

## Module 2C – TEO Corporate Statement

Part 1 – Northern Ireland Government .....	8
The Agreement and the Devolved Institutions .....	9
Power sharing .....	10
Devolution settlement for Northern Ireland .....	11
Unique characteristic and differences to the Westminster model .....	12
The Northern Ireland Assembly .....	14
The Executive Committee .....	15
Executive decision making .....	17
Executive Business .....	18
Sources of Information Used to Inform Executive Decision-making on COVID-19 Matters ...	20
Processes for Recording Meetings .....	22
First Minister and deputy First Minister role and function in TEO .....	22
Absence of Ministers .....	24
The Executive Office Purpose, Role and Structure .....	34
Head of Civil Service and Permanent Secretary in TEO .....	36
Permanent Secretary Role .....	38
TEO Departmental Board .....	38
Departmental Board Membership .....	40
Financial Position .....	41
Funding .....	41
PART 2 – TEO'S ROLE IN RESPONDING TO THE COVID-19 PANDEMIC .....	44
Strategic: TEO's Role in Civil Emergencies .....	44
Fig. 16 of The Northern Ireland Civil Contingencies Framework, published 10 August 2021 ....	47
Relationship between Executive Office and the Local Councils .....	51
Executive Information Service (EIS) .....	53
Sectoral Engagement .....	57
Co-operation with ROI .....	57
British Irish Council .....	58
North South Ministerial Council .....	62
UK's Departure from the European Union .....	68
PHASES OF THE PANDEMIC .....	69
Phase 0 – Emergence of the Pandemic (1 January 2020 – 17 March 2020) .....	74
Phase 0 – Overview .....	74
Phase 0 – Executive Meetings .....	74
Phase 1 Restrictions (18 March 2020 – 30 June 2020) - NI Hub Activation .....	80
Phase 1 Overview .....	80
Phase 1 – Executive Meetings and Non-Pharmaceutical Interventions (NPIs) .....	81
Phase 1 – Executive Covid Crisis Management Committee (ECCMC) .....	84

## Module 2C – TEO Corporate Statement

Phase 1 – Activation of Central Crisis Management Arrangements .....	85
Phase 1 - Roles and Purpose – progressing issues and making decisions .....	85
Phase 1 – Civil Contingency Group (CCG) Meetings .....	86
Phase 1 - NI Hub Activation .....	87
Phase 1 - Concurrent and Post-NI Hub Arrangements.....	92
Phase 1 - Development of Data Analytics .....	92
Phase 1 - Review of Regulations .....	94
Phase–1 - C3 Covid-19 Response – Lessons Learned Review and Future Roadmap .....	95
Phase 1 - Publication of the Executive’s Approach to Response.....	95
Phase 1 - Sectoral Engagement .....	96
Phase 1 - UK Government and Devolved Administrations Engagement .....	99
Phase 1 - Ministerial Implementation Groups.....	99
Phase 1 - Engagement with the Irish Government .....	103
Phase 2 - Relaxations (1 July 2020 – 16 September 2020) .....	106
Phase 2 - Overview.....	106
Phase 2 - Executive Meetings and Non-Pharmaceutical Interventions (NPIs).....	106
Phase 2 – Early Consideration of Recovery .....	109
Phase–2 - NI Hub – Deactivation .....	112
Phase 2 – Civil Contingencies Policy Branch - Programme of Work .....	113
Phase 2 - Sectoral Engagement .....	115
Phase 2 - UK Government and Devolved Administrations Engagement .....	117
Phase 2 - Engagement with Irish Government.....	118
Phase 3 – Restrictions (17 September 2020 – 25 December 2020) .....	119
Phase 3 - Overview.....	119
Phase 3 - Executive Meetings and NPIs .....	120
Phase 3 - ACTIVATION OF NICCMA & CCG .....	125
Phase 3 - COVID-19 Strategy and Recovery Division .....	126
Phase 3 - Executive’s Covid Taskforce (ECT).....	127
Phase 3 - Sectoral Engagement .....	130
Phase 3 - UK Government and Devolved Administrations Engagement .....	135
Phase 3 - Engagement with Irish Government.....	136
Phase 4 - Restrictions (26 December 2020 – March 2021) - D20 Hub and Lockdown 2.....	138
Phase 4 - Overview.....	138
Phase 4 - Executive Meetings and NPIs .....	138
Phase 4 – D20 Hub Arrangements .....	140
Phase 4 - Sectoral Engagement .....	142
Phase 4 - UK Government and Devolved Administrations Engagement .....	144
Phase 4 - Engagement with Irish Government.....	145
Phase 4 - Travel Agents Coronavirus Financial Assistance Scheme .....	146
Phase 4 - Managed Quarantine .....	148

