



**NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 1 - DENTAL ALLIANCE**

Introduction

1. In my [Opening Statement](#) on 21 July 2022, I explained that Modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On the same day, the Inquiry opened Module 1 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 16 August 2022.
2. The [Provisional Outline of Scope](#) for Module 1 provides that this module will examine the resilience and preparedness of the United Kingdom for a Coronavirus pandemic. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.
3. On 12 August 2022 the Inquiry received an application from the Dental Alliance for Core Participant status in Module 1.
4. I made a provisional decision not to designate the Dental Alliance as a Core Participant in Module 1, thereby declining the application ("the Provisional Decision"), on 7 September 2022. The Dental Alliance was provided with an opportunity to renew the application in writing by 4pm on 16 September 2022.
5. On 15 September 2022 the Dental Alliance submitted a renewed application for Core Participant status in Module 1. This notice sets out my determination of the Dental Alliance's application for Core Participant status in Module 1.



Application

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

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

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

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

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

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

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 1.

Summary of Application

8. The original application stated that the Dental Alliance covers a broad spectrum of private and NHS dentistry in England and Wales and represents the largest body across the dental industry. It represents over 3,000 dental practices and over 10,000 individuals.



9. The original application was made on the basis that the Dental Alliance has a significant interest in the context of public health services as included in the Provisional Outline of Scope for Module 1. In particular, the original application stated that the Dental Alliance can assist with vital evidence in relation to dental services, including readiness for the pandemic and can demonstrate the differential treatment between NHS and private dentistry by central government.

10. The renewed application sets out that the Dental Alliance should be granted Core Participant status on the basis it has a significant interest in the investigation of the preparedness for public health services representing, as it does, over 3,000 dental practices and over 10,000 dental practitioners in the UK. The renewed application also states that the Dental Alliance should be afforded Core Participant status so it has the right to be provided with disclosure in advance of public hearings, to make opening and closing statements and to question witnesses. The renewed application further states that the British Dental Association has not sought to be appointed as a Core Participant and, as such, the Dental Alliance should be entitled to be directly involved in the Inquiry's investigation, as one of the largest bodies of dentists. Lastly, the application states that given the British Dental Association has not sought to be appointed as a Core Participant, the Inquiry may make recommendations in relation to dentistry and the Dental Alliance has a direct and significant interest in ensuring that any recommendations are properly implemented.

Decision for the Applicant

11. I have considered with great care everything that is said in the Dental Alliance's renewed application. I have also reminded myself of what was said in the original application to enable me to assess the application for Core Participant status as a whole.



12. I am grateful to the Dental Alliance for taking care to set out more detail in their renewed application and I appreciate that the Dental Alliance can provide insights in relation to dental services. However, Module 1 is primarily concerned with the core systems and structures within the United Kingdom for preparedness and resilience for an event such as the Covid-19 pandemic and with high-level pandemic resilience, preparedness and planning. It will examine whether the correct structures, bodies, procedures and policies were in place at UK and at regional and national levels and look at their history, development, co-operation, and performance. In terms of inquiring into pandemic planning, this will include examination of the forecasting processes, the extent to which lessons were learned from past knowledge of actual events and simulated exercises, the degree of readiness preparation and the general resources that were available. The Module is therefore concerned with how the relevant entities prepared and whether they were ready by way of general response. This will not include an examination of the preparedness or impact in relation to the dental profession.

13. In order to manage the investigative work of the Inquiry in as proportionate a manner as possible and to ensure the timely publication of my findings, lessons learned and recommendations for the future, it is not possible for Module 1 to consider the state of preparedness by detailed reference to the potential impact of an event such as the Covid-19 pandemic on every single sector that might have been and eventually was affected.

14. I will of course keep the Provisional Outline of Scope for Module 1 under review and, as I explained in my Opening Statement, other aspects of the Inquiry's Terms of Reference will be covered in future modules for which Provisional Outlines of Scope will be prepared and published in due course.

15. For all of those reasons, having considered all of the information provided by the Dental Alliance in light of the Provisional Outline of Scope for Module 1, I consider that



the Dental Alliance does not have a significant interest in an important aspect of the matters to which Module 1 relates. Accordingly, in my discretion, I decline to designate the Dental Alliance as a Core Participant in Module 1.

16. My decision not to designate the Dental Alliance as a Core Participant in Module 1 does not preclude it from making any further applications in respect of any later modules. As I said in my Provisional Decision, the Dental Alliance may wish to consider making an application for Core Participant status in a future module more directly dealing with health systems. I will consider any future applications the Dental Alliance may wish to make on their merits at the time they are made.

Rt Hon Baroness Heather Hallett DBE
Chair of the UK Covid-19 Inquiry
28 September 2022