobilising communities in emergencies and increasing resilience in the voluntary sector. This fund was launched by Nesta and DCMS in 2017 and the 'community resilience in emergencies' priority area of the fund focuses on innovations that mobilise the time and talents of people to enable communities to prepare for, respond to and recover from emergencies. Between March 2018 and March 2020, a total of £257,000 was awarded to the British Red Cross (Community and Voluntary Sector Resilience Project), North Yorkshire Council (Ready for Anything Project) and Voluntary Action North Lincolnshire (Blue Lights Brigade) [**SL/4, INQ000182662**].
- 1.49. We also sought to improve our engagement with the voluntary and community sector on emergency-related issues. The primary mechanism for achieving this was the provision of start-up funding for the National Emergencies Trust, which was launched in November 2019.⁸ The National Emergencies Trust was set up as a charity to coordinate charitable fundraising and distribution in the event of a domestic disaster or emergency, including major terrorist incidents. In the event of an incident, the National Emergencies Trust collaborates with charities and other bodies to raise and distribute money and support those affected.

⁷ Nesta describes itself as "a UK innovation agency working for social good". It is not sponsored by DCMS.

⁸ While the National Emergencies Trust remains a DCMS stakeholder, we have no current financial or contractual relationship with it.

- 1.50. In November 2018, proposals were made by leading voluntary and community sector based resilience and emergency response organisations to establish the Voluntary and Community Sector Emergencies Partnership⁹, which would coordinate offers of support for charities responding to emergencies. While this work was not initially funded by DCMS, we subsequently provided funding as part of the Partnership's Covid-19 response to help strengthen the voluntary sector's approach to coronavirus and future emergencies, as I discuss in Section 2B below.

Public bodies

- 1.51. In most circumstances DCMS's public bodies would not have a specific role, function or responsibility for emergency response measures including managing pandemics. However there were exceptions to this during the Covid-19 pandemic and where relevant, these instances are covered throughout this statement.

C: DCMS's role, function and responsibilities between 1 January 2020 and 24 February 2022

- 1.52. I will now outline the role, function and responsibilities of DCMS during the relevant period within the UK government and with devolved administrations. This includes in relation to emergency response measures; the provision of economic support to DCMS sectors; work to provide information and analysis; and sectoral and stakeholder engagement and two-way communication on key interventions and their impacts.
- 1.53. It is worth noting that some of the responsibilities are captured in two specific programmes of work that DCMS led for the government, the 'Recreation' project and the Events Research Programme, both of which involved intense efforts by the department to support our sectors and contribute to decision-making over the course of the pandemic. DCMS's role in relation to specific policy areas, including large-scale events, border control from a tourism perspective, and disinformation, is set out in more detail in Section 4.
- 1.54. Many of the DCMS policy areas most affected by the pandemic are devolved and the department did not frequently work with the devolved administrations. We maintained open communications to discuss our Covid-19 initiatives and guidance with the devolved administrations, but did not work directly with them on policy development. DCMS also does not have direct relationships with relevant local and regional entities

⁹ Established in 2018 by leading voluntary and community sector resilience and emergency response organisations, with the aim of delivering a coordinated response to national emergencies.

such as local resilience forums. Throughout latter parts of this statement I have referenced a few specific examples of anything that might be of note.

- 1.55. In early January 2020, DCMS's response to the pandemic was initially focused on concerns related to a drop in tourism from China. Throughout that month, as the impact of Covid-19 began to grow, DCMS tourism officials worked closely with their stakeholders to understand concerns relating to border control, movement of people and travel advice more generally. DCMS attended cross-Whitehall meetings on Covid-19 to report relevant information gathered from its policy sectors (principally the inbound tourism sector), including attending COBR committees at both ministerial and official level. In particular, DCMS provided information concerning the inbound tourism sector which would be particularly affected by border closures (although DCMS did not, and does not, have any responsibility for borders).
- 1.56. By late January, concerns had extended beyond inbound tourism to encapsulate issues with the cultural sector, with institutions such as museums and performing arts organisations seeking advice on planned and ongoing tours or loans to China, Japan and Korea. DCMS worked with the FCO (now the FCDO), the British Council and the UK cultural sector to identify activities and events which needed to be cancelled or postponed. By 4 February, when FCO advised against all travel to China, a number of museum exhibitions, concerts and theatre productions had been cancelled, as were planned ministerial visits to South Korea, and elements of the Government's 'UK in Japan' season (which had been due to include the National Gallery's *Masterpieces* exhibition) were cancelled. While we sought to minimise the financial impact of these cancellations, the Science Museum (which had five touring exhibitions planned in China) had to write off losses of £500,000. In a number of cases, works of art or cultural artefacts which had already travelled to the Asia-Pacific region had to be safeguarded (generally by keeping them in the museum to which they had been sent, whether on display or in storage). By late February, international activity involving UNESCO cultural missions to the UK had also been cancelled.
- 1.57. By the end of January, DCMS was instructed by COBR to consider the likely impacts of a 'reasonable worst case scenario' [SL/5, **INQ000182292** and SL/6, **INQ000182302**]. This envisaged the virus spreading beyond China to the rest of the world with up to 80% of the UK population being infected. At this point the department increased internal resourcing on the pandemic response, with officials from key policy teams including civil society, telecoms, culture and sport moving to join tourism officials in a small director-led team. Work was undertaken to ensure that telecoms and

broadcasting, as critical sectors, had appropriate pandemic business continuity plans in place. DCMS officials spoke with their public bodies and other key stakeholders, largely via the DCMS-chaired Tourism Industry Council,¹⁰ to understand their pandemic flu plans and to identify potential impacts and concerns. The Tourism Industry Emergency Response forum, chaired by VisitBritain, also played a key role in sector communications. Officials from the DCMS tourism team attended this meeting on behalf of the department. Information was fed back cross-Whitehall, largely via ministerial and official attendance at COBR meetings. At that stage, the department was directing DCMS stakeholders to PHE advice in response to any concerns.

- 1.58. As Covid-19 spread through Europe during February and March 2020, the effect and potential impact of the pandemic became more pronounced across many DCMS sectors and the role of the department expanded significantly. DCMS began to concentrate workloads on the pandemic response, including contingency planning. For example, DCMS's sports and broadcasting teams considered how sports fixtures might continue behind closed doors, if required.
- 1.59. Several teams were established within the department in March 2020, some with a specific focus on Covid-19:
 - a) A central team (the DCMS Covid-19 Hub) was established to provide coordination on cross-cutting issues and provide a single point of contact for the emerging cross-Whitehall response structures. This was followed by the creation of a central analytical hub for Covid-19, led by a deputy director, in November 2020.
 - b) A Covid-19 legal hub within DCMS was set up to provide legal advice in response to Covid related queries across all DCMS sectors. This included advising on issues relating to legislation and guidance from CO, DHSC, BEIS and DCMS policy colleagues.
 - c) The CDU was stood up in response to the acute disinformation risks emerging from the Covid-19 pandemic. I have set out the overall role of the CDU in Section 1A above and will discuss its role in the context of the pandemic further in Section 4C.

¹⁰ An industry-led board comprising employers, small businesses and representative organisations from the tourism industry, working with government focusing on improving the tourism sector and the visitor economy.

- d) The Economic Response Directorate (ERD) was established to support DCMS sectors in identifying and addressing the economic challenges arising as a result of Covid-19 and government response to the pandemic. I will discuss the ERD in detail in Section 4B.
 - e) The data infrastructure security and resilience team was established within DCMS in March 2020. This is a relatively new policy area within government, though its importance has been becoming increasingly recognised. The onset of Covid-19 underlined the significance of data infrastructure and, although not officially designated as a part of the UK's Critical National Infrastructure, it was largely treated as such during the pandemic. As part of the machinery of government change, responsibility for data infrastructure was transferred from DCMS to DSIT in February 2023.
 - f) A new volunteering delivery function was stood up to take a leading role in voluntary and community sector support. The main focus of the work was the delivery of a 'volunteering delivery plan', commissioned by CO's Covid-19 Taskforce, which gave DCMS responsibility for ensuring that the overall policy framework for volunteering was robust and enabled safe volunteering during the pandemic.
- 1.60. The Prime Minister announced several non-pharmaceutical interventions (NPIs) on 16 March 2020. The advice to stay at home had a significant impact on DCMS sectors, many of which rely on close social contact - such as the culture, creative industries, sport, tourism and volunteering sectors. DCMS started daily calls between ministers and key stakeholder organisations from across our sectors. The department also engaged regularly with its public bodies, a number of which rely on commercial revenue streams to fund their business (including national museums and heritage sites). Weekly calls between officials and representatives of these public bodies were set up to provide advice and escalate problems to relevant government departments.
- 1.61. DCMS started to experience a widening of its conventional policy domain after restrictions were introduced in March 2020. Responsibilities expanded – as they did for other government departments – to accommodate some 'sub-sector' businesses that did not have a relationship with a particular government department prior to Covid-19, principally because there had been a limited need for bespoke engagement. These businesses now required government support and advice, with DCMS taking on responsibilities for businesses such as soft play centres, go-karting tracks and

trampoline parks. I will discuss DCMS's policy responsibilities during the pandemic further in Section 1D below.

- 1.62. As I will discuss further in Section 2B, DCMS did not make the decisions concerning NPIs or lockdown in March 2020. DCMS provided information and analysis on the probable impact of various NPI options around this time (largely to CO) and attended COBR meetings, as appropriate, including when decisions were being made to move from the 'contain' to 'delay' phase of the response [**SL/7, INQ000182645; SL8, INQ000182664; SL9, INQ000182657; SL/10, INQ000182663; and SL/11, INQ000182656**]. In some areas, DCMS sought to influence policy development – particularly concerning the need for economic support for its sectors managing with severely constrained activity as a result of NPIs and the issues faced by organisations in securing business insurance to cover for their reduced activities. We also made the case for the key employees within our sectors to be included as 'critical workers' (for example, broadcasters and data infrastructure workers).
- 1.63. Given DCMS sectors faced closures and other restrictions during the Covid-19 pandemic, securing financial support was a key way for DCMS to support its sectors. As well as providing feedback and analysis to CO and His Majesty's Treasury (HMT) on how pan-economy measures (such as the furlough scheme) were supporting DCMS sectors, the department established its own sector-specific financial support in the early months of the pandemic. This included a range of schemes administered by DCMS or its public bodies. On 24 March 2020, Arts Council England, which is funded by DCMS, announced a £160 million emergency response package to support individuals and organisations across the cultural sector in England, including support to organisations outside their national portfolio (the group of arts and cultural organisations that already receive regular funding from Arts Council England). On 8 April 2020, the government made available a £750 million package of support specifically for the voluntary, community and social enterprise sector. DCMS was responsible for allocating £513 million of the package, including funds distributed via the department itself, other government departments and external partners such as The National Lottery Community Fund. The remainder of the package was directed by HM Treasury via DHSC and the devolved administrations. I expect DCMS's role in relation to sector-specific economic support packages will be discussed in more detail as part of a subsequent Covid-19 public inquiry module on the economic response to Covid-19.

- 1.64. In mid-April 2020 the department also participated in a cross-Whitehall exercise, at ministerial level, that sought to rehearse the pandemic-related decision-making that might be necessary in the event of extreme sustained transmission of Covid-19 in the UK (meaning that restrictions would need to be extended beyond the summer). The focus was primarily on public health issues; staff absences and impacts on essential services; and communications. However, DCMS attended to speak to the potential impact of decisions that might be taken on elements of Critical National Infrastructure for which DCMS was responsible, together with tourism, culture and sporting events, and to answer any questions around misinformation or disinformation [SL/12, INQ000182658 and SL/13, INQ000182654].
- 1.65. The department played a key role in the development of notifications systems during this early stage of the pandemic. On 10 May 2020, a joint briefing note was sent to Downing Street on behalf of the Chancellor of the Duchy Lancaster and the DCMS Secretary of State setting out options for implementing a nation-wide mobile alerting system to send public messaging and impose reactive measures to support the UK's approach to Test, Trace and Track [SL/14, INQ000182314; SL/15, INQ000182312; and SL/16, INQ000182311]. The note recommended opting for a cell broadcast system as opposed to reliance on the Short Message Service (SMS), with SMS used to communicate key government messages to the public while the cell broadcast system was being implemented. Work continued on this project through the summer of 2020, with a project summary being produced in August 2020 listing DCMS and CO as lead departments. In the short term, the project aimed to enable rapid, secure and localised messages to support reactive measures for localised spikes in Covid-19 cases, and in the medium term to underpin public messaging from the Joint Biosecurity Centre. In the longer term, the project aimed to support the UK's response to 'no notice' incidents (e.g. terror attacks) and other threats to life (e.g. flood, forest fire) where regional or national alerts would save lives. A paper finalising project plans, jointly produced by DCMS and CO, went to the 'Covid O' (operations) committee on 11 May 2021 for approval.¹¹ The committee approved the plans, including the principles, name and timeline of operationalisation for the cell broadcasting alert system.

¹¹ 'Covid O' (operations) and 'Covid S' (strategy) Cabinet sub-committees (the main meeting structures through which collective cross-government ministerial decisions on the Covid-19 response were made from Summer 2020).

Guidance development and the Recreation project

- 1.66. In the early phases of response to the pandemic, in April 2020, the Cabinet Office created nine cross-government workstreams, one of which was 'Safer places'. Within this workstream was responsibility for recreational activities, termed 'Recreation' and led by DCMS, 'Safer workplaces' (led by BEIS), 'Public spaces' (MHCLG), 'Schools' (DfE) and 'Transport' (DfT). The 'Recreation' project aimed to support the adaptation and effective management of recreational activities to minimise Covid-19 transmission, maximise numbers of participants where appropriate, and minimise the economic impacts on affected sectors.
- 1.67. Recreation within this context was defined as "indoor or outdoor activities for non-work purposes, excluding the household settings". It had four sub-domains: sport and physical activity, entertainment and creative industries, culture and domestic tourism/hospitality and youth. BEIS led a separate workstream covering pubs and restaurants. The workstream brought together the department's work internally and within Whitehall to support and address the pandemic's impact on those DCMS sectors which are reliant on social activity [SL/17, INQ000182306]. It involved very regular engagement with representatives of affected sectors at different ministerial and official levels. As part of that engagement, we discussed and assessed impacts on the relevant sectors, the strategic development of guidance, as well as the case for economic support and adaptations in restrictions.
- 1.68. Throughout the period from April 2020 to March 2021, DCMS reported weekly to the Cabinet Office via this workstream. It included a senior official-level board, which was also attended by MHCLG and DEFRA to ensure that issues related to areas of shared interest could be discussed. Those areas included zoos, a policy area owned by DEFRA but in which DCMS has an interest both because zoos make up part of the visitor economy and in relation to historic listed zoos.
- 1.69. A key early aim of the work was to generate, publish and manage up-to-date guidance to support reopenings and the continued operation of relevant sectors (see Section 3A and 4A which refers to further guidance). The guidance sought to enable sectors to remain open where it was safe to do so and to encourage the equal treatment of similar settings across the economy (for example, making sure that cafés inside a museum could operate in the same way as a café on a high street). The project also sought to support recreational sectors experiencing ongoing financial and operational difficulties,

with a particular focus on identifying where sectors may be facing permanent closure and how that could be avoided

- 1.70. In early May 2020, the DCMS Secretary of State, appointed Neil Mendoza as Commissioner for Cultural Recovery and Renewal. He was tasked with advising on the cultural sectors response to, and recovery from, the pandemic. Following this appointment, and the Prime Minister's announcement of a 'roadmap to reopening' on 10 May 2020, the Cultural Renewal Taskforce was set up. The aim of the taskforce was to bring together representatives from the cultural, sporting, tourism, media and technology worlds to support the restarting of impacted sectors. It acted as a mechanism for sectoral engagement and fed into the work of the Recreation project. It was supported by eight minister-chaired working groups, designed to cover a broader range of stakeholders, while focusing on specific challenges for sectors and sub-sectors. I will discuss the Cultural Renewal Taskforce and the working groups in detail in Section 4D.
- 1.71. The production of guidance during this period was led by the DCMS Covid-19 hub, working with the Cultural Renewal Taskforce and other policy officials in order to ensure all relevant expertise was available when guidance was developed [SL/18, INQ000182641].
- 1.72. DCMS guidance was categorised based on authorship and clearance processes, as follows:
- a) Category 1 guidance was authored by DCMS and Category 2 guidance by DCMS in collaboration with its public bodies. Both were published on GOV.UK. Category 1 and 2 guidance was cleared by DCMS policy and legal teams, then cleared by other government departments. This clearance method was referred to as 'triple lock' and saw drafts (when approved by CO) cleared by Downing Street, DHSC and PHE. Guidance could not be published without the 'triple lock', and CO, Downing Street, DHSC and PHE (not DCMS) made the final decisions on the content. Guidance was shaped by a standardised 'working safely' template, and was designed to be included within an initial set of publications developed by BEIS. It included guidance for the visitor economy, hotels and other guest accommodation, heritage locations and the performing arts. DCMS also developed other stand-alone pieces of guidance which sat outside this workplace-based framework, principally in relation to elite sport, grassroots sport and volunteering.

