

Witness Name: Lesley Fraser

Statement No.: 3

Exhibits: LF3

Dated: 23 October 2023

UK COVID-19 INQUIRY

WITNESS STATEMENT OF LESLEY FRASER

In relation to the issues raised by the Rule 9 request dated 19 June 2023 in connection with Module 2A, I, Lesley Fraser, will say as follows: -

A. Background, qualifications and role during the Covid-19 pandemic

1. I am Lesley Fraser, St Andrew's House, Regent Road, Edinburgh (professional address). I am a policy and delivery professional within the civil service and have been employed by the civil service for 24 years. I joined Scottish Government in 2001 and continue to be employed by the Scottish Government. I have held a range of roles in Scottish Government prior to January 2020 including:

- Director General Organisational Design and Operations (July 2019–March 2021)
- Director for Housing and Social Justice 2013–2019
- Deputy Director, Primary Care November 2012–July 2013
- Acting Director for Strategy and Cabinet January–November 2012
- Deputy Director, Children's Rights and Wellbeing 2008–2012

I have a degree from the University of Edinburgh, and a postgraduate qualification in historic building conservation from the Architectural Association.

2. I have prepared this statement myself by reference to records and material provided to me by the Scottish Government. I have also received assistance from the Scottish Government Covid Inquiries Response Directorate and Scottish Government Legal Directorate. References to exhibits in this statement are in the form [LF3/xxx-INQ000000].

3. Unless stated otherwise, the facts stated in this witness statement are within my own knowledge and are true. Where they are not within my own knowledge, they are derived from sources to which I refer and are true to the best of my knowledge and belief.
4. In my current role as Director General Corporate (from March 2021), I have management and Accountable Officer responsibilities for the corporate services required by Scottish Government. Created in its current form in 2021, the DG Corporate family includes digital and IT/digital services, communications and ministerial support, corporate transformation and workplace, people, financial management, corporate governance, property and procurement advice, legal, propriety and ethics and the Covid Inquiries Response Directorate.
5. The Inquiry has seen corporate statements on the work of DG Corporate. Although I have management and Accountable Officer responsibilities for these Corporate Services, I do not generally provide advice on specific issues, which comes instead from the professionals that I manage. I offer advice to Ministers, the Permanent Secretary and Executive Team, and make day-to-day decisions on the budgets, resource allocation, risk management and governance arrangements for the Scottish Government. My role is normally internally focused on the operations of the civil service (except for externally facing Digital and Procurement policy, for which I also have responsibility) rather than providing policy or delivery advice to Ministers on matters affecting the people of Scotland directly.
6. With regards to decision making during the Covid pandemic, I am part of the Scottish Government's Executive Team, and I led on those decisions affecting the operation of the organisation rather than decisions affecting society. Examples of the decisions I would lead for the Executive Team include those on the allocation of staff to priority areas, ensuring that teams had the appropriate skills, and providing advice on how we should look after the welfare and wellbeing of our staff. I was also responsible for providing advice to Ministers on how and when we should close Scottish Government buildings during lockdown, our business continuity arrangements and on the provision of technology and infrastructure to enable our staff to work from home.

7. As part of the Executive Team of the Scottish Government during the Covid-19 response, we considered advice being prepared for Ministers, and the organisational response to the pandemic. I was not part of other decision-making or UK wide forums, nor part of the relationships with the UK Government or devolved administrations, or local authorities given the internal focus of my role.
8. I was also a member of the Scottish Government Corporate Board, which offers advice to the Principal Accountable Officer (the Permanent Secretary) with objective strategic oversight, guidance, and advice in relation to Scottish Government's organisational performance and development and the effectiveness of its governance arrangements. I also attended the Scottish Government Audit, Assurance and Risk Committee. I was not part of other committees, groups or forums.