## Module 2C – TEO Corporate Statement

Phase 5 – Pathway out of Restrictions (8 March – 25 December 2021) .....	150
Phase 5 - Executive Meetings and NPIs .....	150
Phase 5 - NI Hub .....	162
Phase 5 - The Executive’s 2021-22 Autumn/Winter COVID-19 Contingency Plan .....	163
Phase 5 – Covid Status Certification .....	164
Phase 5 - UKG Events Research Programme (ERP).....	168
Phase 5 - Local Logistical and Operational Learning Event .....	170
Phase 5 - Face Coverings.....	171
Phase 5 - COVID – Omicron Variant – Booster Surge Capacity.....	173
Phase 5 - UK Government and Devolved Administrations Engagement .....	174
Phase 5 - Engagement with Irish Government .....	176
Phase 5 – Launch of new NI Civil Contingencies Framework .....	176
Phase 5 – Sectoral engagement.....	177
Phase 6 - Restrictions - (23 December 2021 – 19 January 2022) - OMICRON.....	180
Phase 6 – Overview.....	180
Phase 6 - Executive Meetings and NPIs .....	181
Phase 6 - Sectoral Engagement .....	182
Phase 6 - UK Government and Devolved Administrations Engagement .....	182
Phase 6 - Engagement with Irish Government.....	182
Phase 7 - Relaxations (20 January 2022 – onwards).....	183
Phase 7 - Overview.....	183
Phase 7 - Sectoral Engagement .....	185
Phase 7: Internal Lessons Learned Exercise .....	185
Phase 7 - UK Government and Devolved Administrations Engagement .....	186
Phase 7 - Engagement with Irish Government.....	186
PART 3 - Strategic Recovery .....	187
Stakeholder Engagement.....	189
Equality Screening .....	189
Complaints in relation to Equality Screening .....	190
Reporting and Implementation .....	191
Ongoing Stakeholder Engagement .....	193
Northern Ireland Audit Office’s Report on the Executive’s Response to the Covid-19 Pandemic.....	194
Part 4 - Lessons learned from the Pandemic .....	196
Overview .....	196
NI Hub Developments .....	197
Strategic Reset of Civil Contingencies .....	198