- b) Category 3 guidance was drafted by key sector stakeholders and hosted on external websites. Category 3 guidance was cleared by PHE and the Health and Safety Executive (HSE) in the first instance, with updates checked by DCMS legal advisors. The development of this guidance was supported by DCMS officials, with consultants from Ernst & Young working on a short-term project basis for DCMS in May and June 2020. Its purpose was to apply overarching Covid-19 guidance to specific workplace and consumer-facing settings (for example, those with an in-person audience). Guidance within this category included events, cinemas, theatres, TV production, film and high-end TV production, music production and public libraries.
 - c) Separately, DCMS sport team officials assisted with the high level review of a range of sport-specific sector guidance produced by the sector (eg. British Gymnastics, England Rugby), which was sometimes referred to as Category 4 guidance. The media and creative industries team also engaged with a range of creative sub-sectors (e.g. the UK Cinema Association, Music Producers Guild) on guidance of a similar nature.
- 1.73. By the end of June 2020, DCMS had been involved in the publication of 27 pieces of sector-specific guidance (Categories 1-3), with further pieces following in July. All guidance was initially published in advance of the 2020 reopening dates for different activities in order to give sectors time to prepare to reopen appropriately [SL/19, INQ000182304].
- 1.74. DCMS continued to review and update its (Category 1) guidance to reflect changes to restrictions and guidance as the pandemic progressed. Those changes were confirmed by the CO guidance team, which provided policy steers and lines for departments to incorporate into updated guidance. For example, the CO guidance team provided the agreed government position on working from home for the move to 'Plan B' in December 2021 and lines for departments to use in updated guidance. DCMS secured amendments to the relevant wording which better reflected DCMS's sectors for subsequent updates. We also worked with CO and other departments (including BEIS and DHSC) to ensure guidance produced by those departments was appropriate for DCMS sectors. For example, DCMS worked with DfE to ensure that guidance to schools on PE and sport was consistent with DCMS grassroots sport guidance. We did not provide ongoing reviews of public body (Category 3) guidance, but we continued to support our public bodies in ensuring their guidance was consistent with government guidance.

- 1.75. On 22 February 2021, the government's Covid-19 Response - Spring 2021 (which I will refer to as the 'Spring 2021 Roadmap') was published and from March 2021, CO published guidance for the four steps of the Spring 2021 Roadmap (Step 1 in March, Step 2 in April, Step 3 in May and Step 4 in July). In the lead up to July 2021, the Cabinet Office Covid-19 guidance team requested that Covid-19 guidance be streamlined and shortened, to reflect the move to Step 4 of the Spring 2021 Roadmap. DCMS amalgamated its elite sport guidance into a single piece of guidance and the DCMS-led sections of the 'working safely' guidance were rationalised, with guidance being issued for hotels and guest accommodation, events and attractions, and for grassroots sport (participants, providers and facility operators). This streamlined guidance was published alongside the existing (Step 3) guidance in July 2021, in advance of the move to Step 4, to allow businesses to prepare for the removal of restrictions on 19 July. After the move to Step 4, the Step 3 versions of the guidance were removed, in order to avoid confusion. This structure remained largely the same (although the individual sections were updated where needed) until DCMS's guidance was withdrawn in April 2022, when responsibility for COVID-19 guidance moved to the UK Health Security Agency.

Piloting reopening and the Events Research Programme

- 1.76. From 12 July 2020, DCMS started working with the sports sector to deliver a series of test events to trial the limited return of socially distanced crowds at sporting events [SL/20, INQ000182308]. To ensure a controlled approach, the events were to be delivered in three stages:
- a) Initial pilots and evaluation: end of July to mid-August 2020
 - b) Extended pilots: mid-August to mid-September 2020
 - c) Full pilots: middle to the end of September 2020
- 1.77. The sports pilot programme was paused on 31 July 2020 following an increase in Covid-19 cases nationally. In August, the government announced the programme could continue from 15 August beginning with its second phase. The Sports Ground Safety Authority conducted an evaluation of the initial pilots and found that spectators generally adhered to the expected 'code of conduct' and the guidance published by government.
- 1.78. In early 2021 the government was continuing to work on the long-term reopening of all sectors. DCMS made proposals to CO to deliver a range of pilot events building on the

work of the pilots delivered in 2020 (which are covered in more detail in Section 4A) with the aim of providing evidence to support safe reopening of large events. Consequently, the Spring 2021 Roadmap published on 22 February 2021 included the Events Research Programme (ERP), which would be one of four reviews to provide evidence for the safe reopening of the country, specifically the long-term reopening of events in England.¹² DCMS led the Events Research Programme with support from DHSC and with the involvement of BEIS given its interest in business and civic events. There were four key areas of research: outbreak prevention and control; environmental and behavioural; transmission; and socio-economic study. Further information on the programme can be found in Section 2B of this statement.

D: DCMS policy areas between 1 January 2020 and 24 February 2022

For which DCMS had exclusive responsibility

- 1.79. The areas of government policy for which DCMS held exclusive policy responsibility are set out above in Section 1, beginning at paragraph 1.2.¹³

Where policy competence was shared

- 1.80. DCMS had shared competence for various policy areas which continued during the period January 2020 to February 2022. In some cases, over the course of the pandemic, collaboration between DCMS and other government departments on similar/overlapping policy areas became more defined, particularly around the closure and reopening of sectors including hospitality, retail, sport and leisure, travel and tourism sectors, as well as places of worship and cultural institutions.

Hospitality

- 1.81. BEIS was largely responsible for hospitality during the relevant period. During the pandemic, it had primary policy responsibility for high street establishments whose principal function was to serve food and/or drink to be consumed either on-site or to take away (including pubs, restaurants and bars). However, many DCMS sectors also provided hospitality facilities, such as entertainment, cultural and leisure venues and

¹² The other reviews looked at social distancing, Covid-status certification and global travel.

¹³ In this context, policy responsibility might mean that DCMS is responsible for funding this sector via its public bodies and/or leads in promoting their interests within government. Some DCMS policy areas do not involve a significant element of legislation owned by the department, or are covered by broader legislation owned by other departments.

sporting events and other attractions which may operate cafes, bars or restaurants. DCMS was responsible for the hospitality elements of those sectors. The department was also responsible for accommodation-related hospitality – for example, bars and restaurants located in hotels and guest houses. This shared competence continued throughout the pandemic.

- 1.82. Similarly, DCMS had shared competence for the ‘night-time economy’, which is generally understood as the economy that operates between 6pm and 6am. It covers many sectors and industries including hospitality, entertainment, events, healthcare, security, cleaning, transport, logistics, retail, and health and fitness/sports centres. Within government, responsibility for the night-time economy was spread across a number of departments, including DCMS, BEIS, Department for Transport (DfT), DHSC, MHCLG and HO. DCMS was responsible for hotels, cinemas, theatres, music venues, concert halls, comedy clubs, festivals and events (including sport, arts and culture), performers (including performance artists, DJs, musicians), amusement venues (bowling, amusement arcades, casinos, bingo) and health and fitness/sports centres.
- 1.83. One example of a hospitality-related sector which did not have a lead department before the pandemic was the wedding industry. That industry encompasses a very broad and diverse range of venues, sectors and professions, responsibility for which was split across multiple departments (and teams within departments). During the pandemic, BEIS became the government’s lead for the wedding industry [SL/21, INQ000182252]. DCMS retained a policy interest which was largely from a venue and entertainment perspective (for example, the use of historic houses or arts spaces as wedding venues).

Retail

- 1.84. BEIS was the lead department for retail throughout the pandemic, but DCMS had a policy interest by virtue of the inclusion of retail as part of various DCMS sectors (for example, gift shops in museums and at tourist attractions). While policy responsibility for travel agents was not settled during the pandemic, DCMS informed decision-making as to whether retail travel agents would be listed as a closed business in the Health Protection Regulations.¹⁴ Following the recent machinery of government

¹⁴ *Health Protection (Coronavirus, Restrictions) (No.3) and (All Tiers) (England) (Amendment) Regulations 2021/8.*

change, this responsibility now sits with the new Department for Business and Trade (DBT).

Sport and leisure

- 1.85. The term “leisure” is broad and incorporates areas led by other departments - for example, zoos, national parks and forests sit with DEFRA. Within the leisure sector, DCMS’s responsibilities include bowling alleys, theme parks and other attractions (eg. Harry Potter World, Go Ape), outdoor events (eg. air shows, fun fairs, car boot sales, flower shows, pet and animal shows), as well as tours and other experiences (eg. escape rooms, laser tag, go-karting tracks). Other areas include gyms, soft play centres, trampoline parks, outdoor light trails and heritage railways. As set out above, DCMS also owns the policy on gambling venues such as casinos, arcades, bingo and betting shops.
- 1.86. During the pandemic, DCMS worked with DLUHC to allocate financial support to local authorities across England for public sector leisure centres, through the National Leisure Recovery Fund. DCMS also worked with DfT, DHSC, PHE, CO and HO to facilitate international travel and quarantine exemptions for elite sportspeople and ancillary support staff during periods of travel restrictions, with appropriate public health controls in place. I will discuss these exemptions in Section 2B.

Travel and tourism

- 1.87. DCMS held joint responsibility with BEIS for business events including conferences, congresses, exhibitions, trade fairs, research symposia and business meetings. The venues, organisers and suppliers of those business events also fell within this joint policy responsibility. Although many lockdown restrictions were lifted on 4 July 2020, large business events remained prohibited (with only meetings of up to 30 people allowed for training purposes). In advance of the then proposed 1 October 2020 reopening date for these types of businesses, DCMS officials worked with industry leaders on three successful business event pilots (attended by senior PHE officials) in September 2020 to test approaches to delivering events in a Covid-19 secure manner [SL/22, INQ000182303 and SL/23, INQ000182309].¹⁵ However, due to rising rates of Covid-19, the planned reopening was cancelled and the sector did not open again until

¹⁵ Exhibition pilot with approximately 300 delegates at the Business Design Centre, London; conference pilot with approximately 200 delegates at the Hilton Hotel, Canary Wharf; awards ceremony pilot with approximately 200 delegates at Wyboston Lakes, Bedfordshire.

the Events Research Programme pilots in April 2021 (which included the Good Business Festival in Liverpool and the Home and Gift Buyers Festival in Harrogate).

- 1.88. DCMS was responsible for accommodation venues such as hotels, B&Bs, self-catering and resorts. During the pandemic, we worked with other government departments to source hotels for use in potential quarantine facility plans and securing hotel accommodation for key workers and homeless people, when hotels were closed for most other purposes [SL/24, INQ000182301 and SL/25, INQ000182297]. DCMS also worked with other departments to allow hotels to stay open to house critical workers, those seeking refuge or attending events such as funerals.
- 1.89. DCMS was also the lead department for visitor attractions, tour guiding and tour operators and had a policy interest in package holidays. However, during the pandemic, regulatory responsibility for these sectors lay with BEIS and has now transferred to DBT.

Places of worship

- 1.90. MHCLG held policy responsibility for the closure and reopening of places of worship during the Covid-19 pandemic. DCMS had a policy interest in places of worship where they were open as tourist attractions or where places of worship were heritage assets (as DCMS was responsible for listed places of worship, including their funding). DCMS also had policy responsibility for singing, which was of relevance to many places of worship. I have explained how the department worked with DfE and MHCLG on guidance relating to singing in Section 3A below.

Civil Society

- 1.91. As stated above at paragraph 1.21, while the CSY directorate leads on overarching civil society, during the pandemic other government departments developed relationships with this sector to deliver specific services. For example, health volunteering delivery was led by DHSC, and funding for citizens advice services was covered by BEIS .

Section 2: Early response to Covid-19

- 2.1. DCMS's role in relation to the early response to Covid-19 was focused on its own sectors, as detailed in Section 1 above. I will describe the key policy areas in Section 4 below. In this section, I set out DCMS's role in broader government decision making during this period.

- 2.2. Engagement and communication was vital in the early stages of pandemic and existing relationships, including those with businesses, representative and trade bodies and voluntary organisations, were heavily utilised. As the pandemic took hold and restrictions started to be introduced, existing channels of engagement were ramped up. For example the Tourism Industry Council (chaired by DCMS) began meeting more regularly with a specific focus on the effects of and response to Covid-19, developing into a valuable conduit for information sharing and communicating with sector stakeholders. This engagement meant DCMS was able to gain rapid insights into sectoral impacts, views and evidence that was invaluable in informing extremely fast-paced discussions on the government's Covid-19 response.
- 2.3. This strong engagement developed in May 2020 with the establishment of the Cultural Renewal Taskforce and its eight working groups, which cemented many of the existing engagement groups within the rubric of a formal organisation focused on Covid-19 and feeding up to a central taskforce chaired by the Secretary of State for DCMS. For example, the Tourism Industry Council expanded its membership and transitioned into the Visitor Economy Working Group, a sub-group of the Cultural Renewal Taskforce, meeting fortnightly and attended by the Minister for Sport, Tourism, Heritage and Civil Society and tourism officials. I will discuss the Cultural Renewal Taskforce further in Section 4D.

A: Role played by DCMS in provision of advice and key decision-making relating to the government's initial strategies relating to community testing, surveillance, the movement from 'contain' to 'delay' and guidance and advice to health and social care providers

- 2.4. DCMS did not have a role/influence in determining the initial government strategies around community testing, surveillance, the move from contain to delay, or guidance to health/social care providers.
- 2.5. DCMS ministers did attend COBR meetings where these issues would have been discussed. These will be documented in evidence I expect will be provided by CO to the Inquiry, with a list of relevant meetings, attendees and papers.

B: Role played by DCMS in key decision-making relating to the imposition of non-pharmaceutical interventions (NPIs) between 1 January 2020 and 24 February 2022

- 2.6. DCMS did not have a direct role in key decision-making relating to the imposition of non-pharmaceutical interventions (NPIs). However, we did contribute to the

development of policy (at both a ministerial and official level including input from DCMS lawyers) on a range of NPIs, including, but not limited to: key worker status for certain groups; shielding and self-isolation; border restrictions and travel exemptions; face coverings; social distancing; critical worker testing; certification; ventilation and contact-tracing. I have explained the department's role in these areas below. It is worth noting that we did not have primary responsibility for any of this policy making, but liaised with other departments throughout.

- 2.7. The department was also involved in the collective agreement process through the 'Covid O' (operations) and 'Covid S' (strategy) Cabinet sub-committees (the main meeting structures through which collective cross-government ministerial decisions on the Covid-19 response were made from summer 2020) and the various ministerial implementation groups that preceded it.

Key workers

- 2.8. Following the Prime Minister's announcement of the first national lockdown on 23 March 2020, the DCMS Covid-19 Hub successfully engaged CO to ensure that some security staff (for example, those working at art galleries and museums) and UK data centre workers were included under the definition of 'key workers' [SL/26, INQ000182259].
- 2.9. Building on this engagement, DCMS also successfully influenced policy and the development of secondary legislation regarding key worker status to ensure that appropriate exemptions were in place allowing volunteers to leave home to provide services to neighbours and communities. This allowed volunteers and youth workers to access certain key worker provisions such as testing and access to school places. In particular:
- a) Following the Prime Minister's announcement of a further national lockdown on 4 January 2021, DCMS secured key worker status for National Youth Agency qualified youth workers on 7 January 2021. DCMS also made the case for volunteers who were undertaking key roles to be included in the definition of "key worker".
 - b) Additionally, DCMS negotiated with CO to ensure libraries, their staff and volunteers were included as key workers. From 11 January 2021, staff and volunteers operating in libraries and providing essential services such as computer access, 'order and collect' services, home and school library services

and visa checking were able to continue undertaking those roles [SL/27, INQ000182289].

Shielding and self-isolation

- 2.10. Government policies on shielding and self-isolation were under the direction of DHSC. Support for those self-isolating was overseen by MHCLG, while support for shielding individuals was overseen by DHSC. DCMS provided advice on the support which volunteers and volunteering services could provide via three main mechanisms:
- a) Supporting DHSC and NHS England in their management and operationalisation of the NHS Volunteer Responders programme.
 - b) Providing funding of £4.8 million to the Voluntary and Community Sector Emergencies Partnership on their response work which included identifying and responding to unmet needs, including local support for those who were shielding and self-isolating.
 - c) Providing and maintaining guidance on safe and effective volunteering to those who informally supported their neighbours and communities, through mutual aid groups or otherwise.
- 2.11. When responsibility for providing practical support for those self-isolating was passed to local authorities in August 2021, DCMS provided voluntary-sector related content for DHSC's Self-Isolation Support Framework, which set out practical support guidance for local authorities and the voluntary and community sector.
- 2.12. In July 2021, as the country moved from step 3 to step 4 of the Spring 2021 Roadmap, concerns were mounting about staff shortages in various DCMS sectors as a result of an increasing number of people being required to self-isolate by the Covid-19 app after coming into contact with someone who had tested positive.
- 2.13. At a cross-government meeting on 19 July 2021, staff shortages were recognised by ministers as a threat to continuous operations for critical workforces and therefore fully vaccinated critical workers were exempted from the requirement to self-isolate. Initially only telecoms workers were included under this definition but, following engagement by DCMS, CO/DHSC also included newsprint delivery, data infrastructure and broadcast Critical National Infrastructure workers. [SL/28, INQ000182294]

Border restrictions/international travel

- 2.14. From June 2020, international arrivals to the UK were required to quarantine for 14 days. Following the announcement on 10 May 2020 of the 'roadmap to reopening', the Covid-19 Hub started to engage with other government departments in relation to sector-specific travel exemptions.
- 2.15. DCMS made the case to DHSC and Downing Street to ensure that the quarantine exemption for workers included certain Critical National Infrastructure workers such as telecoms workers, data centre workers and cyber engineers/specialists, allowing these individuals to enter the UK to undertake required essential infrastructure maintenance work [SL/29, INQ000182284]. DHSC and Downing Street also cleared exemptions to the quarantine requirement for elite sports persons [SL/30, INQ000182254],¹⁶ film and high-end television production professionals¹⁷, advertising production professionals,¹⁸ other TV production professionals,¹⁹ and journalists and performing arts professionals²⁰ following discussions with DCMS [SL/31, INQ000182287]. Where sector-specific travel exemptions were introduced, DCMS worked with stakeholders and PHE on published guidance to support the implementation of the exemptions.
- 2.16. On 4 January 2021, the Prime Minister announced a further national lockdown and by mid-January, most travel exemptions were paused. However, DCMS ensured that Critical National Infrastructure workers were able to retain their travel exemption.
- 2.17. DCMS also worked with other government departments to ensure that exemptions were provided for elite athletes and ancillary support staff travelling to the UK to take part in specified competitions²¹. These exemptions were initially introduced in July 2020, from which point the DCMS Sport team was required to periodically review and update the list of specified competitions in the travel regulations, approximately once every four weeks, with upcoming events that required an exemption and satisfied health protocols agreed by DCMS and Public Health England. Due to these

¹⁶ *Health Protection (Coronavirus, International Travel and Public Health Information) (England) (Amendment) Regulations 2020/691*, regulation 8(12), taking effect from 7 July 2020.