B. Initial understanding and response to Covid-19 (January 2020 to March 2020)

Initial understanding and readiness

9. I did not attend any UK Government meetings or any external groups as far as I can recall. Weekly meetings took place between members of my Communications teams and their UK Government Cabinet Office counterparts and communication leads at Health Boards, for example, but I was not directly involved in these calls. I was responsible for ensuring that that the teams had the capacity and resource they required at the different phases of the response in order to fulfil their functions, and was also available as a point of escalation, if required.
10. I first became aware of Covid-19 in my official capacity through Executive Team discussions of the emerging impacts in China, and then Italy, during January 2020. From my perspective, I was aware that colleagues were assessing the emerging information from China against our modelling, plans and preparations for flu and pandemic planning. It appeared to me that the threat was being taken very seriously, and that we were using our appropriate task, coordination and governance routes to mobilise a cross-Scottish Government and cross-public service response.

11. From July 2019 to March 2021, I was responsible for Social Security. I oversaw work to offer advice to the then Cabinet Secretary for Social Security and Local Government to agree how we should alter the planned implementation of the Devolution Programme for Social Security to take account of the emerging pandemic. We also offered advice and agreed with the Minister how the Social Security Agency would move its services and customer support online if required to maintain a vital public service [LF3/001-INQ000224566].
12. As stated above, I had overall responsibility for advice to the Permanent Secretary and Ministers about how we would close Scottish Government buildings and move staff online whilst maintaining business critical corporate services and systems. I also provided advice on the appropriate evolution of the governance and risk arrangements for the organisation to ensure that these remained effective for the different phases of the Covid response.
13. From my discussions with Executive Team colleagues, I was aware of the concerning evidence that was emerging from countries like China and Italy about the potential impact of Covid-19. It was also clear from early 2020 that it was a very fast-moving situation, requiring an agile, focused and effective response across Scotland and the UK. From this vantage point in 2023, I do not think that in January 2020 we fully anticipated the seriousness of everything that was about to happen and the full range of impacts that each wave of the pandemic would have on the health of the population, the operation of the health service, the economy of the country and on many aspects of wider society, including the impacts on pre-existing inequalities in Scotland.
14. I was not involved in any decision making around the NIKE conference or the Scotland vs France Six Nations rugby match and have no recollection of discussions around them at that time.

Initial strategy and decision making

15. I was aware of discussions early in 2020 about the strategic choices for responding to the Covid pandemic. I believe that included 'herd-immunity' as well as other approaches. Options, often drawn from international examples, and their potential impacts were discussed at Executive Team meetings to ensure that Ministers were receiving the best possible advice on the likely range of those impacts and the broad consequences of such decisions, informed by the best evidence and scientific and health data available at the time. I cannot, however, recall a specific discussion on 'herd-immunity' in the January to March period.
16. As part of these discussions, I was aware of the use of UK Government data, information and analysis during the January to March 2020 period to inform options, particularly where that applied in Scotland and could be used alongside Scotland-specific health population, economic, societal and other data. This UK Government and Scottish data was used to ensure that decisions made by the Scottish Government were lawful and appropriate in the Scottish context, bearing in mind the progress of the disease across the country, and were appropriate to the specific legislative and institutional landscape of Scotland. I am aware that we took into account the likely impact of planned UK Government decisions on people in Scotland – and considered, for example, opportunities to align the early decisions and communications on lockdown so that the people of Scotland had clear advice, reinforced by both Governments, at that critical phase of the response and given the unprecedented requirement to disrupt their lives.
17. I do not have a view on whether the Scottish Government should have made more or fewer decisions independently of the UK Government during this stage of the pandemic. With the benefit of hindsight, we will want to learn lessons through the UK and Scottish Inquiries about which actions and approaches were most beneficial, and which in the future should be approached differently to reduce harm and safeguard wellbeing over the short, medium and long term – but I do not have a view on these matters at this point. While Scottish Government decisions were informed by our understanding of what the UK Government planned to do, I do not recall that Scottish Government was curtailed in its options or decisions at this early phase of the Covid-19 response.