## Module 2C – TEO Corporate Statement

### Glossary of Terms

Term	Definition
ABTA	Association of British Travel Agents
ALB	Arm's Length Body
ANITA	Association of Northern Ireland Travel Agents
B/GFA	Belfast/Good Friday Agreement
BIC	British-Irish Council
C3	Command, Control and Coordination Arrangements
CAJ	Committee on the Administration of Justice
CBEMG	Cross Border Emergency Management Group
CCA	Civil Contingencies Act 2004
CCD	Civil Contingencies Division – facilitates strategic civil contingencies arrangements for Northern Ireland Civil Service.
CCG	Civil Contingencies Group (Northern Ireland) – pan NI multi-agency forum for development, discussion and agreement of civil contingencies preparedness and resilience policy for NI public services.
CCG (M)	Civil Contingencies Group (Ministerial)
CCG (O)	Civil Contingencies Group (Officials)
CCPB	Civil Contingencies Policy Branch – delivers civil contingencies resilience, response and recovery policy.
CDWG	Cross Departmental Working Group
CMO	Chief Medical Officer
CO	Cabinet Office of the UK Government
COBR	Cabinet Office Briefing Rooms
CONOPS	Concept of Operations – high-level description of how systems will operate to achieve objectives.
COPNI	Commissioner for Older People Northern Ireland
CPD	Department of Finance's Procurement Directorate
CRSD	COVID-19 Strategy and Recovery Division
CSA	Chief Scientific Adviser
D20 Hub	Covid-19 response arrangements established by the Cabinet Office
DAC	Direct Award Contract
DA(s)	Devolved Administration(s) of Northern Ireland, Scotland and Wales
dFM	Deputy First Minister
DOC	Departmental Operations Centre – eight Northern Ireland departmental operations centres scaled up and down to control response to emergency at departmental level.
DfC	Departmental for Communities
DoF	Department of Finance
DoH	Department of Health
ECNI	Equality Commission of Northern Ireland
ECT	Executive Covid Taskforce
EFEF Act	Northern Ireland (Executive Formation and Exercise of Functions) Act 2018
EIS	Executive Information Services – leads NI Civil Service communications and media plan.
EPG	Emergency Preparedness Group
EQIA	Equality Impact Assessment
ERP	Events Research Programme
EY	Ernst & Young

## Module 2C – TEO Corporate Statement

Term	Definition
FM	First Minister
Genesis	Genesis Agency
HOCS	Head of the Civil Service of Northern Ireland
HSC	Health and Social Care
NI Hub	Northern Ireland HUB – centrally coordinates information during an emergency response across all NI departments and key partners.
IML	Indigenous, Minority and Lesser-Used Languages
JBC	UK Joint Biosecurity Centre
JESIP	Joint Emergency Services Interoperability Principles
LFD	Lateral Flow Device
LGD	Lead Government Department
LO	Liaison Officer – liaises between organisations enabling shared knowledge and information sharing enabling timely decision making.
MHK	Member of the House of Keys (Isle of Man)
MLA	Member of Legislative Assembly
MOU	Memorandum of Understanding
MSP	Member of Scottish Parliament
MQS	Managed Quarantine Service
NDPB	Non-Departmental Public Body
NIA	Northern Ireland Act 1998
NIAO	Northern Ireland Audit Office
NICCMA	Northern Ireland Central Crisis Management Arrangements
NICCY	Northern Ireland Commissioner for Children and Young People
NEMs	Non-Executive Board Members
New Decade, New Approach (NDNA)	Agreement made on 9 January 2020 between the UK and Irish Governments and the five main Northern Ireland parties which restored the Northern Ireland Executive after a three-year suspension.
NICS	Northern Ireland Civil Service
NIEPG	Northern Ireland Emergency Preparedness Group
NISRA	Northern Ireland Statistics and Research Agency
NIWBG	Northern Ireland Women’s Budget Group
NSMC	North-South Ministerial Council
NPI	Non-Pharmaceutical Intervention
ODP	Outcome Delivery Plan
OEP	Office of Emergency Planning
oFMdFM	Office of First Minister and deputy First Minister (now the Executive Office)
Peace Plus Programme	European Union funding Programme designed to support peace and prosperity across Northern Ireland and the border counties of Ireland.
PfG	Programme for Government
PHA	Public Health Agency – focused on enhancing public health and wellbeing by bringing together a wide range of public health functions under one organisation.
PHEIC	Public Health Emergency of International Concern
PSNI	Police Service of Northern Ireland
PwC	PricewaterhouseCoopers
RCN	Rural Community Network
RNID	Royal National Institute for Deaf People
ROI	Republic of Ireland

## Module 2C – TEO Corporate Statement

Term	Definition
RWCS	Reasonable Worst Case Scenario
SAGE	Scientific Advisory Group for Emergencies
SCEPG	Sub-Regional Civil Emergencies Preparedness Groups
SCG	Strategic Co-ordination Group
SCS	Senior Civil Servant
Secretary of State	Secretary of State for Northern Ireland
SIB	Strategic Investment Board
SitRep	Departmental Situational Report – produced to outline current state and potential development of an incident and the response to it.
SOPs	Standard Operations Procedures
SpAd(s)	Special Adviser(s)
SRO	Senior Responsible Owner
The Assembly	The Northern Ireland Assembly
The Board	The Executive Office Departmental Board
The Executive	The Northern Ireland Executive Committee
TEO	The Executive Office
UKG	UK Government
Wave	An upsurge in Northern Ireland Covid-19 cases followed by a decline in numbers.
WFH	Work from home
WPG	Women’s Policy Group
WRDA	Women’s Resource and Development Agency
WHO	World Health Organisation
YH	Operation Yellowhammer