¹⁷ As above.

¹⁸ *Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 15) Regulations 2020/1039*, regulation 2(4)(c), taking effect at 4.00am on 26 September 2020.

¹⁹ *Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 28) Regulations 2020/1424*, regulation 2(3)(b), taking effect at 4.00am on 5 December 2020.

²⁰ *Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 28) Regulations 2020/1424*, regulation 2(3)(c), taking effect at 4.00am on 5 December 2020.

²¹ The exemption and list of competitions were set out in the *Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021*.

exemptions, domestic and international athletes travelling from red or amber list countries did not have to quarantine in the same way as non-exempt travellers, though they were still required to follow other measures (for example, self-isolating within event venues when not required to take part in competition processes or training). The requirements differed according to where an athlete was travelling from and how the event was categorised; for example, exemptions from a red list country were only permitted in very limited circumstances. In November 2020, there was agreement from 'Covid O' for a limited exemption to allow the Icelandic men's football team and ancillary support staff to travel from Denmark to London to play a fixture against England, following a match between Iceland and Denmark in Copenhagen. At that time, Denmark had been placed on the red list due to concerns over a potential new Covid-19 variant. This exemption also applied to a small number of Danish national team players returning to the UK to play in the Premier League. DCMS worked with other government departments and stakeholders to make amendments to these exemptions as the pandemic progressed.

- 2.18. Subsequently, and following publication of the government's *Covid-19 Response: Autumn and Winter Plan 2021* (referred to from here on as the 'Autumn and Winter Plan 2021'), DCMS successfully engaged with CO on the definition of 'fully vaccinated' at the border to be aligned with domestic vaccination requirements. Consequently, international arrivals were able to attend the same settings (e.g. sports or cultural events) as domestic residents, ensuring DCMS sectors could continue to serve international visitors and therefore reduce the impact on those sectors which relied upon international tourism [SL/32, INQ000182291].
- 2.19. In November 2021, when the first cases of the Omicron variant were identified in the UK, DfT carried out a review of international travel exemptions to which the DCMS Covid-19 Hub responded, justifying and retaining existing travel exemptions for our Critical National Infrastructure sectors and elite sportspeople as set out above [SL/33, INQ000182264 and SL/34, INQ000192269].

Mandatory face coverings

- 2.20. DCMS engaged with CO on its initial face covering guidance in May 2020, ensuring account was taken of particular issues for DCMS sectors and their related activities, such as taking part in exercise or sport [SL/35, INQ000182261]. In line with the position given by PHE, DCMS guidance throughout the pandemic set out that face coverings should not be worn when people are exercising or taking part in strenuous activity as

this could restrict breathing (except where individuals were advised to do so by a medical practitioner).

- 2.21. Following publication of the Autumn and Winter Plan 2021, DCMS worked with CO and PHE on policy issues surrounding mandatory face coverings, particularly around potential inconsistencies in handling exemptions. For example, concerns were raised around exempting hospitality and nightclubs, but not activities outside of those settings but which share many of the same characteristics, such as live music events. DCMS also identified difficulties with enforcement, due to large numbers of attendees or the opportunity for the removal of face coverings at non seated events [SL/36, INQ000182283].
- 2.22. Further restrictions, including mandatory face coverings in retail settings and on public transport, were announced on 28 November 2021 following identification of the first cases of the Omicron variant in the UK. DCMS raised with CO and DHSC the difficulties mandatory face coverings would cause in some DCMS sector venues where customers may eat and drink as part of their overall experience such as theatres and cinemas, versus hospitality venues where face coverings need not be worn including premises used wholly or mainly for eating and drinking. This was reflected in the relevant legislation and guidance, which set out that face coverings could be removed for eating and drinking in any setting.

Events Research Programme

- 2.23. Between November 2020 and March 2021, DCMS teams undertook the initial stages of development for what became the Events Research Programme, as mentioned in Section 1C above. That initial development built on the work of the performing arts, sport and business events pilots conducted in July, August and September 2020. The Venues Steering Group²², a DCMS stakeholder group, was established in August 2020 (following the performing arts pilots) to provide feedback on the development of plans to enable the reopening of music and arts venues.
- 2.24. The Programme set out to examine the risk of transmission of Covid-19 from attendance at events and explore ways to enable people to attend a range of events safely. It comprised research in four areas of scientific study: outbreak prevention and

²² The Venues Steering Group (VSG) was formed following our experiences of the Entertainment and Events Working Group (EEWG), one of the working groups that supported the Cultural Renewal Task Force with the production of guidance (As I will explain in Section 4D). The VSG membership was smaller and it was able to meet more frequently with a narrower focus, making it better suited to doing some of the initial policy development work.

control (focused on the feasibility and utility of testing for Covid-19 to mitigate the risk of transmission for attendees in comparison to that in the wider community); environmental and behavioural (looking at transmission risk at events as a result of the environment, crowd densities and attendee behaviour); Covid-19 infection risk (measuring the risk of Covid-19 infection associated with attending events held at or close to full capacity without social distancing) and socio-economic study (examining the economic and social impact of enabling events and the extent to which potential mitigations limited the economic or social value of events). To help achieve its aims, the Programme explored how a combination of testing and NPIs could inform decisions on safely lifting restrictions at events, thus building evidence on how sectors could reopen in a commercially viable way [SL/37, INQ000182248]. There were three phases of the Events Research Programme. At each phase pilot events were selected (including sport, music and business events) which would be permitted with parameters beyond the scope of government Covid-19 regulations (e.g. capacity caps) and guidance (e.g. social distancing) that were in place at the time. [SL/38, INQ000182274 and SL/39, INQ000182273].

- 2.25. Findings from Phase I were published on 25 June 2021 [SL/40, INQ000182250] and findings from Phases II and III were published on 26 November 2021 [SL/41, INQ000182285], informing policy and feeding into government guidance including on events and attractions, hotels, and grassroot sports. Additionally, the Covid-19 Analytical Hub took the scientific findings of the Events Research Programme and modelled the economic effect of differing designs of Covid-19 restrictions on large gatherings and events. This analysis also informed the manner in which large gatherings and events were reopened and policies around covid-secure certification.

Social distancing and capacity caps

- 2.26. Following the Prime Minister's announcement on 10 May 2020 of the 'roadmap to reopening', DCMS provided evidence of the economic impact on its sectors of the difference between two-metre and one-metre social distancing [SL/42, INQ000182249 and SL/43, INQ000182251]. On 23 June 2020, following the government's review of two metre social distancing guidance, the guidance was changed to "1 metre plus" where it is not possible for us to stay two metres apart."
- 2.27. On 23 November 2020, the Prime Minister announced that on 2 December, the national restrictions which had been in place since 5 November would be replaced by a regional 'three tier' system (with different rules for areas in each tier), which was set

out in the Autumn and Winter Plan 2021. A fourth tier with more significant restrictions (i.e. only leaving home for legally permitted reasons) was added on 21 December.

- 2.28. The tier system introduced in December 2020 had a significant impact on DCMS sectors, requiring organisations in different sectors to close or make significant changes to operating procedures according to their local area's tier. Even in tier 1 areas where most DCMS sectors could remain open, the restrictions caused challenging conditions for some sectors (e.g. early closure, restrictions on food and drink sales, gathering limits and capacity caps). As the categorisation of areas changed frequently (and sometimes at short notice) this was an unpredictable and difficult operating environment for many DCMS stakeholders, including those sectors unable to flex their businesses to on/off timeframes (such as theatre productions). As people were advised not to travel to areas at different levels (or to leave their local area, in some tiers), this also caused further issues for some sectors/organisations whose usual activities crossed tier boundaries (e.g. grassroots sport fixtures between teams in different towns, attractions/hotels which depended on visitors from neighbouring areas).
- 2.29. DCMS provided its assessment of the anticipated impact of the tiers on DCMS sectors to the DCMS Secretary of State for information purposes on 27 November 2020 [SL/44, INQ000182627]. The analysis, provided for information purposes, quantified the economic effects of the tiers on DCMS events sectors (in terms of gross value added, indirect gross value added and jobs).²³ However, sector issues with capacity caps were superseded by a further national lockdown on 4 January 2021 which prevented the relevant sectors from operating entirely.
- 2.30. In late January 2021, when CO began considering a lockdown exit strategy, DCMS proposed an approach that would support sustained reopening, economic support and pilots to explore mitigations other than social distancing [SL/45, INQ000182255]. These proposals were made on the basis of the economic impact to DCMS sectors caused by social distancing and capacity restrictions. Our proposed approach to reopening also sought to ensure that those venues which had been affected by capacity caps which were in place during the 'tier' system in 2020 would be economically viable, once open. We recommended an increase to the previous percentage capacity caps and advocated a move away from absolute numbers. This

²³ "Gross value added" is the value of goods and services produced by an industry, sector, manufacturer, area or region in an economy. It is the total value of output produced, without including the intermediary costs that went into producing them and is a critical value used to calculate the GDP of the economy.

was supported by early findings from the Events Research Programme, provided in an interim report for the Prime Minister, in May 2021. In the event, however, when larger sporting events and performances with live spectators and audiences resumed at Step 3 (17 May 2021), the capacity caps were largely the same as those used when the tier system was operational with the addition of a special provision for large, outdoor seated venues with a capacity for 16,000 or more people being introduced, allowing up to 10,000 people or 25% of total capacity (whichever was lower) to attend.

- 2.31. Finally, DCMS had some success in pressing CO for exemptions to the 30-person cap on groups which came into effect in May 2021. For example, outdoor sport and physical activity were exempt from this limit where they were 'organised' (activities provided by national governing bodies with DCMS approved action plans on their safe return in place).

Reopening of non-essential retail businesses

- 2.32. Following the announcement of the 'roadmap to reopening' on 10 May 2020, DCMS successfully negotiated an earlier reopening of non-essential retail businesses operating in DCMS sectors, including tech hardware and telecoms retail shops with CO [SL/46, INQ000182253].

Critical worker testing

- 2.33. From November 2021, due to the prevalence of Omicron, the government was focused heavily on workforce disruption. In December, CO began work to set up a critical worker testing scheme. The DCMS Covid-19 Hub successfully submitted bids for tests for critical workers in certain DCMS sectors (namely telecoms, data infrastructure and broadcast Critical National Infrastructure) [SL/47, INQ000182258 and SL/48, INQ000182270].

Certification

- 2.34. During April and May 2021, the DCMS Covid-19 Hub contributed to cross-Whitehall discussions on certification (showing proof of vaccination or a negative Covid-19 test) as a requirement for entry to specific types of events, venues and spaces. Certification was being considered by CO for steps 3 and/or 4 of the Spring 2021 Roadmap - the *COVID-Status Certification Review* was one of the four reviews I have referred to at paragraph 1.77 and was trialled in Phases II and III of the Events Research Programme. We were broadly supportive on the basis that certification would allow our sectors to re-open in a commercially viable way.

- 2.35. In April 2021, DCMS stressed to the CO Covid-19 Taskforce that any proposed certification scheme should include testing, given a large proportion of DCMS sector consumers are younger audiences who, at that time, were not eligible for a second vaccine [SL/49, INQ000182240]. This led to the inclusion of a 'recent negative test' or 'natural immunity' as proof of Covid-19 status for the purpose of certification. Other issues raised by DCMS and subsequently taken on board in CO's approach included the case for not requiring *supervised* testing, given the associated practicalities around delivery and cumulative costs.
- 2.36. By May 2021, DCMS had worked with CO to reach a position where only a small proportion of DCMS settings were in scope for certification. Those settings met defined criteria, namely: all nightclubs; indoor settings with 500 or more attendees where attendees were likely to be in close proximity to people from other households, such as music venues or large receptions; outdoor settings with 4,000 or more attendees where attendees were likely to be in close proximity to people from other households, such as outdoor festivals; and any settings with 10,000 or more attendees, such as large sports and music stadia (though DCMS had originally lobbied for a 20,000 threshold, which would have brought fewer venues into scope).
- 2.37. DCMS continued to advocate for a voluntary approach to certification (supported by guidance) as opposed to the CO proposal for mandatory certification for those in scope [SL/50, INQ000182247].
- 2.38. In June and July 2021, the Events Research Programme worked closely with DHSC to trial the use of certification for Phase II and III events. DCMS urged CO to ensure that findings were used to inform the government's plans for mandatory certification in 'Plan B'. The DCMS Covid-19 Hub also argued for a certification scheme which focused on settings of higher risk, rather than singling out specific sectors [SL/51, INQ000182243].
- 2.39. With case rates remaining high over the summer of 2021, the government decided to introduce a mandatory certification scheme, to come into force by the end of September 2021. Throughout August, DCMS continued to feed into policy discussions, particularly on venues, spaces and events that were not obviously within the scope of the certification scheme - for example wedding receptions or free, unticketed outdoor events in public spaces (such as street parties, carnivals and marathons) and on the use of spot checks on entry [SL/52, INQ000182257]. The government continued to encourage voluntary certification among stakeholders, and DCMS tracked uptake and

feedback. In mid-September, ministers decided to keep mandatory certification as a contingency option under 'Plan B' and this was set out in the Autumn and Winter Plan 2021. DCMS engaged with CO, DHSC and MHCLG to agree an approach that allowed spot checks of vaccination status in certain circumstances rather than checks of all attendees as part of 'Plan B' under the Autumn and Winter Plan 2021 [SL/53, INQ000182267 and SL/54, INQ000182266].

- 2.40. Following publication of the Autumn and Winter Plan 2021, DCMS worked through policy issues on mandatory certification. It secured agreement with CO for unsupervised testing for workforces in mandatory certification settings and a provision for spot checks in settings where 100% checks were not possible.
- 2.41. DCMS also agreed with CO on retaining mandatory certification as a contingency option during the autumn and winter of 2021, but only in 'higher-risk' settings, such as nightclubs or any settings with 10,000 or more attendees. In reality, many venues adopted certification as an entry requirement without being required to do so.

Ventilation

- 2.42. Ventilation policy was not set by DCMS, but was included in DCMS guidance to its sectors. In most cases this focused on information about good practice, such as gyms and indoor courts or pitches providing for a minimum of 100 square feet of indoor space per person. This capacity limit was part of the 'Covid-Secure' risk assessment required of many businesses until July 2021.
- 2.43. In June 2021, the Health and Safety Executive (HSE) conducted a review of its guidance on ventilation. DCMS responded to this review and, as a result, HSE's guidance was updated in October to provide clear and consistent advice on ventilation options for different events, venues and uses. For example, it suggested a range of approaches to maximise ventilation in addition to mechanical options including natural ventilation through opening doors, windows and vents. These alternatives were particularly valuable to DCMS stakeholders, for example in the case of a listed building that could not have mechanical ventilation systems installed.
- 2.44. In July 2021, following a commission from CO, we asked business representative organisations in DCMS sectors to complete a survey on ventilation in business settings [SL/55, INQ000182628]. The survey was managed and responses were collated by CO and it sought to improve the government's understanding of how businesses approached ventilation and the actions they had taken since the pandemic began. The

survey also sought views on the possibility of government regulation for the mandatory use of carbon dioxide monitors. While only a relatively small number of completed surveys were received, respondents were largely resistant to the idea of government regulation [SL/56, INQ000182313]. This was for a variety of reasons, including the difficulty of imposing blanket regulations across the huge variety of settings, events and attendee activity encompassed by DCMS sectors. This was of particular concern to museums, galleries and other institutions housing collections where maintaining the stability of temperature, humidity and cleanliness can be crucial in protecting artefacts, exhibits and art works. Difficulties with increased energy use and costs associated with installing/upgrading mechanical ventilation, as well as conflicts with existing licensing conditions (for example requirements for windows and doors to remain closed during regulated entertainment and events) were also cited. Additionally, some respondents felt that they already had adequate ventilation methods in place. CO collated the results of the survey in August 2021, following which DCMS provided its views on the results of the survey to CO [SL/57, INQ000182629 and SL/58, INQ000182632].

- 2.45. CO examined the issue of ventilation in September 2021 as part of its planning for autumn and winter and was still considering whether to introduce regulations. It was particularly interested in how mechanical ventilation and carbon dioxide monitors could reduce transmission in business settings where large numbers of people gather, for example music venues, gyms, theatres, museums and nightclubs. DCMS was sceptical of this as a universal approach, believing that this would not work for all settings. Specifically on carbon dioxide monitors, where CO proposed funding the provision of monitors to certain businesses and settings, DCMS argued that the business case was weak and it represented a poor use of government funds. Costs would be dependent on the number of monitors provided to each organisation within scope of the proposal (the scope had not yet been determined). With one monitor costing between £80-£100, it was DCMS's view that this could quickly become a very costly undertaking, particularly where multiple monitors needed to be deployed in larger settings. Our analysis estimated that between 5 and 20 monitors per business would be required to effectively monitor ventilation across venues within the scope of the proposal [SL/59, INQ000182262 and SL/60, INQ000182263].²⁴

²⁴ CO's proposal included indoor 'unstructured' events with over 500 attendees, outdoor 'unstructured' events with over 4,000 attendees and any event with over 20,000 attendees. It did not include lower capacity, indoor seated venues, theatres, cinemas, heritage venues or galleries.

