



## **IN THE UK COVID-19 PUBLIC INQUIRY**

### **MODULE 6**

#### **SUBMISSIONS OF SCOTTISH COVID BEREAVED FOR THE FIRST PRELIMINARY HEARING**

1. We are grateful to Counsel to the Inquiry for providing a detailed note setting out the matters which are to be addressed at the first Preliminary Hearing for Module 6. This Module will consider the impact of the pandemic on the publicly and privately funded adult social care sector in the four nations of the UK. As part of this Module, the Inquiry will consider the impact of the pandemic on residents and their loved ones, as well as the impact of staff working within the Care Sector.
2. Scottish Covid Bereaved thank the Chair for their designation as Core Participants for this Module. While the SCB were of course not involved in the provision of adult social care in the Care Sector, the membership of the group includes those whose loved ones died in care homes. The SCB hope to assist the Inquiry by sharing their lived experiences during the pandemic. The Inquiry may sadly struggle to hear direct evidence from care home residents themselves. Not only did so many sadly lose their lives to Covid-19, for those who survive there may be issues with capacity and the retraumatising effect of talking about the pandemic.
3. The Module is of the utmost importance to the SCB. As well as sharing their own experiences of the Care Sector, many of the group wish to know why their loved ones died. They wish to know why certain decisions were taken by the UK and Scottish Governments and whether those decisions led to deaths. Members of the SCB can

describe numerous failings relating to decisions to discharge patients from hospitals into the Care Sector. They describe early discharge when they consider their relatives would have benefitted from further treatment in hospital; loved ones being discharged to their homes when there was inadequate care available; and the discharge of Covid positive patients from hospital into the Care Sector. The SCB hope that the Inquiry can establish what, if any, consideration was given to assessing patients' needs for ongoing treatment before discharge and whether such treatment could be provided.

4. It is noted that the Module will focus on infection prevention and control (IPC) measures. The SCB consider that IPC guidance includes not only PPE but also the fundamental aspects of IPC such as hand hygiene and cleaning regimes in wards, units, and clinical areas with particular emphasis on 'high traffic' and communal areas such as toilets. The SCB understand that ventilation, and in particular HEPA air filtration and its use in the removal of airborne contaminants, is an essential element of IPC practice. Given the unique challenges posed by residents within care homes, such as those suffering from dementia, the SCB wonder what consideration was given to the movement of residents within care homes when the IPC guidance was being prepared.
5. Out of all the hardships suffered by the bereaved throughout the pandemic, one of the most difficult to deal with has been being unable to be with loved ones in their final moments. The SCB note that rules around visiting were not uniformly applied across different care homes and, even for those who were able to visit their loved ones in their last hours, experiences varied. The SCB consider that there was often a lack of communication with relatives about their loved ones' health, particularly where there was a deterioration towards the end of life. The bereaved consider that a lack of testing and PPE meant that they were unable to visit their loved ones face to face. While there was the possibility of electronic communication, this proved difficult for those who were deaf or hard of hearing, or who were suffering from dementia.

#### Disclosure

6. Scottish Covid Bereaved note all that has been said by CTI in his note in relation to disclosure. We look forward to receiving the disclosure in the summer of 2024. It is hoped that the disclosure can be provided to Core Participants in good time to allow

them to properly prepare for the substantive hearings. SCB are, of course, somewhat limited in the submissions that can be made in the absence of the disclosure. It is hoped that disclosure material from the Scottish Government is provided in a more timely manner than it was for Module 2A.

#### Expert reports

7. It is noted that the Inquiry has provisionally identified a number of areas where expert evidence is likely to assist in examining some of the matters set out in the Module's provisional outline of scope. The SCB will have further submissions to make once the identity of the experts and the questions and issues they will be asked to address are disclosed to Core Participants. At this stage, all that is submitted is that it is hoped that experts with sufficient expertise in relation to those matters concerning Scotland and the Scottish Government are instructed.

#### Every Story Matters

8. It is noted that the Inquiry's research specialists are exploring the opportunities to conduct targeted qualitative research in relation to particular topics based on Key Lines of Enquiry. SCB note the KLOE identified by CTI in his note. The SCB have provided the Inquiry with its submissions in relation to the KLOI and look forward to positively engaging with the Inquiry and its research specialists to allow for the preparation of themed reports. The SCB welcome the proposed research and consider that groups such as ENRICH, RICH VOICES, and the Alzheimer's Society may be able to assist the Inquiry in this regard.

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