## Module 2C – TEO Corporate Statement

Witness Name:

Statement No:

Exhibits:

Dated:

### UK COVID-19 INQUIRY

---

#### WITNESS STATEMENT OF KAREN PEARSON

---

I Karen Pearson, will say as follows: -

1. This witness statement has been drafted with the assistance of the Departmental Solicitors Office. In this statement I aim to set out the relevance of TEO's responsibilities for Module 2C of your Inquiry. TEO has had a role in relation to the matters to which the Inquiry relates.
2. I aim to set the context of TEO's work and decision making. With that in mind, I highlight to the Inquiry that Civil Servants work under the direction and control of Ministers and the Executive. Our role is to help develop and advise on policy options, recognising that policy decisions are properly taken and owned by Ministers. Once Ministers decide on policy, our role becomes implementing it as effectively and efficiently as possible.
3. The Northern Ireland Executive ("the Executive"), chaired by the First Minister and deputy First Minister, took many of the policy decisions during the period of interest to the Inquiry. The decision-making process was supported by the Head of the Civil Service (HOCS), most recently Jayne Brady, in her role as Secretary to the Executive and supported by HOCS office as well as the Central Contingencies team and Covid Strategy and Recovery Division.

## Module 2C – TEO Corporate Statement

### Part 1 – Northern Ireland Government

4. The devolved institutions in Northern Ireland are constituted under the Northern Ireland Act 1998 [Exhibit KP/1 - INQ000147489], with several institutional reforms having taken place since then.
5. The Government of Ireland Act 1920 provided for the partition of Ireland and the establishment of parliaments in Belfast and Dublin. Northern Ireland, composed of the six counties of Londonderry, Tyrone, Fermanagh, Antrim, Down and Armagh, was established in 1921, and an election to a bicameral Parliament of Northern Ireland was held in May of that year. A year after the Anglo-Irish Treaty was signed on 6 December 1921, what had been known as “Southern Ireland” (i.e., the remaining 26 counties of Ireland) seceded from the UK to form a Dominion called the “Irish Free State” (later the Republic of Ireland).
6. Between 1921 and 1972 Northern Ireland remained an autonomous part of the UK with its own devolved administration. The Parliament of Northern Ireland was based on, although devolved from and subordinate to, Westminster, and consisted of the Senate and House of Commons, with the Sovereign represented by the Governor of Northern Ireland. The devolved parliament was given power over a wide range of issues, such as health, education, social services and law and order. The Government of Ireland Act set out a list of ‘excepted’ and ‘reserved’ matters over which the Northern Ireland Parliament had no powers of legislation: ‘excepted’ matters included the Crown, peace and war, the armed forces while the principal ‘reserved’ matters were the postal service and the major sources of revenue.
7. From 1929, the Northern Ireland Parliament was elected via the ‘first past the post’ (FPTP) system. The Ulster Unionist Party was electorally dominant and was the single party of government from 1921 to 1972.
8. Northern Ireland and its border with the rest of Ireland was contested from the beginning. Broadly speaking, many in the minority Nationalist community opposed the “partition” of Ireland in 1921 and desired unification with the rest of Ireland, while many in the majority Unionist community wanted to remain part of the UK. This disagreement occasionally gave rise to violence, which became more sustained during the period known as “The Troubles” (c1968-98) when an estimated 3,600 people died in shootings, bombings and other killings during the Troubles and up to 30,000 were injured. As a result of the deteriorating security situation, the Parliament of Northern Ireland was at first prorogued (1972) and then abolished (1973). Despite periodic attempts between 1973 and 1986 to restore devolved