- 2.46. DCMS's position on ventilation, consistently presented to CO throughout discussions in September and October 2021, is set out in the advice submitted to the Minister for Sport, Tourism, Heritage and Civil Society in advance of his attendance at a ministerial 'Covid O' meeting in September 2021 [SL/61, INQ000182631] and in a DCMS policy paper commissioned by CO to inform discussion at the same meeting [SL/62, INQ000182630]. Based on the results of the ventilation in business settings survey and other stakeholder feedback, we believed that choosing to regulate ventilation requirements would bring potential for legal and/or public challenge, particularly if it was seen to single out specific sectors as 'high risk' while other crowded spaces such as transport hubs, shopping centres and hospitality establishments were not subject to the same requirements. The advice recommended that findings from the Events Research Programme should inform the strategy for businesses to adhere to appropriate ventilation standards and that sectoral advice on ventilation standards should remain as guidance only to incentivise positive action.
- 2.47. This position on guidance rather than legislation, which was supported by BEIS and MHCLG, was also reinforced by updates to the existing HSE guidance that provided more practical and effective advice for businesses to improve ventilation within their premises. Following these discussions CO chose not to take forward ideas around legislating for ventilation requirements or funding the provision of carbon dioxide monitors.

Contact tracing

- 2.48. Over spring and summer 2020, a small number of staff (both junior and senior) from DCMS were loaned to NHSX at the request of the organisation. Loans ranged from weeks to months and supported NHSX with policy and delivery planning for the NHS Covid-19 app. DCMS also supported development of the app by providing data protection advice (alongside the Information Commissioner's Office). Additionally, DCMS worked closely with NHSX to pilot the app via the Events Research Programme from May to July 2021. This allowed the app to be tested in real world settings, and helped draw out issues to consider for its wider implementation [SL/41, INQ000182285].

Section 3: General response to Covid-19

- 3.1. In this section I set out actions undertaken by DCMS as part of our Covid-19 response that do not fall within the matters discussed in Section 1 or 2. I will cover the policy

areas for which DCMS had particular responsibility - and the key policy teams within DCMS, such as the Economic Response Directorate - in Section 4B below.

A: How DCMS sought to influence interventions and decisions made by other government departments

- 3.2. DCMS's efforts in influencing interventions and decisions made by other government departments focused on non-pharmaceutical interventions (NPIs), as discussed in Section 2B above. However, DCMS did seek to influence other decisions relating to the Covid-19 pandemic both on its own account and as a channel for issues raised by specific stakeholders.

The need for economic support

- 3.3. From the earliest stages of the pandemic, DCMS provided feedback and analysis to CO and HMT on how pan-economy measures were supporting DCMS sectors. That feedback contributed, in some cases, to various packages of sector-specific financial support being announced. In particular:
- a) On 8 April 2020, the government announced a £750 million package of support for the voluntary, community and social enterprise sector.
 - b) On 5 July 2020, a £1.57 billion Cultural Recovery Fund was announced in order to protect heritage and cultural organisations during the pandemic. The need for the scheme was informed in part by our network of stakeholder engagement (including the Cultural Renewal Taskforce and supporting working groups).
 - c) On 28 July 2020, the government announced the £500 million Film and Television Production Restart Scheme, which was designed to enable productions to proceed in the absence of insurance for Covid-19 related risks. The need for the scheme was informed by the Broadcasting, Film and Production stakeholder working group, led by the BFI, with both DCMS and HMT officials recommending action.
 - d) On 19 November 2020, the government announced a £300 million Sport Winter Survival Package to provide a lifeline to sports organisations that would otherwise not have survived the winter as a result of the restriction on spectators announced from 1 October.

- e) On 3 March 2021, a further £300 million was announced for a summer phase of the Sport Survival Package to continue the support of major spectator sports whilst restrictions on crowd capacities remained in place.
 - f) At the same time, HMT also announced a £300 million extension to the Cultural Recovery Fund and three rounds of funding (a combination of grants and loans) were issued in total between July 2020 and March 2022.
 - g) On 5 August 2021, the government announced that it was partnering with insurers to offer a cost indemnification insurance scheme to make cover available against the cancellation, postponement, relocation or abandonment of events due to Covid-19 restrictions. The scheme covered live events in the UK open to the general public including live music events, festivals, sports events, trade shows and business events and ran till 30 September 2022.
- 3.4. As I have indicated in Section 1C above, I expect DCMS's role in relation to sector-specific economic support packages will be discussed as part of a subsequent Covid-19 Inquiry module on the economic response to the pandemic.

Guidance

- 3.5. The publication of government guidance formed one of the key interventions during the Covid-19 pandemic, as I have explained in more detail in paragraph 1.71. DCMS sought to influence guidance produced by other government departments to ensure its sectors were adequately protected and that guidance was consistent across sectors.
- 3.6. For example, we worked with DfE and MHCLG to agree on the practical application of performing arts guidance published by government in July 2020 in relation to teaching and performances in educational settings and places of worship. Key issues included singing, and playing wind and/or brass instruments, during performances and teaching within these settings.
- 3.7. During May and June 2020 we engaged intensively with BEIS on 'working safely' guidance which, as explained in Section 1C above, was developed following the Prime Minister's announcement of the 'roadmap to reopening'. BEIS produced the first set of 'working safely' guidance for generic settings, to which we added our own guidance. We worked with BEIS to ensure that this guidance was consistent, including referencing relevant parts of other guidance where there were areas of crossover - such as retail or hospitality guidance in the case of a museum with a shop or a sport facility with an on-site cafe. This ensured that sectors received consistent information,

and allowed us to adapt the guidance for different sectors. For example, the performing arts guidance included additional information on 'pick and mix' confectionery, which was not necessary to include in the restaurants guidance, but was relevant to cinemas and theatres. We also worked with BEIS to resolve any inconsistencies between their guidance and restrictions on DCMS sectors. For example, ensuring that the BEIS guidance for retail settings made clear that the mandatory use of face coverings in shopping centres (during the Omicron outbreak) did not apply to all types of facility within that venue (including, for example, gyms within a shopping centre).

- 3.8. There were occasions where new regulations and guidance were introduced at short notice, which sometimes had unintended consequences concerning their application to specific settings. DCMS engaged with CO on how policies could be more effectively tailored to specific settings, working in collaboration with external stakeholders. On some occasions, DCMS was successful in achieving changes to guidance. For example, during the development of the 'tiers' approach in Autumn 2020, DCMS made the case that indoor changing rooms in sport facilities in Tier 2 and Tier 3 areas should not be restricted only to people with disabilities and people using swimming pools. The sport facilities guidance was updated to advise minimising use of changing rooms but not closing them unnecessarily, as access to changing facilities may also be required in other permitted situations (particularly for outdoor sport in wet weather).

Reopening parks and gardens

- 3.9. In May 2020, DCMS successfully led on engagement with Downing Street so that paid-for parks and gardens were allowed to reopen at the end of the month [SL/63, INQ000182310]. This was in order to increase the green amenity space available to the public, and was done in collaboration with DEFRA and MHCLG.

Mobile retail stores

- 3.10. In November and December 2020, Mobile UK²⁵ wrote two letters to the Secretary of State for DCMS and to the Prime Minister requesting that the government reconsider the decision taken at the beginning of the pandemic to close all mobile retail stores [SL/64, INQ000182643]. The industry cited concerns around in-store advice and support, particularly for vulnerable people needing technical support, or mobile-only

²⁵ Trade association representing the UK mobile network operators EE, Virgin Media O2, Three and Vodafone.

households (that is, those who depend on their mobile as the only form of internet connectivity), as the key rationale for reopening.

- 3.11. In late November 2020, the Secretary of State responded to the first of these letters to confirm that due to public health concerns it was necessary for mobile retail stores to remain closed in line with other 'non-essential' retail. [SL/65, INQ000182637]. The Minister for Digital Infrastructure met Mobile UK in January 2021, and indicated that DCMS would continue to work with CO to make the case for mobile retail stores to reopen [SL/66, INQ000182639]. Following that meeting, officials provided a brief policy paper to CO and PHE on the rationale for this [SL/64, INQ000182643]. However, mobile retail stores were not permitted to reopen until 12 April 2021, after lockdown restrictions began to be lifted.

B: Data modelling of the Covid-19 virus

- 3.12. The Covid-19 Analytical Hub was set up in November 2020 within DCMS's central analysis team to work with the DCMS Covid-19 Hub on analytical issues concerning the pandemic which were relevant to multiple areas within the department. Neither this analysis hub, nor any other team in DCMS, had a role in modelling the coronavirus from an epidemiological perspective. The modelling performed by the analysis hub was limited to:

- a) Economic shock modelling as a result of the closures of DCMS sectors
- b) Modelling on the reopening of DCMS sectors
- c) Modelling on options to partially reopen DCMS sectors during the 'roadmap to reopening', and the economic implications of these options

I describe the principal economic models used by DCMS in modelling Covid-19 data below.

Social Attendance Model

- 3.13. The Social Attendance Model (SAM) was used to estimate the impact of NPIs on the level of attendance at events. The model provided demographic breakdowns of the likelihood that individuals would attend events with different NPIs in place. Questions were added to the Office of National Statistics Opinions and Lifestyle Survey to ask: "Compared to before the Covid-19 pandemic, how much more or less likely would you be to attend an event if there were [NPI] in place?". The results of that survey were used as inputs in the model.

- 3.14. The key metric from the model was the percentage change in likelihood that individuals would attend events compared to pre-pandemic. This was calculated by taking the difference between the percentage of respondents who answered 'more or much more likely to attend' and those who answered 'less or much less likely to attend'. The model assumed that attitudes towards NPIs would remain stable over time, and also pooled together the results for some demographics with small sample sizes. These assumptions allowed for usable results to be produced from the model.
- 3.15. Results from this model were used in briefings to ministers and submissions about the Events Research Programme regarding the public's willingness to attend mass events in the presence of NPIs. They were also used in the reports for the Events Research Programme. The results from this model were also used as inputs for the Enabled Activity Model referenced below.

Commercial Viability Model

- 3.16. The Commercial Viability Model (CVM) estimated the impact of NPIs on industry stakeholder turnover by using a combination of industry data, sector-level financial information and individual case study settings to model the effect of each relevant NPI on turnover.²⁶ The impact of NPIs on consumer behaviour (eg. event attendance) was modelled separately via the SAM, as discussed above. The CVM also estimated the impact on profitability, as measured by Earnings Before Interest, Taxes, Depreciation, and Amortisation (EBITDA). Results from this model were used in briefings to ministers and submissions about the Events Research Programme.

Enabled Activity Model

- 3.17. The Enabled Activity Model (EAM) summarised the impact of NPIs on sectors and event settings. Key metrics included turnover, direct and indirect gross value added, and levels of employment. Each metric was compared with 2019 pre-Covid-19 levels.
- 3.18. The impact of NPIs was estimated in the CVM and SAM. The NPIs were grouped as either having a supply side, demand side or wider effect on the sector/setting. 'Supply side' in this context refers generally to impacts on businesses/venues whilst 'demand side' in this context refers generally to impacts on consumer behaviour. Results from

²⁶ This information was principally provided by 'FAME', a dataset which allows DCMS analysts to conduct large scale financial analysis from the aggregated data the service provides. Use of the FAME dataset allowed the creation of an EBITDA of the affected sector's baseline for modelling purposes.

the CVM and SAM were combined to determine whether each sector and setting was being restricted more on the supply side or the demand side.

- 3.19. Again, results from this model were used in briefings to ministers and submissions about the Events Research Programme. Outputs of the model included the predicted gross value added, indirect gross value added and effects on jobs resulting from different levels of restrictions on large events.

Provision of data to other government departments and stakeholders

- 3.20. DCMS analysis was, for the most part, focused on estimating the impact of different Covid-19 mitigations and support packages on economic activity and public participation in DCMS sectors. This included modelling the impact of lockdowns and different Covid-19 restrictions, such as capacity constraints, on the ability of businesses to operate and their financial resilience. The analysis set out above was shared with other government departments.
- 3.21. DCMS also undertook environmental, behavioural and transmission studies across the pilot events run by the Events Research Programme. The analysis involved working closely with BEIS, DHSC and PHE and was guided and assured by an independent Science Board comprising clinical and scientific experts.²⁷ Subsequent to the interim report to the Prime Minister in April 2021, findings from the programme were published in stages between June and November 2021 and were provided to the CO and other departments to inform the lifting of restrictions in Step 4 of the Spring 2021 Roadmap [SL/40, INQ000182250 and SL/41, INQ000182285].
- 3.22. The Covid-19 Analytical Hub also operated a real-time monitoring dashboard on the economic and social effects of the pandemic on DCMS sectors. Once established, this dashboard allowed policy colleagues across the department to have access to up-to-date and sector specific information for their policy areas.

Section 4: DCMS policies and functions of particular relevance to the Covid-19 pandemic

- 4.1. In this section, I discuss DCMS's role in decision-making relating to its policy areas. In each case, DCMS did not have direct responsibility for the decisions but did provide input to other government departments based on stakeholder concerns and our own

²⁷ Professor Dame Theresa Marteau, Professor Tom Rodden, Professor Paul Monks, Dr Shaun Fitzgerald, Professor John Edmunds, Professor Michael Parker, Jennet Woolford, Professor James Calder, Dr Jenifer Smith, Dr Matthew Boulter.

analysis of our sectors, as well as providing advice to sectors as the pandemic progressed.

A: Decisions relating to large scale sporting, arts and entertainment events and border control from a tourism perspective

Large scale events

Initial approach January – March 2020

- 4.2. Although DCMS did not make or recommend the decision to cancel large sport, arts and entertainment events during the period of January to March 2020, we did marshal evidence from our sectors around the likely impacts of closures as well as explore the operational and legal implications of these cancellations. We fed this into discussions across government, most notably when producing a paper commissioned by CO, and drawn up in conjunction with other government departments, for discussion at a Prime Minister's strategy meeting on 15 March 2020 [SL/67, INQ000182625]. The strategy meeting resulted in a decision, agreed at a COBR meeting on 16 March 2020, to advise more stringent social distancing to the general public, in effect dissuading them from attending large gatherings but not banning them. This paper set out a number of options for ministers to consider regarding any decision to stop such gatherings, but did not make specific recommendations. An email containing an informal readout of actions was circulated after the meeting by the Cabinet Office but formal minutes were not provided [SL/67(a), INQ000232198].
- 4.3. Later in the pandemic, following government decisions to implement various non-pharmaceutical interventions (NPIs), we also issued advice and engaged with other government departments on the resulting significant financial impacts on the arts and entertainment sectors, as detailed in Section 2B of this statement.
- 4.4. In late February 2020, the Minister for Sport, Tourism, Heritage and Civil Society discussed whether or not upcoming events should go ahead with sports sector stakeholders [SL/68, INQ000182256]. DCMS's Secretary of State met the Deputy Chief Medical Officer on 27 February 2020 [SL/69, INQ000182626]. At that meeting, the Deputy Chief Medical Officer advised that the current epidemiological evidence did not support the cancellation of large-scale events from a public health perspective, and that the focus should be on those with respiratory illnesses avoiding these events. The DCMS Secretary of State met the Chief Medical Officer on 28 February 2020 to discuss large gatherings and consistency of advice [SL/70, INQ000182621]. The Chief

Medical Officer's advice at the time was to keep the cancellation of events under review. The Deputy Chief Medical Officer met sports stakeholders on 2 March 2020, reiterating the position not to cancel events and acknowledging that the advice might change [SL/9, INQ000182657].

- 4.5. On 3 March 2020, the government published a Coronavirus Action Plan. This advised that events should continue as normal. DCMS issued related advice to key stakeholders which confirmed that, at that time, there was no rationale to close or cancel sporting events [SL/71, INQ000182652 and SL/72, INQ000182667]. The advice suggested that the major sporting events sector consider contingency planning by following an 'ABC' approach, where 'A' meant 'as you are', 'B' meant 'behind closed doors' and 'C' meant 'cancellation, curtailment or postponement'. On 4 March, DCMS sport and broadcast policy teams began to engage with sector stakeholders on the potential for 'behind closed doors' events.
- 4.6. At a COBR meeting on 4 March 2020, DCMS's Minister for Sport, Tourism, Heritage and Civil Society raised the issue of sport and tourism being significantly financially affected should restrictions on large events and/or gatherings be implemented. He highlighted the requests for financial support DCMS was receiving from its sector stakeholders. On 5 March, the DCMS sports policy team submitted advice to the Secretary of State on the financial implications of banning large events/gatherings [SL/9, INQ000182657].
- 4.7. On 9 March 2020, DCMS's sports policy team convened a meeting of sports bodies (including the Premier League, British Horseracing and the Rugby Football Union) and broadcasters to discuss the issues posed for large sporting events, specifically focused on the potential impact should sporting competitions be cancelled and broadcast contracts not fulfilled [SL/73, INQ000182644]. DCMS did not give medical or health advice, but advised sports bodies that they should continue to refer to government guidance and encouraged sports and broadcasters to continue with their discussions on contingency planning.
- 4.8. At the 9 March meeting, sports bodies asked whether it was likely that they would be instructed to cancel large sporting events by central government. We passed on specific concerns raised by sports bodies via calls and emails to CO. Those concerns focused on the importance of communicating any changes in government policy as soon as possible, due to expenses relating to the cancellation of events increasing closer to the date of the event, and the need for guidance on basic best practice in

sports bodies' response to Covid-19 due to the limited virology experience of their own medical staff.

- 4.9. Also on 9 March, the Secretary of State attended a COBR meeting where potential NPIs were discussed [SL/8, INQ000182664]. The banning of large gatherings and events was raised, but not considered as a potential NPI at this time due to advice from SAGE that this would have little impact.
- 4.10. During the following two weeks, sports bodies began to postpone sporting events, notably where playing and coaching staff tested positive. General guidance available at that time was conveyed, but in the absence of explicit government guidance on large gatherings, some elite sport competition organisers began to voluntarily move from postponement to indefinite shutdowns. DCMS endorsed these decisions, but they were taken independently by sports bodies. The department's sports team tracked the diminishing levels of sector activity, contributed to DCMS-wide data collation when requested, and sought and received guidance formulated on a public health basis. Following this, the national lockdown was announced which resulted in the mandatory cancellation of large-scale events.