18. It was my role to oversee advice to Scottish Ministers on Scottish Government communications. This advice was provided by Communications and Marketing professionals working in my teams. I reflect that what appeared to work well was the relatively high levels of trust reported in Scottish Government messaging and advice to the public in Scotland. From the outset of the Covid-19 response, the communications approach was that the First Minister should be regularly visible to provide factual updates and assurance. This was achieved through, for example, daily briefings where the First Minister was often accompanied by a relevant expert such as the Chief Medical Officer or Chief Clinical Director for the NHS. As an example of how the communications approaches evolved, as per the Module 2A corporate statement provided in my name as DG Corporate, during the course of the pandemic, sources of mis- and dis-information were identified that appeared to be having an impact on people's actions and behaviours. These were discussed at the weekly calls with the UK Government and communication leads at Health Boards. In response, direct steps were not taken to refute disinformation to avoid increasing exposure. Instead, the Scottish Government used paid-for advertising to clearly communicate the correct information. Learnings from mis- or dis-information were applied to campaign development. For example, Covid-19 vaccine explainer content was designed to address common areas of disinformation about the vaccine without repeating that incorrect information *per se*. An illustration of this is the video 'Covid-19 Vaccine: The Facts' which was placed on the Scottish Government YouTube channel.

C. Roles in relation to non-pharmaceutical interventions (“NPIs”)

19. As set out above, as a member of the Executive Team, I was part of discussions considering advice for Ministers on the choices and options for adopting a national lockdown in March 2020. As the DG responsible for the operation of the government, I offered input and advice on issues such as closing our offices and moving our staff online to work from home; staff wellbeing and welfare concerns and how those would be managed and mitigated; maintaining critical business systems and business continuity; and the evolution of our governance and risk management frameworks so they were relevant for the different phases of the Covid response.

20. I understood that we adopted a national lockdown as a very significant but necessary action in order to safeguard the lives of the people of Scotland and the operations of the National Health Service in Scotland. We did that as soon as we could see evidence, including scientific and health data, that this potentially damaging but necessary action was required, and taking account of the relevant laws, and our understanding of the potential economic and wider societal impacts in Scotland as far as they were known at that time. We also considered the benefits to the public of aligning early communications about lockdown with UK Government's announcements, given the unprecedented nature of the restrictions of people's freedoms and the comparable spread of the disease, as far as was known, at that stage in the pandemic.

21. Given the internal and organisational focus of my role, I did not lead work on advice to Ministers on the use of NPIs across Scotland. I was responsible for our communications and marketing functions and for the advice provided to the Executive Team and Ministers on the impact and effectiveness of communications about the use of NPIs during the pandemic. I cover my reflections on the development of these communications over the course of the pandemic, and their impact, in Section F below.

D. Divergence

22. In discussions at the Executive Team, we considered the impacts of the pandemic in Scotland based on a "Four Harms" approach [LF3/002-INQ000131028], which had its roots in Scottish Government's outcomes approach based on the National Performance Framework [LF3/003-INQ000102917].

23. In summary, the "Four Harms" approach recognised four areas of impact:

- First, the virus caused direct and tragic harm to people's health and we had to consider what aspects caused increased risk of spread of the virus and who was most likely to be affected. Key indicators included the numbers of Covid-19 positive cases, hospitalisations and deaths along with the reproductive number, or R-value.

- Second, the virus had a wider impact on our health and social care services in Scotland; we had to consider how people used those services and how this impacted on non-Covid-19 health harms, including for example excess deaths, the use of NHS services or physical and mental wellbeing.
- Third, the restrictions which Scotland, together with the other UK nations, had necessarily put in place to slow the spread of the virus affected our broader way of living and society, including, for example, the negative effects of increased isolation, particularly for those living alone, and the impact on children’s well-being from closing schools. The effect on poverty and inequality were significant and the impacts intensified the longer the restrictions continued. We identified six dimensions of societal impact and published headline indicator figures for each.
- Fourth, along with the wider negative impacts of the global pandemic, the lockdown and continued restrictions had a significant impact on the economy. This was unprecedented and caused uncertainty and hardship for many businesses, individuals and households.