## Module 2C – TEO Corporate Statement

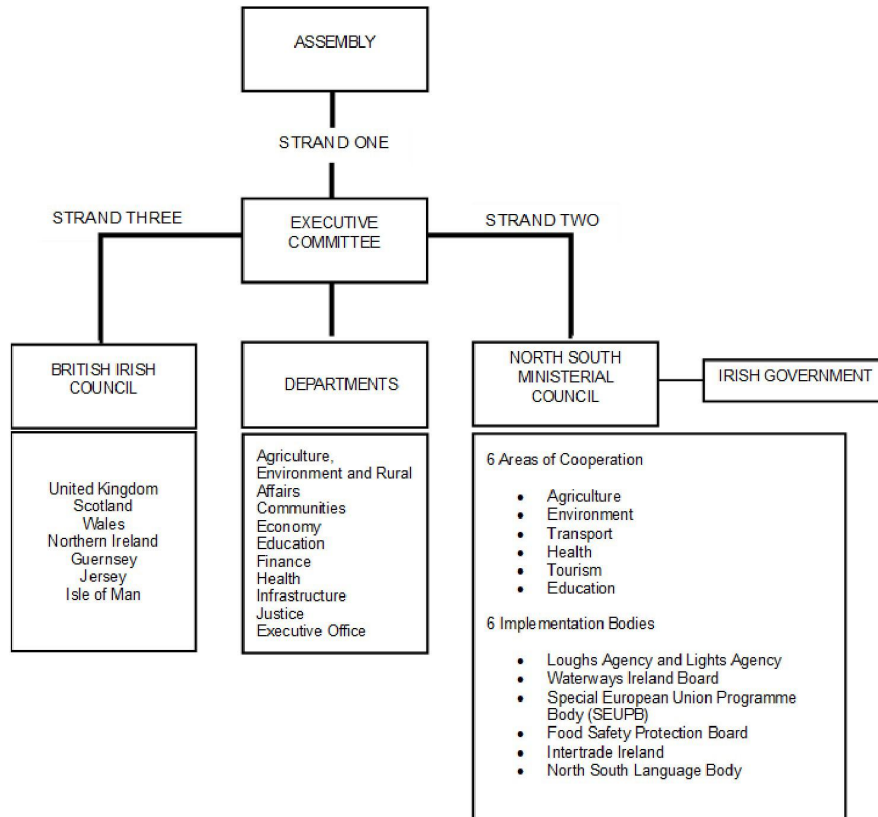
institutions on the basis of power sharing between unionists and nationalists, a devolved Northern Ireland Assembly was not established until 1998-99, following the Belfast/Good Friday Agreement [**Exhibit KP/2 - INQ000147488**]. During the period of 1973 to 1998, the executive and legislative powers in Northern Ireland were exercised by Westminster Parliament and the Secretary of State for Northern Ireland (SoSNI), in a form of government known as “direct rule”.

### The Agreement and the Devolved Institutions

9. The Belfast/Good Friday Agreement (B/GFA, signed on 10 April 1998), established the basis for the current system of devolved government in Northern Ireland, following a period of almost 30 years when Northern Ireland had been administered via Direct Rule from Westminster. The Belfast/Good Friday Agreement, and the subsequent Northern Ireland Act 1998 (as amended a number of times since 1998, particularly following the 2006 St Andrews Agreement [**Exhibit KP-3a INQ000183579**], [**Exhibit KP/3b - INQ000415925**]) continue to form the basis of the constitutional structure in Northern Ireland.
  
10. The Belfast/Good Friday Agreement was divided into three strands (see diagram below):
  - Strand 1: dealt with arrangements within Northern Ireland, setting up the Assembly and Executive
  
  - Strand 2: dealt with ‘North-South’ arrangements between Northern Ireland and the rest of Ireland, and in particular the establishment of the North-South Ministerial Council (NSMC)
  
  - Strand 3: dealt with ‘East-West’ arrangements between the UK and Ireland, and the establishment of the British-Irish Council.
  