Approach to reopening

- 4.11. DCMS's approach to reopening large scale events was informed by the work of the Events Research Programme (see Section 1C above). As I have set out in Section 3A, our role in reopening focused on the publication of guidance for the relevant sectors.
- 4.12. In April 2020, for spectator sport events, DCMS's approach was to set out to government stakeholders such as CO the case for participants in elite and professional sport to return to training and competition as soon as possible on the grounds of economic contribution, the unique nature of maintaining physical fitness as an athlete, access to specialist facilities, and, critically, the existing sophisticated medical support structure within the sector which was well placed to respond and adapt.
- 4.13. With that endorsed by CO, DCMS conceived and on 1 May 2020, convened an advisory group of national governing body Chief Medical Officers and other sports medical specialists embedded across domestic sports bodies to scope out rapidly how best to mitigate Covid-19 risks in returning the sector to full activity. This group ultimately endorsed a five-phase approach (limited training, group training, behind-closed-doors domestic competition, behind-closed-doors international competition, full spectator attended competition) and DCMS published guidance to support each

- phase, with drafting assistance from a stakeholder working group. Guidance for each permitted phase of activity was rolled out as wider public policy permitted. These pieces of guidance were: *Elite sport Stage One - return to training*; *Elite sport Stage Two - return to training*; *Elite sport Stage Three - return to domestic competition*; *Elite sport Stage Four - return to cross border competition*; and *Elite sport Stage Five - return to competition: safe return of spectators*.
- 4.14. In October 2020, the Sports Technology Innovation Group (an independent team of sport, health and technology experts) proposed to DCMS a review of technology and other solutions which could allow greater numbers of fans to safely return, with the aspiration of achieving full capacities as soon as it was safe to do so. DCMS officials recommended to the Secretary of State the Sports Technology Innovation Group's proposal to launch a pilot scheme to incrementally increase capacity at sports grounds. This early work would later help inform the Events Research Programme, described in Section 1C [SL/74, INQ000182298].
 - 4.15. The approach to reopening for many other types of events was set out in the suite of 'working safely' guidance which I have discussed in Section 1C above. Two pieces of guidance were particularly relevant to large-scale events.
 - 4.16. Firstly, *Working safely during coronavirus (Covid-19) - the Visitor Economy* covered a range of events (such as conferences and trade shows) as well as attractions which might involve large crowds (such as theme parks and circuses). The guidance was designed to be relevant for people who worked within the visitor economy; for example people who operated or ran hotels and other types of accommodation (there was also a separate hotels and other guest accommodation guidance), indoor and outdoor visitor attractions guidance, and guidance for people who ran or managed spaces for business or leisure events and conferences. It gave practical considerations to how guidance could be applied in the workplace which, in the case of the visitor economy, varied for different premises.
 - 4.17. Secondly, *Working safely during coronavirus (Covid-19) - Performing Arts* [SL/75, INQ000182650] provided practical advice for individuals returning to work in person where it was not possible to work from home, for example during film shoots or rehearsals for dancers and orchestral performers. It also enabled streaming activity to take place within venues without an audience, such as theatre productions or concerts. This was particularly important given the significant financial impact of continued closures on DCMS's sectors. The performing arts guidance included a sector-specific

'roadmap to reopening' arts and entertainment events, which indicated the points at which full audiences would be permitted at a range of events. This was also used as the basis for the Department for Education's guidance for schools and places of worship.

- 4.18. We continued our engagement with these sectors as the performing arts guidance was refined and redeveloped. It came under increasing scrutiny from the public, particularly around amateur activities such as theatre groups, singing in choirs or playing wind and brass instruments.
- 4.19. Due to the nature of large events, particularly the challenges surrounding safe audience management and high-risk activities such as singing, and the ambition to reopen the sector as soon as it was safe to do so, pilot events were held in advance of key stages in the sector-specific roadmap contained within the performing arts guidance. In July 2020, work on pilots sought to assess the practical application of the performing arts guidance in an open setting and identified necessary updates that should be made to strengthen aspects of the guidance. These included: clarifying elements of the guidance relating to 'test and trace'; restricting audience participation in singing; and employing additional social distancing around balcony areas to reduce the risk of droplets. The pilots did not assess whether cases of Covid-19 had or could be transmitted between attendees, and this was not tested.
- 4.20. On 29 July 2020, at the conclusion of these pilots, DCMS sent advice to CO recommending that live performances should be permitted indoors with socially distanced audiences [SL/76, INQ000182669]. As restrictions began to be lifted following the first lockdown, indoor performances were scheduled to resume on 1 August. However, due to a national increase in Covid-19 cases, on 31 July the Prime Minister announced a minimum two week delay to the planned reopening of 'higher risk' settings that had remained closed, including indoor performances, which eventually resumed on 15 August.
- 4.21. In October 2020, DCMS teams worked to develop further pilots for larger indoor events with capacity caps. Venues were selected with the agreement of the Chief Scientific Adviser and PHE [SL/77, INQ000182242]. However, events did not take place due to further national lockdowns, and our pilot plans were subsumed into the wider Events Research Programme in 2021. As I discussed in Section 2 above, large arts and entertainment venues were piloted at full capacity as part of the Programme [SL/40, INQ000182250].

Decisions relating to specific events*Cheltenham Festival*

- 4.22. The Cheltenham Festival is an annual springtime horse racing-based festival held over four days. In 2020, it was scheduled for 10 to 13 March. As part of our regular contact with sporting and events stakeholders, including those involved in horse racing, coronavirus became an increasingly important issue throughout February. Stakeholders were keen for guidance on the government's approach to mass events and this was true of the British Horseracing Authority in relation to the Cheltenham Festival [SL/77(a), INQ000232202; SL/77(b), INQ000232199; and SL/77(c), INQ000232200]. As indicated above, DCMS was not responsible for decision-making concerning the staging of large events. In our advice to the British Horseracing Authority, following a meeting of COBR on 26 February, we reflected the then-current government advice that no decision had been made to restrict gatherings [SL/68, INQ000182256 and SL/77(d), INQ000232201]. We also advised that any response should be proportionate and avoid generating public anxiety. I have explained the sequence of events concerning large gatherings in March 2020 above. Against that backdrop, Cheltenham Festival took place as originally planned from 10 to 13 March 2020.
- 4.23. In 2021, the Cheltenham Festival took place from 16 to 19 March. Spectators were not permitted to attend, in line with government guidance at the time. Elite sportspeople and ancillary support staff travelling from overseas to compete at the Festival were subject to an exemption from the need to quarantine following arrival in the UK, in common with many elite sports competitions at this time.

BFI Flare Festival

- 4.24. The BFI Flare: London LGBTIQ+ Film Festival, run by British Film Institute, is an annual springtime film festival. The BFI consulted DCMS on the 2020 festival which was due to take place from 18 to 29 March. Following engagement with DCMS at official level during March 2020, the BFI took its own decision to cancel the in-person festival, but with some elements continuing as online-only events. DCMS did not provide the BFI with advice on this decision except to ensure the BFI informed their audience of how they could access the event online.
- 4.25. In 2021, the BFI Flare festival was an entirely virtual event held from 17 to 28 March. No in-person events were held, in line with government guidance in place at the time.

UEFA European Football Championship (EURO 2020)

- 4.26. EURO 2020 was scheduled to take place across Europe between 12 June and 12 July 2020. Wembley Stadium in London was scheduled to host seven matches (latterly increasing to eight, when Dublin dropped out of hosting) during the tournament, including the final and the semi-finals. UEFA announced on 17 March 2020 that the tournament would be postponed due to the pandemic and instead take place from 11 June to 11 July 2021.
- 4.27. In the months leading up to and during the rescheduled tournament, DCMS led cross-Whitehall activity for delivery and management of the event. This included DCMS's Major Sporting Events team chairing regular cross-Whitehall meetings in the lead up and during the tournament to ensure all relevant government departments (including Downing Street, CO, HO (including the UK Football Policing Unit) and DHSC), arms-length bodies (including PHE) and the police were kept informed and involved in all elements of the tournament [SL/78, INQ000182299]. DCMS also set up a specific communications group to bring together all relevant departments and bodies on messaging on Covid-19 and other factors. During the tournament, DCMS officials also played a leading part in the 'command, control and communications' reporting structure, which had been set up by CO's Civil Contingencies Secretariat.
- 4.28. The eight matches of the EURO 2020 tournament held in England were part of Phases II and III of the Events Research Programme, which I have discussed at Section 2B above. They were designed as pilots to trial the limited return of socially distanced crowds and formed a part of the Event Research Programme's work to test the effectiveness of NPIs at events. To achieve the necessary scale of event, certain Covid-19 restrictions - such as limits on social contact which were in place at the time - were disapplied in the area around Wembley Stadium. Certification was trialled to mitigate transmission risk, including use of a smartphone app to demonstrate this type of certification for the first time. This meant that attendees had to show proof of a negative lateral flow test, vaccination (two doses) or natural immunity from a prior PCR test to gain entry.
- 4.29. The EURO group stage matches were held at 25% capacity. As part of Phase III of the Events Research Programme, the government announced on 14 June 2021 that the 'round of 16' match at Wembley Stadium on June 29 (England vs Germany), as well as the semi-finals and final in July, would be staged at 50% capacity (around 44,000 fans). On 22 June, following further discussions with the FA and UEFA, and

consultation with local partners including Brent Council, PHE and the Metropolitan Police, the government then announced that the two semi-finals and the final would be at 75% capacity. This enabled the testing of public health mitigations at higher levels as part of the final phase of the Events Research Programme [SL/41, INQ000182285].

- 4.30. In addition to the March 2020 exemptions for domestic and international elite and ancillary sportspersons, discussed at paragraph 1.85 above, further exemptions to international travel restrictions were introduced for EURO 2020. DCMS convened workshops with key government departments to design a process that maintained border security and mitigated public health risks; this was subsequently signed off by the 'Covid O' (operations) sub-committee based on a paper submitted by DCMS. On 18 June 2021, the government announced that a limited number of UEFA invitees, including guests accredited by participating nations, would be exempted from self-isolation requirements for the final week of the tournament. The exemption was limited in guidance to no more than 3,000 invitees in total, including repeat visits. On 28 June 2021, the exemption was extended to include up to 1,000 accredited attendees from competing nations for attendance at the final of EURO 2020 on 11 July. The number attending from Italy, which was competing in the final, as part of the latter exemption was around 385. All those permitted entry to the UK under these exemptions to the international travel regulations were subject to strict public health protocols, agreed by PHE and DHSC, such as mask wearing, social distancing and limits on their contact with the wider population.
- 4.31. An independent review of the public disorder at the final at Wembley and the events leading up to it (which covered the inclusion of this match in the Event Research Programme pilots) was commissioned by the FA and carried out by Baroness Casey of Blackstock. It was published on 3 December 2021, concluding that the pandemic was one of multiple factors in a 'perfect storm' that contributed to events that day.

London Fashion Week

- 4.32. London Fashion Week is a fashion trade show that takes place in London twice a year. It was held in September 2020 (international travel corridors were in place at this point so a blanket quarantine exemption was not required), February 2021 (for which a quarantine exemption was applied for but not secured), and September 2021 (see para 4.32) with Covid-19 mitigations in place.
- 4.33. As a private business event, it was ultimately the British Fashion Council's responsibility to ensure that London Fashion Week was compliant with all applicable

Covid-19 regulations at the relevant time. Nonetheless, DCMS, with the support of PHE, BEIS, and DfT, provided advice and assistance [SL/79, INQ000182293] to help the British Fashion Council ensure the event could go ahead with the appropriate Covid-19 mitigations in place.

- 4.34. In July 2021, we secured a time limited exemption from the need to quarantine following arrival in the UK for fashion professionals working at London Fashion Week in September 2021 [SL/80, INQ000182268]. DCMS worked with other departments to obtain clearance for the exemption, and worked with the British Fashion Council on how it would be implemented.

Border control from a tourism perspective

General approach

- 4.35. DCMS did not have a direct role in key decision-making for tourism or border control during the Covid-19 pandemic. Our principal interest arose from the impact of the relevant measures on tourism. DCMS ministers did attend COBR meetings where border control issues would have been discussed; I expect DfT as the lead department will be best placed to provide the Inquiry with a list of relevant meetings, attendees and papers. My evidence on this point focuses on briefings provided to ministers for these meetings and advice given on related issues.
- 4.36. The UK and international governments began to implement international travel restrictions from February 2020, which resulted in a fall in arrivals to the UK from 6,804,900 in February 2020 to 112,300 in April 2020. The DCMS tourism team engaged regularly with key stakeholders and other government departments during this period to understand how the Covid-19 pandemic was affecting the industry, and this engagement informed briefings provided to ministers.
- 4.37. On 4 February 2020, DCMS officials attended an official-level COBR meeting at which travel advice and border controls were discussed. It was noted that ministers might decide to consider whether the UK should close its borders to non-UK nationals who had visited China in the last 14 days. On 5 February 2020, the Minister for Arts, Heritage and Tourism, attended the ministerial COBR meeting. Briefing provided to the minister in advance of the meeting (in part, informed by the official-level COBR meeting) set out the impact of the pandemic on the tourism industry, including that although the economic impact on the sector would be significant, tourism stakeholders recognised the need to contain the spread of the virus and was supportive of measures

such as avoiding all but essential travel to mainland China [SL/81, INQ000182666]. The minister spoke at the COBR meeting about the pandemic's economic impact on the hospitality and tourism sectors and reported that DCMS was engaging with sector stakeholders to gather feedback and further information [SL/82, INQ000182245].

- 4.38. On 26 February 2020, following the government ministerial reshuffle on 13 February 2020, the newly appointed Minister for Sport, Tourism, Heritage and Civil Society, attended the ministerial COBR meeting at which the agenda included a situation update (including health advice for travellers and schools; international response and HMG preparedness) and communications [SL/83, INQ000182671].²⁸
- 4.39. On 2 April 2020, the DCMS tourism team provided advice to the Minister for Sport, Tourism, Heritage and Civil Society recommending that steps should be taken to ensure online travel agents were not directly or indirectly encouraging the contravention of government restrictions on non-essential travel [SL/84, INQ000182676]. At the beginning of April 2020, the minister wrote to seven key online travel agents asking them to take additional steps to ensure that no bookings were made through their platforms for non-essential travel while government restrictions were in place. [SL/85, INQ000182279; SL/86, INQ000182282; and SL/87, INQ000182265].
- 4.40. On 22 April 2020, the minister attended the G20 for tourism ministers where he confirmed the UK's full support for the G20 declaration that when international travel resumed, it should be done so safely and that work needed to be done to rebuild consumer confidence [SL/88, INQ000182674].
- 4.41. Various conversations between the minister and his overseas counterparts were held over the summer of 2020 to discuss the reopening of tourism between the UK and their respective countries. These included virtual meetings with Turkey's Minister of Culture and Tourism (15 June) and Spain's Minister for Tourism (16 June) [SL/89, INQ000182668 and SL/90, INQ000182670]. Quarantine for international arrivals, consideration of 'air bridges' and advice from FCDO were discussed. Some specific 'travel corridors' were subsequently established on 10 July 2020 following the end of the first lockdown restrictions on 4 July 2020. The DCMS tourism team liaised closely

²⁸ Following a reshuffle on 13 February 2020, a recut of ministerial portfolios resulted in the Minister for Arts, Heritage and Tourism and the Minister for Sport being replaced by the Minister for Digital and Culture (Caroline Dinenage) and the Minister for Sport, Tourism, Heritage and Civil Society (Nigel Huddleston). References to 'the Minister' after 13 February 2020 are to the ministerial position held by Nigel Huddleston.

with DHSC, FCDO and DfT concerning impact of the travel corridors on the tourism sector, although the policy was the responsibility of DfT.

- 4.42. DCMS was a member of the Global Travel Taskforce,²⁹ launched in October 2020, which was responsible for planning to reopen global travel. At the taskforce meetings, DCMS advocated for the need to proactively promote international travel once it was permitted again through advertising campaigns highlighting that the UK had been 'reopened'.
- 4.43. In January 2021, the UK entered a third national lockdown and holidays both in the UK and overseas were not permitted. Travel corridors were suspended between 18 January 2021 and 15 February 2021.
- 4.44. Following the introduction of the 'red-amber-green' traffic light system for international travel on 17 May 2021, DCMS secured exemptions for (non-tourist) travellers operating in specific DCMS sectors. I have discussed these exemptions in Section 2B above.
- 4.45. Countries' classifications (red, amber, green) changed regularly and rapidly over the following months. During this period, there were other significant changes affecting tourism - such as when it was illegal to leave the UK without a valid reason and, when travel was permitted again, requirements for testing and mandatory self-isolation or managed quarantine. DCMS worked with other government departments and stakeholders to manage the implications of all these changes, including publishing updated guidance for operators of hotels and guest accommodation on how to operate during these restrictions. Additional guidance was also added to the elite sport guidance on cross-border competition, setting out how the evolving restrictions affected elite athletes and competitions (as I have discussed in paragraph 2.15 and 2.16).

Engagement with the visitor economy/tourism sector

- 4.46. VisitBritain chaired meetings of the Tourism Industry Emergency Response Group (TIER) meetings on a regular basis throughout the pandemic. DCMS officials attended together with stakeholders including the Association of British Travel Agents, Airport Operators Association, Eurostar, EasyJet and British Airways [SL/91, INQ000182271].

²⁹ Cross-government taskforce led by DfT with DHSC, FCDO, DCMS, PHE, BEIS, HMT, HO, DIT and CO Covid-19 Taskforce as members.

OFF-SEN

In July 2020, BEIS took on policy responsibility for travel agents, though DCMS retained its interest in the sector in relation to outbound tourism.