24. These “Four Harms” were related: health harms impacted on society and the economy, just as the societal and economic effects impacted on physical and mental health and wellbeing. Navigating the right course through the crisis involved taking difficult decisions that sought to balance these various, inter-related harms so as to minimise overall harm.

25. Throughout the course of the pandemic, in the Executive Team discussions I attended, we drew on the latest available health, scientific, societal, economic and public service data, including NHS impact data. That included the use of UK Government data and information that applied in Scotland, international examples and relevant learning as well local Scottish data when making any decisions to take a divergent approach from the UK Government. We always considered the latest information about the spread of the pandemic, including of new variants, and how, when and where the impacts of new “waves” were being experienced across Scotland and the UK. As more data became available, and our understanding of

the behaviour of the disease became better understood, we were able to consider the pros and cons (across the Four Harms) of moving in alignment with the UK Government and where divergence was necessary and justified – and indeed where more local restrictions within parts of Scotland would be necessary in order to protect lives.

26. My particular role was to ensure that the Executive Team and Ministers had access to the latest strategic insights data from our communications and marketing polling and other related information in order to inform decisions including about a divergent approach. That included research into public attitudes to trust in Scottish Government messages, data on attitudes to and expected compliance with lockdown measures and information on the impact of our communications with the people of Scotland.

E. Role in relation to medical and scientific expertise, data and modelling

27. I did not have any role in relation to the consideration of medical or scientific expertise, or data and modelling in relation to Covid-19.

28. In overseeing our communications activity, as stated above, we made extensive use of medical, scientific and other data and modelling as part of the communications and marketing work which I oversaw. In my view, the use of that data and evidence, accompanied by regular factual briefings made by the First Minister and other trusted experts, resulted in relatively high levels of trust in our communications with the people of Scotland.

29. For example, in addition to the widely televised news conferences, Scottish Government media managers arranged a number of 'off camera' technical briefings that allowed journalists to be briefed by and ask questions of clinicians, public health experts, analysts and statisticians, on potentially complex issues or those generating a lot of media questions, for example, changes to the reporting of Covid-related deaths (April 2020), the 'R' number (May 2020) and the vaccination programme (January 2021).

F. Role in Covid-19 public health communications

30. The Inquiry will have access to the DG Corporate Statement which sets out the role of the Communications and Marketing teams, for which I was responsible. I was not involved in the daily management of this activity, or the professional development of the products described in the statement, but I was responsible for ensuring that teams had access to the resources they required to be effective and as a point of escalation when required.

31. The purpose of much of the communications activity produced by the Scottish Government was to ensure that the general public was provided with a credible rationale about the policy decisions taken at each stage to manage the spread of the virus. In some instances, advertising activity and messaging shared by News colleagues would be accompanied by 'talking head' style films from recognised experts explaining the reasoning behind the recommended protective behaviours (such as the use of face covering, maintaining distance from others, ensuring good ventilation in rooms, or hand washing, for example). These interventions can also be seen on the Scottish Government's YouTube Channel.

32. Communications with the general public in Scotland was managed throughout the Covid-19 pandemic by the creation and execution of an evidence-led communication strategy. An appropriately skilled team was assembled to ensure messaging reached the public to prompt the desired actions.

33. From 23 March 2020, the Strategy and Insight team in DG Corporate developed an evolving communications strategy that informed people about the required protective behaviours needed at each stage of the pandemic (particularly as restrictions changed over time). The communications strategy was shaped around a recognition that the general public in Scotland is highly motivated to act in the name of the collective best interests and, by providing regular access to reliable data, explanations and expert advice through the daily briefings, for example, to provide ongoing reassurance to support wellbeing, build resilience and support positive mental health.