11. The Northern Ireland Act 1998 (NIA 98) made new provision for the government of Northern Ireland for the purpose of implementing the B/GFA.

# Module 2C – TEO Corporate Statement

## GOOD FRIDAY/BELFAST AGREEMENT 1998



12. The above departmental structure reflects the position after restructuring of the NICS in 2016 under the Fresh Start Agreement, agreed in 2015 [Exhibit KP/4 - INQ000279214]. This allowed for Departmental Restructuring and Reduction in the Number of MLAs. The number of departments reduced from 12 to nine departments and, therefore, cut the number of ministers, special advisers, permanent secretaries and central management and support functions. This took effect from May 2016.

13. This is when the Office of First Minister and deputy First Minister (OFDMDFM) became The Executive Office (TEO).

### Power sharing

14. The system of government established by the B/GFA is consociational in nature, designed to facilitate power-sharing by accommodating the competing political views and aspirations of the Unionist and Nationalist communities and those who designate themselves as "Other". The most recent Executive in NI was made up of a five-party coalition -

## Module 2C – TEO Corporate Statement

- the Democratic Unionist Party (designate as Unionist),
- Sinn Fein (designate as Nationalist),
- Social Democratic and Labour Party (designate as Nationalist),
- Ulster Unionist Party (designate as Unionist), and
- the Alliance Party (designate as Other).

### Devolution settlement for Northern Ireland

15. Under the devolution settlement for Northern Ireland there are three categories of legislative powers: reserved, excepted and transferred. Schedules 2 and 3 to the Northern Ireland Act 1998 (NIA) respectively specify those matters which are excepted and reserved. Any matter that is not excepted or reserved is a transferred matter. Examples of reserved matters relative to Covid in Northern Ireland would include revenue issues such as furlough. Excepted matters would include relations between UKG and ROI such as measures enforcing the NI border with ROI and some areas of co-operation between PSNI and An Garda Síochána.
16. The Assembly can make primary and subordinate legislation on all transferred matters. However, it cannot legislate in respect of reserved matters (without both the involvement of UK parliament and Secretary of State for NI). Nor can it legislate on excepted matters, save in relation to ancillary provisions.
17. In theory, reserved matters can be devolved at a later date and have, for example policing and justice in April 2010. Excepted matters, however, cannot be considered for further devolution except by a fresh Act of Parliament. A reserved matter may become a transferred matter or vice versa by means of the Order in Council procedure set out in s4 NIA.
18. Parliament remains sovereign (section 5(6) of the Northern Ireland Act) and retains the right to legislate in all matters relating to Northern Ireland. It will not however normally pass legislation on transferred matters without first obtaining the consent of the Northern Ireland Assembly via a Legislative Consent Motion. (Devolution Guidance Note 8 – Post Devolution Legislation affecting Northern Ireland [**Exhibit KP/5 - INQ000147491**]).
19. The ‘Barnett consequential allocation’ is used by the UK Treasury to calculate the annual block grants for the Northern Ireland Assembly, as is the case for the Scottish and Welsh governments. This reflects population size, whereby Northern Ireland receives a population-

## Module 2C – TEO Corporate Statement

weighted proportional allocation of 3% of the amount for England, as well as the range of devolved public services in each nation. If fresh funding is allocated to England, as it was during the pandemic, a “Barnett consequential” amount is allocated to the Devolved Administration (DAs), but this is not hypothecated, i.e., required to be spent on the same issue.

### Unique characteristic and differences to the Westminster model

20. The Northern Ireland Executive is a coalition government, comprising the Ministers from the nine Executive Departments, each of which is a separate legal entity.

- Department of Agriculture, Environment and Rural Affairs
- Department for Communities
- Department for the Economy
- Department for Education
- Department of Finance
- Department of Health
- Department for Infrastructure
- Department of Justice
- The Executive Office

21. Membership of the Northern Ireland Executive is an entitlement based on the electoral strength of each political party, as evidenced by the number of seats held in the Assembly. This approach ensures that any party which wins a sufficient number of seats has the right to participate in government. An eligible party may, however, also elect not to nominate to Ministerial office and instead seek recognition as the Official Opposition under the Assembly and Executive Reform (Assembly Opposition) Act (Northern Ireland) 2016 [**Exhibit KP/6 - INQ000279211**].