- 4.47. On 4 February 2020, the Minister for Arts, Heritage and Tourism, had a telephone meeting with Mark Tanzer, CEO of the Association of British Travel Agents, to discuss the impact of Covid-19 on the tourism industry [SL/92, INQ000182635 and SL/93, INQ000182278].
- 4.48. On 24 February 2020, the Tourism Industry Council (chaired by the Minister for Sport, Tourism, Heritage and Civil Society) discussed the impact of the Covid-19 pandemic and possible government support [SL/94, INQ000182665 and SL/95, INQ000182653]. Members were requested to continue to provide evidence of the impact of the pandemic to DCMS officials and the minister agreed to raise the economic consequences on the sector at a COBR meeting and explore whether government support would be available to businesses struggling with cash flow.
- 4.49. In early March 2020, the minister met with the Association of British Travel Agents (ABTA) and the business, Specialist Leisure Group. ABTA had continued to raise concerns about the impact of Covid-19 on the tourism sector, though they accepted that this was a major global health emergency and understood the government's position on public safety being paramount [SL/96, INQ000182634 and SL/97, INQ000182624]. ABTA continued to engage with the tourism team throughout the pandemic and remained as members of the Tourism Industry Council until December 2022.
- 4.50. More generally, during the early stages of the pandemic the tourism industry asked DCMS for financial support and assistance in securing insurance for future events with Covid-19 cancellation cover. I have included an outline of the key support provided to DCMS sectors at Section 3A above.
- 4.51. Further detail on DCMS work in relation to tourism during the pandemic is covered in Section 5B of this document, largely around the department's involvement in the relevant secondary legislation.

B: Establishment, work and efficacy of the Economic Response Directorate

Activation of the Economic Response Directorate

- 4.52. The Economic Response Directorate (ERD) was established in DCMS on 23 March 2020. It was set up to support DCMS policy teams in identifying and addressing the

economic challenges faced by our sectors and provided a focal point for our response to economic issues. It also sought to engage with pan-economy measures being led by the Treasury, working to ensure the specific characteristics and needs of DCMS sectors were considered by HMT officials. The ERD led on economic response advice and briefing to ministers within DCMS, and as a single point of contact concerning the economic challenges faced by DCMS sectors, for other government departments.

- 4.53. The directorate was headed by two directors and comprised two teams, each led by a deputy director [SL/98, INQ000182672].
- 4.54. The strategy and coordination team within the ERD provided strategic leadership and coordinated work on the economic issues associated with Covid-19 which affected DCMS's sectors. The economic policy team within the ERD focused on economic policy development and delivery and provided assistance to stakeholders who were in economic difficulty.
- 4.55. The two-team structure of the ERD was overlaid by a broader governance structure. A central mailbox, through which any enquiries could be sent, was constantly monitored by officials working on rotation. The directorate developed and maintained central scripts and Q&As which formed the basis for ministers and officials' conversations with stakeholders, together with a tracker for recording stakeholder engagement. These mechanisms allowed the ERD to record and track all economic issues affecting DCMS sectors. Regular situation reports were held for policy teams, senior civil servants and ministers within DCMS.

Role played in core political and administrative decision-making

- 4.56. The ERD coordinated conversations on economic response issues with other government departments (particularly HMT, BEIS and the Department for Work and Pensions), working with the DCMS Covid-19 Hub where appropriate. The aim was to ensure that cross-Whitehall conversations were joined-up, coherent and reflected the DCMS's interests.
- 4.57. Interventions and evidence provided by the directorate supported and influenced decisions made on a range of cross-sectoral packages, which I discuss in the following paragraphs. I expect the ERD's role in relation to sector-specific economic support packages to be discussed in more detail as part of the Inquiry's module on economic response to Covid-19.

Coronavirus Business Interruption Loan Scheme

- 4.58. DCMS facilitated discussions between BEIS and the Creative Industries Federation³⁰ to expand the list of accredited lenders for the Coronavirus Business Interruption Loan Scheme to include those with a track record of investing in the arts and creative industries sectors.
- 4.59. Separately, following evidence received from our stakeholders regarding their difficulties in providing security against loans [SL/99, INQ000182290], DCMS advocated for the removal of the requirement for businesses to place a personal guarantee against directors in relation to the loans [SL/100, INQ000182280]. That requirement was subsequently amended by HMT, prohibiting personal guarantees being required on loans of less than £250,000, and capping personal guarantees at 20% of the outstanding balance on loans of more than £250,000. DCMS also lobbied HMT to ensure the relaxation for registered charities of an initial requirement for eligible businesses to earn 50% of their income through trading. This enabled charities to take advantage of the scheme.

Coronavirus Large Business Interruption Loan Scheme

- 4.60. DCMS engaged HMT on the extension of this scheme so that larger businesses could apply for a loan of up to 25% of their turnover (capped at £200m). This benefitted larger companies across DCMS sectors who were not investment-grade rated and therefore could not access the Covid Corporate Financing Facility (a support measure aimed at supporting liquidity among bigger businesses) and who needed more funding than was available through the Coronavirus Business Interruption Loan Scheme. This followed DCMS analysis and stakeholder engagement which estimated that between 300 and 600 DCMS sector organisations fell within this 'missing middle' [SL/101, INQ000182272].

Bounce Back Loan Scheme

- 4.61. The Chancellor announced a 100% government-backed loan scheme to address issues with access to existing loan schemes in response to representations from DCMS and other government departments [SL/102, INQ000182277]. DCMS sectors, including museums, the arts, charities and smaller elements of the digital and technology sectors, have varied business models but a common issue of not being

³⁰ The Creative Industries Federation was a paid membership body representing the UK's creative industries which combined with Creative England in November 2021 to form the not-for-profit organisation, Creative UK.

conducive to high profits or large cash reserves. DCMS's intervention helped to ensure that a proportionate approach was taken regarding the forward-looking tests of viability, or complex eligibility. We also engaged on other key elements of the Bounce Back Loan Scheme, in particular the requirement for a fixed reasonable interest rate for the term of the loan and fixing the repayment term at six years. Following discussions with DCMS, HMT also carried over the eligibility requirements for charities from the Coronavirus Business Interruption Loan Scheme.

Local Authority Discretionary Grant Fund

- 4.62. The Local Authority Discretionary Grant Fund was introduced to support those small businesses in England which had been ineligible for other schemes, following representations from stakeholders at both ministerial and official levels. It was administered by BEIS and MHCLG. DCMS had received feedback from our sectors, including the hospitality, leisure, and museums, that businesses were being refused access due to the lack of clarity of the scope of the fund. DCMS officials raised the issue, and the fund's guidance was updated on 23 May 2020 to clarify the scope of the fund and its administration.

Business Rates Relief

- 4.63. DCMS sectors reported challenges when accessing the Business Rates Relief measure. This was primarily due to a lack of understanding among DCMS stakeholders of the scope of the scheme, omission of specific businesses from the guidance, and cases of inconsistent application of the scheme by local authorities. As a result of DCMS engagement with HMT and MHCLG, live music venues, markets and art galleries (where art is for sale or hire) were expressly listed as eligible for business rates relief in subsequent guidance from MHCLG and the Local Government Association. Following a successful intervention by the Minister for Sport, Tourism, Heritage and Civil Society, this measure was also updated to cover gambling businesses.

Standing down of the Economic Response Directorate

- 4.64. As the response to the pandemic moved from a more immediate crisis mode towards a longer term approach, we decided to wind down the ERD and it was officially stood down on 19 July 2020. The majority of pan-economy measures were in place at this point, and had been formulated in light of the DCMS-specific evidence highlighted above. Residual work of the directorate was passed to the DCMS Covid-19 Hub, which

streamlined central departmental coordination and allowed work that had been paused in March to be resumed.

C: DCMS's role in relation to misinformation/disinformation

DCMS's approach to the threat of misinformation and disinformation

- 4.65. DCMS's role in relation to misinformation/disinformation focused on identifying and flagging online narratives. DCMS did not provide advice or briefings to ministers or other government departments on how to influence public perception on particular issues relating to Covid-19, nor did DCMS lead on public communications in relation to the government's Covid-19 response.
- 4.66. Some background to the Counter Disinformation Unit (CDU) and how we activated the cross-Whitehall Counter Disinformation Cell is set out from paragraph 1.11 onwards.
- 4.67. The CDU was the principal way in which DCMS approached the threat of misinformation/disinformation. The CDU leads the government's domestic operational response for countering disinformation and aims to reduce the potential impact of disinformation on UK democracy, society, and economic and national security interests in line with UK democratic values. During the pandemic the CDU focused on disinformation risks to public health, public order or safety, the targeting of minority or vulnerable groups and relating to the UK's reputation. The CDU's role included:
- a) Monitoring and analysis of online narratives by cross-Whitehall teams, who worked with a range of partners including disinformation specialists in academia and civil society and social media platforms.
 - b) Sharing insights into the range of false and misleading narratives identified with other relevant teams across government, including teams in DHSC who led on vaccine related communications campaigns.
 - c) Attendance at a weekly cross-Whitehall vaccine communications meeting from March 2021 to February 2022 to provide an update on Covid-19 and 'anti-vax' misinformation/disinformation narrative trends observed.
 - d) Working closely with social media platforms to help identify and take action against misinformation/disinformation relating to Covid-19 in line with platform terms and conditions, and to promote authoritative sources of information. The CDU was given "trusted flagger" status by Twitter, YouTube, Meta and TikTok

to enable the CDU to swiftly flag content to platforms which was deemed likely to violate their terms of service.

4.68. The actions and insights of the CDU informed our decisions and ways of working concerning misinformation and disinformation. These included the following:

- a) Prior to the rollout of the Covid-19 vaccination in November 2020, the CDU organised a joint roundtable between the DCMS Secretary of State, DHSC Secretary of State and representatives from social media companies, civil society and health experts [SL/103, INQ000182260]. DCMS used this opportunity to encourage platforms to reduce the spread of harmful and misleading narratives, particularly around the Covid-19 vaccine. As a result, the platforms agreed to continue to work with public health bodies to ensure that authoritative messages about vaccine safety reached as many people as possible, and committed to swifter responses to violating content flagged by the government.
- b) In March 2021, DCMS's communications team and DHSC launched a 'check before you share' toolkit that was distributed to community organisations and partners to tackle the spread of false information in minority communities. The toolkit included short (20-second) media clips provided by trusted community leaders (including imams, pastors, doctors, obstetricians and gynaecologists) and addressed disinformation about being able to take the vaccine during Ramadan and misinformation about the vaccine causing fertility issues.
- c) In April 2020, the CDU organised a meeting between the DCMS Secretary of State and senior stakeholders from Facebook (now Meta), Google/YouTube and Twitter to discuss platform responses and to explore how the spread of harmful Covid-19 misinformation could be further limited on the relevant platforms. Following that meeting, platforms updated their terms and conditions to counter the challenge of Covid-19 misinformation and disinformation, including making their policies related to misleading health claims clearer, and committed to improving out-of-hours coverage.

4.69. In November 2020, DCMS established the Counter Disinformation Policy Forum. The forum brought together social media companies, academics, fact-checkers and researchers and aimed to improve understanding of the information environment; develop and improve the responses to misinformation and disinformation; and further explore future approaches and policy recommendations. The flow of information that

this forum facilitated enhanced the collective understanding of disinformation threats as they emerged. Though the forum did not directly lead to the decisions and actions set out above, it enabled the CDU to develop its relationship with the relevant platforms.

Advice to ministers

- 4.70. From April 2020 to April 2021, the CDU sent a weekly update to the DCMS Secretary of State, drawing together Covid-19 and anti-vaccination misinformation and disinformation narratives observed by the CDU and relevant policy updates relating to platform engagement.
- 4.71. From May 2021 to February 2022, the CDU sent weekly updates to the Minister for Digital and Culture (subsequently the Minister for Technology and Digital Economy). These reports pulled together Covid-19 and anti-vaccination mis/disinformation narratives observed by the CDU, relevant policy updates on platform engagement and a summary of relevant reporting shared by the FCDO and the HO.

Reporting across government

- 4.72. From March 2021, officials from the CDU attended the cross-Whitehall Mis/Disinformation Analyst Group, a working group set up by the UK Covid-19 Vaccine Security Agency (UKCVS). UKCVS fulfilled a security assurance function in relation to the vaccine rollout, including physical and cyber security, as well as mis/disinformation which could affect vaccine uptake. At this fortnightly meeting, the CDU shared with the HO, FCDO and DHSC colleagues its insights into the Covid-19 misinformation and disinformation narratives it had observed.
- 4.73. The CDU also provided a narrative update at the DCMS-led fortnightly mis/disinformation Working Group, which included the members of the mis/disinformation Analyst Group as well as officials from DCMS and the CO.
- 4.74. From March 2021 to February 2022, the CDU attended a weekly cross-Whitehall vaccine communications meeting, led by DHSC, to provide an update on the Covid-19 and anti-vaccination misinformation and disinformation narrative trends that observed in support of communications campaigns promoting the Covid-19 vaccination.
- 4.75. As well as providing narrative updates in meetings, the CDU also shared written reports across government, providing further detail on the Covid-19 misinformation and disinformation narratives observed. This included examples of content which had been

reviewed and analysis of any changes in the volume of misinformation and disinformation observed. During the CDU's Covid-19 response, reporting frequency would change depending on the urgency of the situation. It was conducted on a daily basis from April 2020 to June 2020. A weekly round-up report was circulated cross-Whitehall from April 2020 to February 2022 and a version shared with international partners (the EU and G7) from April to August 2020.

Challenges

- 4.76. DCMS faced challenges in capturing, processing and preventing misinformation and disinformation during the Covid-19 pandemic. These arose principally due to the fast-moving nature of disinformation and misinformation and its evolution during the pandemic.
- 4.77. At the outset, there were resourcing challenges for the CDU given the unprecedented nature of the pandemic and the associated disinformation risks. DCMS increased the size of the CDU during 2020 by drawing on resources from across the Security and Online Harms Directorate and reallocating policy officials from other policy areas.
- 4.78. To ensure that the CDU complied with relevant legislation, including the Regulation of Investigatory Powers Act 2000, only open source information (i.e. data and information which is in the public domain and freely available) was monitored. This meant that information shared in private spaces on social media platforms fell outside the remit of the CDU and was not therefore reflected in any reporting which the CDU produced on the online disinformation landscape. This challenge is not specific to Covid-19, and applies to the disinformation arena more broadly. A more specific challenge for Covid-19 concerned causality. In particular, it was difficult for the CDU to obtain detailed and clear evidence on the extent to which exposure to misinformation and/or disinformation narratives contributed to vaccine hesitancy and low vaccine uptake among certain priority groups.
- 4.79. Where evidence of causality did exist, it showed that misinformation and disinformation narratives quickly led to real world harm. For example, in April 2020, narratives with high engagement on social media falsely linked 5G masts to Covid-19; this led to the destruction of phone masts and the abuse of key workers. The meeting referenced in paragraph 4.74 above was organised in response to this threat. These incidents created challenges for the CDU, as it was required to engage rapidly with stakeholders from across Whitehall to identify relevant harmful mis/disinformation narratives, and

civil society organisations and social media platforms to devise effective policy interventions to limit their impact.

Efficacy

- 4.80. As the government lead for responses to disinformation incidents, the CDU continually seeks to improve its policies and processes by reflecting on its previous performance.
- 4.81. This drive for improvement was part of the CDU's response to the pandemic and has helped it prepare for future emergencies. Examples include how it secured a contract from an external provider to monitor misinformation and disinformation narratives shared on major social media platforms with the potential to cause harm to UK audiences. The CDU has subsequently retendered and continues to work with a third party provider to understand how misinformation and disinformation narratives related to other themes (including general health, the Russian invasion of Ukraine and elections) have developed and spread.
- 4.82. During the pandemic, the CDU developed close relationships with major social media platforms (Meta, Google/YouTube, TikTok and Twitter) and met with platforms and civil society groups on a regular basis to exchange insights and discuss the efficacy of the platforms' approaches to health misinformation. It also hosted a number of bilateral and multilateral meetings with platforms at official and ministerial level. As I have noted at paragraph 4.69, the CDU gained 'trusted flagger' status, which meant that platforms prioritised assessment of content flagged by the CDU and allowed the unit to share authoritative sources of information for platforms to share with users. The CDU still has 'trusted flagger' status with the major social media platforms.
- 4.83. The CDU also engaged with civil society organisations, such as Full Fact, to gain a greater understanding of harmful Covid-19 related misinformation narratives. The unit has used relationships developed with civil society organisations during the pandemic to improve the understanding of other mis/disinformation risks, such as in relation to the Russian invasion of Ukraine.

D: Overview of the Cultural Renewal Taskforce, its role and operations

- 4.84. The Cultural Renewal Taskforce was set up on 20 May 2020 by the Secretary of State for DCMS. The aim was to support the renewal of DCMS sectors and help develop new Covid-19 secure guidelines for the reopening of public places, including arts and entertainment events.

- 4.85. Cultural Renewal Taskforce members were (with reference to their roles at the time): Tamara Rojo CBE (Artistic Director of the English National Ballet), Alex Scott MBE (former England international and Arsenal footballer and sports broadcaster), Sir Nicholas Serota (Chair of Arts Council England and Former Director of Tate Arts Council England), Edward Mellors (Director of Mellors Group Events), Neil Mendoza (Commissioner for Cultural Recovery and Renewal, entrepreneur, publisher and philanthropist), Lord (Michael) Grade of Yarmouth (TV executive and former Chair of BBC and ITV), Baroness (Martha) Lane-Fox of Soho (Crossbench peer and Founder of LastMinute.com), Mark Cornell (CEO of the Ambassador Theatre Group), Simon Vincent OBE (President for Europe, the Middle East and Africa at Hilton Worldwide and co-chair of the Tourism Industry Council), and Paul Nowak (Deputy Secretary General of the Trades Union Congress). These individuals appointed to the panel were considered experts within the sectors which they were representing. Their roles were unpaid.
- 4.86. The taskforce met 11 times between May 2020 to January 2021, with meetings chaired either by the Secretary of State or myself. The focus of the Cultural Renewal Taskforce was:
- a) Ensuring that Covid-19 secure guidelines would be developed in line with the phasing ambitions and public health directions, building on the existing 'working safely' guidance and providing intelligence and sector-specific expert input.
 - b) Developing creative solutions, including digital solutions, to drive the return of sectors while maintaining consistency with medical advice concerning Covid-19.
 - c) Agreeing and ensuring alignment of all relevant sectoral guidance.
 - d) Enabling ministers to hear views from representatives of DCMS sectors.
- 4.87. The DCMS Covid-19 Hub provided secretariat support for the Cultural Renewal Taskforce. The hub, supported by consultants from Ernst & Young, spent much of May and June 2020 working with policy teams to identify guidance requirements to support reopening [SL/104, INQ000182640]. As we have described in Section 1C above, the DCMS Covid-19 Hub worked with policy teams to draft and deliver guidance, the first iterations of which were assessed by the Cultural Renewal Taskforce.