34. UK-wide marketing was deployed by the UK Government throughout the pandemic to inform the general public about the necessary protective behaviours. On occasions where the guidance, advice and the law in each nation differed, Scotland-specific activity would be deployed.
35. Communication campaigns were delivered by the Scottish Government throughout the pandemic to share public information and inform people of the required protective behaviours identified by Policy at each phase. Campaigns were delivered across a range of topics including: reducing virus transmission; informing people about the restrictions (including the Levels approach); testing and isolation; Protect Scotland proximity alert app; Covid Status app; vaccination; protective behaviours; mental health; building resilience and community support. Examples of TV advertising are published on the Scottish Government YouTube account.
36. From late January 2020, media managers in the News (press office) team in DG Corporate used a range of channels, working closely with news organisations as well as public sector communications partners (including Public Health Scotland, NHS Boards and Police Scotland) to promote online guidance on reducing the transmission risk and to provide advice and support (health-related and economic). Messaging was largely aimed at the general public though some messaging targeted specific audiences such as key workers, people at higher risk of Covid-19, business owners, people from specific Minority Ethnic groups, and other targeted groups.
37. The participation of clinical professionals at the Covid-19 news conferences, alongside Ministers, ensured that the Scottish Government's public presentation of critical advice and guidance – directly and through news media – did not rest solely on the voice of politicians. Other senior non-government figures also participated in the briefings, at relevant points, for example, on several occasions, the Chief Constable of Police Scotland used these news conferences to set out the policing response to Covid-19, including the service's 'four Es' (engage, explain, encourage and enforce) approach to restrictions and maintaining public safety.

38. Research (“The Cummings effect: politics, trust, and behaviours during the Covid-19 pandemic”, published in *The Lancet* on 6 August 2020) indicated that the public were aware of alleged breaches of rules and standards by UK Government Ministers, officials and advisers, and felt that such behaviour by ‘role models’ who should know better undermined the behaviours they were being asked to undertake.
39. Whilst Government advice was consistent across the devolved nations at the outset of the pandemic (23 March 2020), advice over the subsequent months often varied by nation for various reasons including different epidemiological conditions and different approaches to NPIs. When policy interventions were consistent across all four nations, e.g. the furlough scheme and Eat Out to Help Out, shared messaging was possible; however, when there was divergence in approach (e.g. for example, a requirement for restrictions in one or more Scottish local authority areas because of the prevalence of the disease there, or for the vaccination programme), Scotland-specific public health messaging was necessary to ensure that the general public had the most up-to-date information that was relevant to the people of Scotland.
40. Opinion polling on attitudes and behaviours in relation to the pandemic was carried out by the Strategy and Insight Team within DG Corporate and shared across the organisation to inform communications and policy decisions. Opinion polling fieldwork was carried out online by YouGov on Scottish Government’s behalf: There were around 1000 interviews per wave with a representative sample of adults 18+ across Scotland – weekly from end of March 2020 to June 2021, then fortnightly to April 2022 and then monthly thereafter throughout the pandemic. The opinion polling showed a significant difference in perceptions of the Scottish Government’s response and that of the UK Government. For example, the proportion of adults (age 18 and above) across Scotland who said that they completely or mostly trusted the Scottish Government to provide information on coronavirus stood at 72% at the end of July 2020 (fieldwork 28–30 July 2020) compared to 28% for the UK Government. This difference was evident throughout the pandemic.