Working groups

- 4.88. As mentioned above, the Cultural Renewal Taskforce was supported by eight working groups which were chaired by DCMS ministers and included representatives from key sector bodies and organisations focused on broadcasting, film and production, entertainment and events, heritage, library services, museums and galleries, sport, visitor economy and youth. The working groups' aims were to allow sector specialists and other experts to help develop, disseminate and implement guidance, as well as identify and resolve practical, sector-specific issues related to guidance. The groups also discussed actions and updates arising from the Cultural Renewal Taskforce [SL/18, INQ000182641].
- 4.89. A number of other government departments and public bodies, including PHE and the Health and Safety Executive (HSE), joined meetings of the Cultural Renewal Taskforce. This provided an opportunity to ensure a joined-up approach, particularly in relation to the guidance produced in conjunction with the taskforce.

E: Digital infrastructure and tech sector support

- 4.90. In March 2020, DCMS's digital infrastructure team began coordinating work on a telecoms-related response to the pandemic.

Vulnerable consumers commitments

- 4.91. By the end of March 2020, connectivity - in particular video calling - was increasingly being used by consumers to keep in touch with friends and family. DCMS worked with the telecoms industry to develop a set of voluntary commitments to support potentially vulnerable people (such as those in financial difficulty, those who were self isolating and older people) in maintaining their increased reliance on connectivity. The commitments were published on 29 March 2020 and were supported by the UK's major internet service and mobile providers, namely BT/EE, Openreach, Virgin Media, Sky, TalkTalk, O2, Vodafone, Three, Hyperoptic, Gigaclear and KCOM.

Support for NHS staff

- 4.92. At the end of March 2020, the digital infrastructure team worked with the NHS and the telecoms industry to produce a set of voluntary commitments (for both mobile and fixed lines). The commitments included offering NHS frontline staff mobile data access, voice calls and texts on personal mobiles being used for work purposes at no extra cost and improved connectivity where possible in care homes with slow, or no,

broadband connections. The commitments were published on 10 April 2020 and were supported by the UK's major internet and mobile companies: BT/EE, Openreach, Sky, talktalk, Virgin Media, O2, Three, Vodafone, Cityfibre, Gigaclear, Tesco Mobile, giffgaff, Hyperoptic and KCOM. This ultimately benefited around half a million NHS staff.

Online learning support package

- 4.93. From March 2020, with schools closed due to the lockdown and the move to remote learning, the government wanted to ensure all children were able to access online learning resources and classes. DCMS worked with DfE and the telecoms industry in early April 2020 on measures to provide internet access to disadvantaged families, by exempting selected educational resources from data charges, providing free internet access to those without broadband through additional mobile data and access to BT's WiFi hotspots. This was part of the Online Learning Support package, announced by the Secretary of State for Education in April 2020.

Support for victims of crime and domestic abuse services websites

- 4.94. During the first lockdown in March 2020, charities offering support to victims of crime and domestic abuse were reporting significant increases in visits to their websites and resources. DCMS engaged with the Ministry of Justice (MoJ), the Victims' Commissioner for England, relevant charities and mobile operators to ensure that websites most visited by victims of crime and domestic abuse were identified and 'zero-rated' (meaning no data charges were incurred). Mobile network operators EE, Vodafone, O2, Three, Sky Mobile, Virgin Media, Tesco Mobile and giffgaff committed to these measures being in effect until at least 31 October 2020, though some continued to zero-rate the websites beyond that date.

Devices

- 4.95. In April 2020, in collaboration with other government departments (CO, Downing Street, NHSX, DfE, DWP, MHCLG) DCMS explored ways in which it could encourage the urgent provision of devices to support vulnerable households, school children and frontline NHS staff. The DCMS Secretary of State wrote to key industry stakeholders highlighting the importance of digital inclusion during the pandemic and encouraged their organisations to consider financial and device donations to initiatives that aimed

at overcoming the challenge, such as FutureDotNow's scheme, DevicesDotNow.³¹ DCMS did not own any of these initiatives, however this work ultimately led to the development of the £2.5 million Digital Lifeline Fund (delivered in partnership with the Good Things Foundation)³² providing tablets, connectivity and digital support to around 5,5000 people with learning disabilities, enabling them to connect virtually with others and access online services, in a safe and secure way.

Zero-rating online educational resources

- 4.96. At the beginning of January 2021 Oak National Academy, the lead designated online educational provider during the pandemic, publicly requested that mobile network operators zero-rate (provide free-of-charge) their services. This meant that any child using Oak National Academy's online resources via mobile data would not consume any data allowance. The request was complicated by Oak National Academy hosting its content on external platforms, such as YouTube, which mobile network operators did not want to zero-rate in their entirety. No immediate technical solution was available to resolve this.
- 4.97. DCMS did not take a position on this but worked with DfE to convene a roundtable on 5 January, jointly chaired by the Minister for Digital Infrastructure and the Minister for School Standards and attended by Oak National Academy and the UK's four major mobile network operators (EE, Vodafone, Three and O2). Following the meeting, all four organisations zero-rated Oak National Academy, with the transfer of the educational content to a separate platform, and EE and Vodafone also zero-rated BBC Bitesize.

Section 5: Legislation and equalities assessments

- 5.1. Throughout the pandemic DCMS did not 'own' any primary legislation relating to Covid-19 in its entirety nor was it responsible for enforcement. The department either fed into or led on clauses in secondary legislation. In this section, I provide an overview of DCMS's role in the development of primary and secondary legislation during the pandemic.

³¹ A coalition of industry leaders focused on closing the digital skills gap for working age adults.

³² A charity working to make the benefits of digital technology more accessible.

A: Primary legislation

- 5.2. DCMS was consulted during the development of the *Coronavirus Act 2020* (the 'Act') and was involved in drafting sections of the Act related to mass gatherings. In particular:
- a) In early March 2020, DCMS took over from DHSC in instructing Parliamentary Counsel on the drafting of the provisions relating to events, gatherings and premises in the Coronavirus Bill, which became Section 52 and Schedule 22 of the Act. These provisions conferred powers on the Secretary of State, Scottish ministers, Welsh ministers and the Executive Office in Northern Ireland to restrict or prohibit gatherings or events and to close and restrict access to premises during a public health response period. DCMS's involvement was to ensure that the consequences were understood and accounted for as far as possible, given its in-depth knowledge of the impact of the Covid-19 pandemic on its sectors.
 - b) During the drafting of the Bill, DHSC was responsible for powers for extra emergency volunteering leave to support the Government's pandemic response, which became Sections 8 and 9 of the Act. DHSC remained responsible for decisions on bringing these sections into force. However this did not happen as other non-regulatory interventions relating to volunteering were preferred.
- 5.3. DCMS was involved in ongoing monitoring of the implementation of the Act insofar as relevant to its policy sectors, with a focus on the provisions outlined in the preceding paragraph.
- 5.4. Section 52 and Schedule 22 of the Act were brought into force in England but never used.³³ At scheduled review points of the Act, DHSC consulted DCMS on whether to retain or sunset³⁴ these provisions [SL/105, INQ000182296 and SL/106, INQ000182295].
- 5.5. In advance of the publication of the Spring 2021 Roadmap, DHSC held a series of workshops to assess specific provisions of the Act. DCMS attended a DHSC workshop on Schedule 22 of the Act on 15 February 2021 along with CO and MHCLG. The

³³ They were commenced by Scottish ministers and Welsh ministers and we believe the powers were only used by the Welsh ministers, and on only two occasions in respect of the same premises.

³⁴ A provision in a Bill that gives it an expiry date once it is passed into law. Sunset clauses are included in legislation when it is felt that Parliament should have the chance to decide on its merits again after a fixed period.

purpose of the workshop was to consider whether to retain Schedule 22, in light of its use during the pandemic, the policy objective behind the provision and whether the policy objective could be delivered by other means.

- 5.6. Following the workshop, DCMS agreed to provide advice to DHSC to inform the decision on whether to retain or sunset Schedule 22 [SL/107, INQ000182288]. Advice from DCMS to retain Schedule 22 was sent to DHSC on 26 February 2021 [SL/108, INQ000182300]. The advice explained that, as part of the roadmap out of lockdown, the Events Research Programme would be exploring ways to enable people to attend large events and performances safely, and that it would be sensible to retain the power to keep as broad a range of options and powers to prevent or restrict large gatherings/events as possible at the government's disposal until data from the ERP was available to help inform reopening decisions. The powers were retained until the end of 24 March 2022, at which point they expired in accordance with the sunset provisions contained in Section 89 of the Act.

B: Secondary legislation

- 5.7. DCMS generally followed instructions from lead departments for Covid-19 regulations, which largely relied on existing powers in the *Public Health (Control of Disease) Act 1984* (the '1984 Act').
- 5.8. A large amount of the secondary legislation made under the 1984 Act during this period affected DCMS sectors, particularly those reliant on social contact/interaction. DCMS worked closely with CO and DHSC to identify any potential unintended consequences of the introduction of the regulations (and subsequent amendments) and to seek to identify proportionate interventions to contain and control the virus.
- 5.9. DCMS was asked by other government departments (most commonly DHSC and DfT) to input and review draft statutory instruments to ensure that they delivered central government's policy objectives when applied to DCMS sectors. This often led to policy discussions about 'edge cases' in terms of application to individual sectors or types of business, and how statutory instruments could achieve the underlying policy objective. The typical process was for central government decision-makers to resolve to change the law or guidance, after which DCMS would explore each new concern or principle to understand the reasons for that decision and consider how it applied in more detail to DCMS sectors. Thereafter, DCMS worked with DHSC and CO to ensure that the way these changes were applied to businesses in DCMS sectors was clear. For

example, DCMS advised on how regulations³⁵ should be drafted to give effect to a policy decision to allow betting shops to open, but which required casinos, bingo halls and arcades to remain closed.

- 5.10. Regulations³⁶ came into force on 18 July 2020 that gave county, unitary and metropolitan councils powers to restrict access to, or close, individual premises or public outdoor places as well as prohibit certain events from taking place where there was a serious or imminent threat of transmission of coronavirus. For example, Southampton City Council issued a direction under these regulations in respect of the Southampton International Boat Show due to open on 11 September 2020. The organiser asked the DHSC Secretary of State to review the decision pursuant to the process contained within the regulations; he did so and decided to support the Council's decision. DCMS worked with DHSC at the drafting stage as the use of these powers could affect a broad range of DCMS sectors, including museums, galleries, sporting events, theatre, live music and business events. At each scheduled review point for the regulations, DHSC and DCMS engaged on whether to retain or remove the provisions conferring these powers [SL/105, INQ000182296 and SL/106, INQ000182295].
- 5.11. DCMS instructed DHSC on the drafting of an elite sports exemption to the international travel regulations³⁷, contributing to the development of suitable language for use in the amending regulations³⁸. The effect of the exemption was to identify elite sporting activities with precision and set out processes to be followed with a view to their safe resumption.
- 5.12. The regulations that established the tier system (which I will refer to as the All Tiers Regulations³⁹) were amended on 20 December 2020 to add Tier 4 (essentially a 'stay at home' message). DCMS worked to ensure that the tightened restrictions allowed people under the age of 18 or with a disability to leave their home to take part in a permitted outdoor sport gathering.

³⁵ *Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No. 4) Regulations 2020/588.*

³⁶ *Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.*

³⁷ *Health Protection (Coronavirus, International Travel) (England) Regulations 2020/568.*

³⁸ *Health Protection (Coronavirus, International Travel and Public Health Information) (England) (Amendment) Regulations SI 2020/691, which took effect on 7 July 2020.*

³⁹ *Health Protection (Coronavirus, Restrictions) (All Tiers and Obligations of Undertakings) (England) (Amendment) Regulations 2020/1611.*

- 5.13. DCMS had a key role in responding to concerns raised from the tourism sector in relation to retail travel agents who were badly impacted during the pandemic. DCMS worked with DHSC and CO to amend the All Tiers Regulations⁴⁰ from 6 January 2021 that closed travel agents, to allow them to access business support schemes and alleviate some of the significant burden and risk being carried by this sector.
- 5.14. DCMS gave clarification and guidance on how to recognise self-contained accommodation in connection with the definition of 'private dwelling' and Step 2 restrictions.⁴¹ This was necessary as, at this point, the public were allowed to visit self-contained accommodation but other forms of tourist accommodation were closed, subject to limited exceptions. DCMS informed decision-making by CO and DHSC so that a proportionate and sensible approach was taken in relation to restrictions around the use of holiday accommodation.
- 5.15. DCMS collaborated with DHSC on the drafting of a power conferred on the DHSC Secretary of State by the Steps regulations to disapply relevant provisions contained in specified regulations to allow for the Events Research Programme to take place.⁴² This programme took place in the spring and summer of 2021. DCMS worked with the organisers of these events to reduce risks and have suitable management plans and procedures in place, and drafted directions which set out the specific disapplication of provisions within the regulations to ensure clarity, transparency and accountability for each event in the programme.
- 5.16. Regulations⁴³ came into force on 8 June 2020 that imposed requirements on certain categories of travellers arriving into England from outside the 'common travel area'.⁴⁴ This included a requirement to provide the government with specified information on entry and undergo a fourteen-day period of self-isolation. Whenever changes to travel regulations were proposed by central government decision-makers, DCMS would engage with this process to understand the underlying policy intention and how this would affect its sectors. As above, DCMS would then work with DfT and DHSC to ensure clarity for businesses for which DCMS was responsible, including elite sport,

⁴⁰ *Regulation 3(10)(d), Health Protection (Coronavirus, Restrictions) (No. 3) and (All Tiers) (England) (Amendment) Regulations 2021/8.*

⁴¹ *Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021/364.*

⁴² *Regulation 9 of the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021/364, amended by 2021/705, to allow the Events Research Programme to provide additional evidence and mitigations for government, and enable a range of interventions to be tested.*

⁴³ *The Health Protection (Coronavirus, International Travel) (England) Regulations 2020.*

⁴⁴ 'Common travel area' - England, Scotland, Northern Ireland, Wales, Republic of Ireland, the Channel Islands and Isle of Man.

the performing arts, film & TV, and cases for specific events such as London Fashion Week and EURO 2020.

C: The use of equality impact assessments or any other assessments of vulnerable categories of people as part of advice relating to DCMS's Covid-19 response

Public sector equality duty and family test

- 5.17. As a public body, DCMS is subject to the public sector equality duty ("PSED") contained within Section 149 of the *Equality Act 2010*. As noted above, DCMS was not the ultimate decision-maker on most matters related to the government's Covid-19 policy response, but instead sought to influence and implement decisions made by other departments. As such, the obligation to consider PSED generally lay with those other departments. However, DCMS did undertake relevant assessments for the Events Research Programme, and was also involved in cross-Whitehall initiatives concerning assessments of vulnerable categories of people.

DCMS assessments

- 5.18. DCMS undertook a formal analysis of the relevant impacts for submission to DHSC following the introduction of the *Coronavirus Act 2020* and the *Health Protection (Coronavirus) Regulations 2020* and at points where the Act and/or the Regulations were amended. In parallel, DCMS also considered the 'Family Test' (an assessment designed to help empathetically think through government policy making impacts on family relationships) to help ensure the potential impact that proposed regulatory changes may have on families was given due consideration and was proportionate to the risk of Covid-19. Information on identified impacts was then submitted to DHSC. [SL/109, INQ000182622 and SL/110, INQ000182623]
- 5.19. We undertook a public sector equality duty analysis in April 2021 for the Events Research Programme pilots [SL/111, INQ000182636]. The analysis considered a range of protected characteristics including age, disability, pregnancy and maternity, sex, race, religion or belief and how they may be disproportionately impacted by a general programme of events. The analysis also considered less advantaged socio-economic groups. The outcome of the analysis informed subsequent general policy for the events, such as consideration of the accessibility of venues chosen to participate in the scheme in Sheffield and Liverpool.
- 5.20. We also considered the possible disproportionate impacts for individual events taking part in the Events Research Programme, to aid the department's engagement with

event organisers [SL/112, INQ000182642]. For example, event organisers for the first pilot in Liverpool in spring 2021 were aware that the purpose of the pilot was not to generate profit or give them an advantage over similar businesses. The ticket prices were set at a relatively low level to allow as wide an audience as possible to attend, while ensuring the event organisers were able to cover the costs of the event.

Cross-Whitehall initiatives

- 5.21. Due to the fast-paced nature of the legislative and regulatory changes during the pandemic, it became difficult to implement mitigations to address the impacts identified through the Public Sector Equality Duty and 'family test' processes. From autumn 2020, various government departments, including DCMS, had already begun work on developing measures to support groups disproportionately impacted by Covid-19 and produced proposals to address some of the direct and indirect outcomes on these groups [SL/113, INQ000182307]. A range of proposals were approved by the 'Covid O' (operations) sub-committee on 29 October 2020 [SL/114, INQ000182305]. In January 2021, the Disproportionately Impacted Groups Steering Group was established with the aim of monitoring and evaluating these proposals, and which was supported by a cross-Whitehall working-level group. I attended the first Steering Group meeting on 28 January 2021 and DCMS continued to be represented at senior and working-level on both groups throughout their duration [SL/115, INQ000182286]. Given the proposals were developed in a CO sub-committee, I would expect the CO to provide the Inquiry with a list of relevant meetings, attendees and papers.
- 5.22. On 29 April 2021, I attended a challenge session chaired by the DHSC Permanent Secretary which sought to address health inequalities in the wider government pandemic response [SL/116, INQ000182638]. At that session, I raised potential impacts for disadvantaged groups of people, drawn from engagement across DCMS sectors. Those impacts included:
- a) Unresolved issues around testing and vaccine programmes for volunteers and voluntary service users, which may have been limiting the ability of these organisations to overcome health inequalities. For example, we discussed that volunteers could have been discouraged by twice-weekly testing.
 - b) The guidance to prevent entry for those refusing to comply with public health mandates such as face coverings and social distancing affected public sector services, such as libraries, which provided key services to mitigate

disproportionate impacts of Covid-19. This included free access to public computers for essential services, a vital service for the digitally excluded.

- c) Social distancing limits on some event sectors or indoor sport settings (but not, for instance, in hospitality settings) resulted in disproportionate impact on some communities that were difficult to justify. For example, the continuation of the 'Rule of 6' indoors risked an estimated 6.9% of all adults (3.1 million people) losing access to sport. Statistics also showed that the impacts were higher for certain groups, such as adults from Asian (9.1%) or Black (11.1%) backgrounds.

Section 6: Extent of DCMS's interactions with devolved administrations concerning key decisions to manage the Covid-19 pandemic

- 6.1. As covered in Section 1C at paragraph 1.53, while DCMS communicated our Covid-19 initiatives and guidance with the devolved administrations, and engaged with them on programmes such as the Events Research Programme, we did not work directly with them on policy development during the pandemic. Some external stakeholders developed UK-wide guidance in collaboration with DCMS and the devolved administrations which noted where there were different regulations and general Covid-19 guidance in place in different nations within the UK. This guidance was not developed directly by DCMS.

Section 7: Future risks, reports and lessons learned

- 7.1. I have included reflections on the challenges faced by DCMS during the pandemic in certain policy areas in Sections 1 to 6, above. In this section, I explain the lessons learned by DCMS and its officials in supporting core political and administrative decision-making during the early stages of the pandemic. However, it is important to note that DCMS was not one of the departments that was making those core decisions and nor did it play a significant role in the discussions leading to those decisions. DCMS represented its sectors within government and sought to influence the policy options that were considered as part of that wider decision-making process. For example, while we had no role in the decision to introduce social distancing, we did seek to influence later discussions around exactly how social distancing might work in different situations, supported by our ability to marshal and analyse data and evidence from our sectors to make our case across Whitehall. Those lessons must be understood in the context of DCMS's role in making decisions during the pandemic. As I have explained in the preceding sections of this statement, DCMS was not making

core decisions relating to the pandemic and nor did it play a significant role in the discussions leading to those decisions

- 7.2. In general, while individual sector and policy teams have drawn lessons from the pandemic to improve ways of working, we have looked more broadly at improvements to functions and activities which will have an impact on all teams, with a view to making us better prepared for, and responsive and resilient to, future emergencies.

A: DCMS's transformation programme

- 7.3. To provide some situational context for DCMS during the period in question, I will briefly set out the work in the department immediately prior to and during the pandemic which aimed to transform some of its core functions and processes. This put us in a better position to respond to the pandemic; in turn, the experience of the pandemic has shaped, enhanced and accelerated our reforms - such as our scientific and emergency response expertise, our wider organisational agility and resilience and our approach to working with partners and supporting our sectors. Many of the improvements will have material benefits for a future pandemic response.
- 7.4. DCMS's 'transformation programme' was led by a central team until March 2022, when it was sufficiently advanced that the task of driving forward further gains in a number of key areas was put back into wider work on continuous improvement throughout the business. This meant the department was both adapting to the pandemic and maturing its critical functions as the pandemic progressed.
- 7.5. As our headcount grew in the years leading up to the pandemic, it became apparent that our approach to a number of corporate functions also needed to improve. Through the 2019 Spending Review process, we started a programme of work to transform our corporate functions and ways of working. The consistent focus of the work was becoming a more economically and analytically heavyweight and data-driven department; more diverse and inclusive in talent, skills, experience and geographical location; and more delivery-focused, with the capability to run high impact programmes across the department and our wider network of public bodies. By late 2019, the department was fully engaged in planning its programme of transformation and investing more in the necessary skills to deliver that programme, reviewing our ways of working and building our analytical capability. Experience acquired during Operation YELLOWHAMMER, which reviewed the government's preparations for a potential 'No-Deal' Brexit, further assisted our work on departmental resilience.

- 7.6. By the start of 2020 work was already underway on essential corporate support functions, organisational resilience and analytical capability.
- 7.7. The programme and the issues it sought to address were wide-ranging. Steps taken included:
- a) Establishing the office of the Chief Scientific Adviser, which I have discussed in Section 1A, a science system and science plan, an Analytical Directorate, led by a Director of Analysis, and increasing our ratio of analysts in the department.
 - b) Significant increase in diversity of the DCMS workforce, including ethnicity in senior roles, closing the gender pay gap and increasing our geographical footprint, including opening a second HQ in Manchester and satellite offices across the country to attract wider talent.
 - c) Establishing a project delivery culture within the department, with a centre of excellence, a director-led Commercial Directorate, and investment in a risk team and wider risk management training throughout the organisation to better support the department and our network of public bodies.

B: Scientific research and analysis

- 7.8. Our focus on building scientific capability proved extremely valuable during the pandemic. The Chief Scientific Adviser attended SAGE meetings throughout the pandemic, provided scientific input into policy development, and continues to play an instrumental role in making the DCMS voice credible and influential when engaging with other government departments on scientific issues.
- 7.9. The Chief Scientific Adviser played a vital role in developing research around the viability of large events such as business conferences and sporting events beginning with the pilots in the autumn of 2020 and continuing with the Events Research Programme, which took forward research in four key areas of scientific study: outbreak prevention and control; environmental and behavioural transmission; and socio-economic study. This informed policy development around the management of Covid-19 and fed into a wide range of government guidance - including that for events and attractions, hotels, and grassroot sports - as well as influencing the government's proposal for mandatory vaccine-only certification in a 'Plan B' scenario.

- 7.10. Narrower research was also led by the Chief Scientific Adviser that put us in a strong position to make specific interventions. For example, as guidance for the performing arts was developed in the summer of 2020 it became clear that there was no evidence base around the transmission risk from singing and playing wind or brass instruments. This led to a precautionary approach that heavily restricted both activities. DCMS set up a programme to develop the evidence base through existing research and conducting new studies to fill gaps. This allowed us to refine the guidance to make both singing and playing wind and brass instruments less restrictive.
- 7.11. DCMS continued to invest in its scientific capabilities. In December 2021 we launched the College of Experts, made up of 49 external experts from across academia and industry. The college increases our access to scientific networks and broadens our evidence base, allowing us to identify key areas of research interest for the department. We also established in Autumn 2022 the Research and Development Science and Analysis Programme - a flagship research programme addressing key questions facing DCMS policy areas, employing cutting-edge techniques to push the boundaries of what we know to improve policy making. The programme involves collaboration with researchers and UK Research and Innovation's Councils to target, develop and deepen new research, with initial projects including work on digital emissions, responsible AI and environmental sustainability in the cultural sector.
- 7.12. The pandemic also reinforced the importance of our focus on becoming more analytically heavyweight as I have described in Section 1A above. We found that, for some sectors, data was not sufficiently accessible for the hugely complex and fast-paced discussions going on across government. The Covid-19 analytical hub made it easier to rapidly resource and undertake cross-cutting analysis in support of the complex policy work being done across the department. We established the Analysis Directorate and appointed its first Director in August 2021, further strengthening the department's analytical foundations and enabling more focused analytical support to help shape wider decision-making.
- 7.13. Analysis performed by the Covid-19 Analytical Hub took the scientific findings of the Events Research Programme and modelled the economic effect of differing designs of Covid-19 restrictions on large gatherings and events. This analysis informed the manner in which large gatherings and events were reopened and policies around covid-secure certification.

- 7.14. The Covid-19 Analytical Hub also operated a real-time monitoring dashboard on the economic and social effects of the pandemic on DCMS sectors. This dashboard allowed policy colleagues across the department to have access to up-to-date and sector specific information for their policy areas throughout the pandemic. This approach has also aided DCMS's general economic situational awareness after the pandemic.

C: Stakeholder engagement

- 7.15. While DCMS was not making core decisions during the pandemic, maintaining stakeholder engagement and improving our analytic and scientific capabilities helped ensure that our sectors' specific needs were taken into account in those wider decisions. We built on our existing strong stakeholder relationships and put in place a formal framework through working groups and the Cultural Renewal Taskforce that allowed us to bring our sectors more fully into conversations and access valuable evidence and opinions to inform our engagement with policy decisions across Whitehall.
- 7.16. As an example, DCMS's engagement with our sectors highlighted how maintaining two-metre social distancing carried serious economic impacts on theatres and other venues where business models rely on filling (or nearly filling) all available seats. Balancing economic pressures and epidemiological imperatives, following the Prime Minister's announcement of the 'roadmap to reopening' on 10 May 2020, DCMS made an argument that social distancing could be reduced from two metres to one metre with other safeguards in place [SL/42, INQ000182249 and SL/43, INQ000182251]. On 23 June 2020, following the government's review of the two-metre social distancing guidance, this was changed to one metre in some circumstances where other mitigations could be put in place, such as in some theatres.

D: Operational capability

- 7.17. We were able to restructure ourselves effectively to support our efforts to influence decision-making. The creation of a formal analytical hub and strong stakeholder engagement structures, outlined above, made it easier to marshal evidence and form cogent arguments while organisational changes, that I shall describe below, made the department as a whole better able to use that evidence and arguments in its work to respond to the pandemic. We undertook targeted reallocation of resources to support our response work on volunteering and the charities sector (including creating an interim Director General role). The establishment of the Economic Response

Directorate and the DCMS Covid-19 hub ensured information flowed smoothly around the department and that departmental priorities were identified and supported. This provided a stronger overall framework for making decisions on how DCMS should respond to events as well as where and how we should focus our efforts to influence policies across Whitehall.

- 7.18. Our positive experience with operating these centralised structures through the pandemic led to a decision by the Executive Board in August 2022 to establish a small, permanent incident response team responsible for designing the departmental approach to central coordination during a crisis, developing the products and structures that a coordinating team would require, and providing training to a pool of staff across the department who can transition to crisis response work at short notice if the need arises.
- 7.19. As I have explained, the reorganisation and centralisation of responsibilities during the pandemic allowed the department to coordinate itself effectively. In the early days and weeks of Covid-19, a huge volume of requests and commissions coming into the department became difficult to manage, particularly at an individual policy team level. Creating central teams to address these requests allowed policy teams valuable breathing space to consider the issues in more depth. However, we did at times find it difficult to engage with central decision-making processes. The proliferation of ministerial implementation groups⁴⁵ and incredibly short deadlines, though to be expected during a time of national crisis, was challenging. The operation run out of the Cabinet Office was clearly under a great deal of pressure and it was initially difficult to judge how to engage with it. While we were experiencing problems within our sectors that were important to us, there were very serious issues being managed across government that were a higher priority; we had to think carefully about how to raise issues in a proportionate way, and across a number of groups often with slightly different membership.
- 7.20. This became easier to manage when CO moved to the 'Covid O' (operations) and 'Covid S' (strategy) system of regular meetings for collective ministerial decision making at the end of May 2020. This provided a clearer and more consistent structure

⁴⁵ Known as MIGs, these groups involved key ministers and officials from across government working to monitor progress and refine the Covid-19 measures agreed by COBR. DCMS was a member of the MIGs on Healthcare (focusing on the preparedness of the NHS, ensuring capacity in the critical care system and the medical and social package of support for those required to shield); General Public Sector (focusing on preparedness across the public and critical national infrastructure, excluding the NHS); Economic and Business (focusing on economic and business impact and response, including supply chain resilience).

with which to engage, making it easier to track and manage multiple policy issues as well as easing the day-to-day work of engaging with the secretariat. This helped the Covid-19 Hub and the Economic Response Directorate to respond more efficiently and develop a strong working relationship with the CO Covid-19 taskforce.

- 7.21. Our working relationship with the CO Covid-19 taskforce was further enhanced by our input being firmly grounded in science and data as a result of the transformation described above. This led to the CO decision to have the Events Research Programme as part of the Prime Minister's roadmap in 2021, with DCMS able to set out proposals in a significantly more thorough and systematic way than we might have done only a year or so previously.

E: Reviews of DCMS's approach

- 7.22. DCMS reviewed its performance on a number of occasions at both an individual sector and policy team level, and for the department as a whole on how to improve functions and responsiveness and resilience to future emergencies. The majority of these reviews were undertaken whilst the pandemic was ongoing, reflecting our desire to learn and develop our response in 'real time'.
- 7.23. Reviews recognised that DCMS showed a nimbleness and flexibility in confronting such a large challenge and changing its organisation and some processes radically; they also highlighted lessons to enhance our response to a future pandemic or emergency scenario. These reviews were focused on our own internal processes and organisation and are discussed at length in my submission to Module 1 of the Inquiry. They do not explicitly offer lessons that are relevant to core political and administrative decision-making and the issues raised in the provisional outline of scope for Module 2, so I do not propose to rehearse the discussion of them made for Module 1 here. That said, some of the findings do help to illustrate the points made earlier in this section and bear brief reference.
- 7.24. In July 2020 a high-level discussion paper was sent to the DCMS Departmental Board that highlighted our work with HMT to develop an unprecedented number of business support interventions, our role in delivering guidance, and our analytical strengths which produced robust outputs that were influential in understanding the impact of the pandemic and influencing other government departments [SL/117, INQ000182675 and SL/118, INQ000182276]. At the subsequent meeting on 20 July the Secretary of State and non-executive directors emphasised the importance of DCMS having

sufficient analytical resource and the use of data to help enable a better understanding of the needs of its sectors.

- 7.25. Between July and September 2020, the DCMS strategy and governance team undertook a lessons identification exercise and prepared a report detailing the findings for the Executive Board in October 2020 [SL/119, INQ000182246; SL/120, INQ000182673; and SL/121, INQ000182244]. The report noted that the structures put in place in direct response to the pandemic, including the creation of new teams such as the DCMS Covid-19 Hub and the Economic Response Directorate were positive. Both were highlighted by policy teams for their support on developing sectoral support packages and it was felt that high quality work was done in an extremely high-pressure environment - although having them in place even sooner would have been better. A number of recommendations were made such as improving the availability of data on our sectors, developing crisis management structures and providing training [SL/119, INQ000182246].
- 7.26. At a follow-up discussion in February 2021, the Executive Board observed that good progress had been made but identified areas for further improvement [SL/122, INQ000182241]. It noted that the DCMS Covid-19 Hub and the Economic Response Directorate were formed rapidly at the start of the response and that plans should be developed to ensure that a future crisis response structure could be put in place more quickly. In terms of sector engagement, the department's relationships with its sectors were recognised for being greatly improved during the response to the pandemic. It was noted that gaps in some key data areas had sometimes led to delayed responses, but action had been taken to deal with these, such as a data platform for the department's analysts that highlights and updates key data sets..
- 7.27. Ahead of its close-down, the DCMS Covid-19 Hub produced a 'lessons learned' document on 7 June 2022 which focused on operational readiness; resourcing and resilience; guidance and the 'triple lock' process; and relationships and engagement with stakeholders [SL/123, INQ000182275]. In line with previous exercises, the document identified the need for a formal process to be put in place through which a similar crisis response structure could be activated in future. It also considered that training officials across the department in crisis response would improve the prospects of rapidly staffing the response. These lessons were discussed at the Executive Board [SL/124, INQ000182281] and an action was agreed for a small central team to be set up and to develop a clearly scoped approach to controls around usage of a volunteer pool to staff future crisis response. This resulted in the establishment of the incident

response team and a pool of volunteers from across DCMS. Since its establishment, this team has coordinated the department's engagement with CO on issues such as industrial action and severe weather, and also represents the department at the Pandemic Diseases Capability Board.

- 7.28. These various reviews illustrate the focus DCMS put on learning from the experience of the pandemic. They underlined the importance of investing in science and analysis, made a compelling case for better preparedness and led to the establishment of the incident response team. This reflects the department's recognition of the importance of a central function's role in rapid and comprehensive coordination within a department.

F: Conclusions

- 7.29. DCMS has had a consistent focus on transforming and maturing its ways of working since the year before the pandemic, and the groundwork laid in 2019 was critical to our ability to respond and adapt to such an unprecedented event, and sustain our focus for its duration. The lessons learned during the pandemic not only reinforced the importance of this transformation, but showed us what a response should look like - and if faced with a similar scenario in the future, we believe that DCMS would respond with a speed and efficacy built on these foundations.
- 7.30. The role that DCMS played in the overall government response to the pandemic was shaped by both our size and relative importance in dealing with the immediate effects of the pandemic. The department did not 'own' any of the relevant primary legislation or regulations in their entirety (though it did take over responsibility for Section 52 and Schedule 22 of the *Coronavirus Act 2020* from DHSC). Our policy and sector responsibilities mean we had a smaller role to play than other departments in dealing with the early stages of a pandemic.
- 7.31. While departments such as DHSC and CO are central to managing a pandemic's immediate impact, DCMS is much more affected by second and third order impacts as the response to the disease changes behaviours and the way that large parts of the economy can operate. Early in the pandemic we recognised that the impact of the pandemic was being felt beyond our first order area of Critical National Infrastructure and came to understand the existential effect it could have on a broad range of sectors. Our response ultimately involved every team in DCMS, and tested all of our governance and coordination structures. Our development as a department was essential in allowing us to address that challenge.

- 7.32. I am confident that, although we did not directly take the core political and administrative decisions that shaped the nation's journey through the pandemic, our input into the specific policy choices that followed was backed up by solid evidence gathering and robust analysis that meant our sectors had a voice in government and their needs were taken into account at all stages. DCMS understands the importance of scientific and analytical rigour and will continue to invest in these capabilities, ensuring that we are able to offer timely advice to aid decision-making in the event of a future pandemic.

Statement of Truth

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

Signed:

Personal Data

Dated: 06 July 2023