41. However, trust in government/authority was only one of a number of factors influencing public confidence, attitudes and behaviour and therefore it is difficult to disentangle the impact of this. Other influencing factors included case numbers, hospitalisations, deaths, restrictions in place (and whether these were law or guidance) and variations between Scottish Government and the United Kingdom Government, and the availability of vaccines.
42. The Scottish Government works closely with stakeholders to amplify campaign messages and communicate effectively to the whole of Scotland, encompassing all geographies and minority communities. The team worked closely with NHS 24, Public Health Scotland and third sector partners to ensure key public health information on Covid-19 was available in multiple languages (17 languages) and accessible formats via the NHS Inform website. The Strategy and Insight and Partnerships teams co-created materials specific to Minority Ethnic communities. For example, the Communications team worked with the Scottish Public Health Network (ScotPHN) to create a bespoke, printed Easy Read Version of the Test and Protect information specifically for the Gypsy/Traveller community, as per the Module 2A corporate statement provided in my name as DG Corporate. This was distributed by the Convention of Scottish Local Authorities (COSLA) to Gypsy/Traveller sites.
43. I reflect that, not least because of the polling and other research that we used referred to above, we did learn and adapt our approach to communicating with the public throughout the pandemic, adopting an approach of continuous improvement. That means that not all of our initial work will have been as effective as some of the better informed campaigns as the pandemic evolved. As stated above, however, it is difficult to disentangle all of the different factors that had an impact on how our messaging was received by different cohorts of the population at different points in the pandemic.

G. Role in public health and coronavirus legislation and regulations

44. In March 2021 I took on management oversight of the Scottish Government Legal Directorate. As with the other professional areas within my responsibility, I did not offer specific advice to Ministers on legal matters, but sought to ensure that my teams had access to the necessary resources to undertake their work, and I was available as a point of escalation, if required. In the Executive Team meetings I attended, careful consideration was given to the proportionality of the legislation and regulations, and to assess potential multiple impacts in accordance with the four harms framework that had been established. As stated above, it was my role to ensure that the Executive Team and Ministers had access to the latest data and advice from our marketing and communications polling and research as part of considering the proportionality and potential impacts of changes to legislation and regulations.

45. As stated above, I believe that providing the public with regular access to reliable data and information about the spread and evolution of the pandemic (through for example the daily First Minister briefings with experts) together with publication of the evidence that underpinned our Four Harms approach, helped to contribute to relatively high levels of trust in Scottish Government messaging throughout the pandemic. I do not at this point have a view on particular obstacles or missed opportunities, and I look forward to hearing the outputs and lessons learned from the UK and Scottish Covid Inquiries to inform our future responses.

H. Key challenges and lessons learned

46. I have not provided any oral or written evidence to the Scottish Parliament or its committees or any UK Parliament committees. I have contributed to Audit Scotland's work on the 'Pandemic Pound' [LF3/004-INQ000224567]. I oversaw internal lessons learned exercises around the challenge of matching staff resource (capacity and capability) to immensely fast-moving and challenging circumstances. That included how we organised the Scottish Government to meet the challenges of the different phases of the pandemic – for example, moving individuals and teams to new areas of work, or evolving our corporate governance and decision making arrangements (such as the frequency of Executive Team meetings and their agendas, for example). I was also responsible for ensuring that as an employer we maintained a duty of care to our staff, ensuring that their health

and wellbeing was being considered as colleagues moved out of offices to work from home, or for staff who worked often long hours to support Ministers in the early phase of the pandemic response, for example. I was also responsible for moving around 16,000 staff from working in offices to online at home, a massive logistical challenge to the organisation which has informed future planning for business planning and business continuity.

I. Informal communications and documents

47. Across the Scottish Government and in my personal experience, advice to Ministers was not routinely made via WhatsApp. WhatsApp was used to check availability, for alerting colleagues to a latest piece of news or information that was emerging, or for flagging something we would want to discuss in formal settings. I believe there was a WhatsApp group named “Executive Team” operating at that time; however I no longer have this data in line with our Information Management guidance, which is set out in the DG Corporate statement. Further detail on other groups is available in Annex A of my Corporate Statement provided in draft in October 2023.

Statement of Truth

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

Signed: _____

Personal Data

Dated: _____ 23 October 2023 _____