22. In general, individual Ministers have executive authority to determine policy and operational matters within their departments, without the general requirement to observe a collective ‘cabinet position’. However, this is qualified by a statutory requirement under section 20 (4) of the NIA 1998 (as amended) to refer certain matters for consideration by the Executive, those matters include:

- ‘cross-cutting’ matters, that is, matters that affect the statutory responsibilities of more

## Module 2C – TEO Corporate Statement

than one Minister (more than incidentally);

- significant or controversial matters that are outside the scope of the Executive's Programme for Government, or that the First Minister and deputy First Minister (acting jointly) have determined to be matters that should be considered by the Executive.

23. The constitutional arrangements are further reflected in the governance and accountability arrangements for the Northern Ireland Civil Service (NICS), which is constitutionally separate from the Home Civil Service. Paragraph 11 (1) of Schedule 12 to the Northern Ireland Act 1998 provides for the interpretation of references in statute to the 'Head of the Department'. The paragraph reflects the position in law that, for each Northern Ireland Department, the Minister is the Head of the Department. Article 4 of the Departments (Northern Ireland) Order 1999 [Exhibit KP/7 - INQ000183644] requires that the functions of a Department shall at all times be exercised subject to the direction and control of the Minister. It follows that the Permanent Secretary of each Department is accountable to the Minister for the performance of the Department's functions. Additionally, as Accounting Officers, each Permanent Secretary is accountable to the Assembly as set out in Chapter 3 of the Department of Finance and Personnel's (now Department of Finance (DoF)) guidance Managing Public Money Northern Ireland (MPMNI).
24. The position of Head of the NI Civil Service (NICS) is a critical role and one of significant responsibility. The postholder is responsible for leading more than 23,000 civil servants, including Permanent Secretaries. This is a highly visible leadership role in a diverse organisation which operates in a constantly changing, complex, resource constrained and complex political environment. HOCS is the chief advisor to the Executive and the only official permitted to speak at the Executive Committee (unless other officials are invited to speak). The role of HOCS is to provide sound, clear and impartial advice to First Minister and deputy First Minister and other Ministers on a range of interlinked issues, relevant to the delivery of the vision and ambition the Executive has for all in Northern Ireland.
25. HOCS is accountable to First Minister and deputy First Minister when an Executive is formed. During a period of no Executive, HOCS operates insofar as she can within her remit, for example by convening party talks with a view to re-establishing an Executive and providing assistance and advice to Permanent Secretaries where requested.
26. The NICS is not typically characterised by hierarchical 'command and control' governance and management arrangements. The Head of the Civil Service (HOCS) does not exercise

## Module 2C – TEO Corporate Statement

day to day management or control of individual Departments, or their agencies or arm's length bodies. Specifically, she does not have the authority to direct the group of Permanent Secretaries who play a critical role in the management and performance of the NICS across the NI Departments (or other officials). Furthermore, she does not hold an Accounting Officer role for any part of the NICS.

27. The Civil Service (Northern Ireland) Order 1999 **[Exhibit KP/8 - INQ000183580]** provides that the Department of Finance 'shall continue to be responsible for the general management and control of the Civil Service'. Under Article 4 of that Order, the Minister of Finance can make directions and regulations as to how to exercise his powers and to discharge his statutory duties with respect to e.g., the number and grading of posts; remuneration; conditions of service; conduct (including the making of a Code of Ethics); or recruitment.
28. The NICS governance arrangements reflect these constitutional and legal arrangements. They include:
  - The NICS Board, chaired by HOCS with membership comprising Permanent Secretaries (and officials at equivalent grade), together with three Non-Executive Board Members (NEMs) (the role and responsibilities of NEMs is set out below). The role of the Board is to provide strategic direction to the NICS as set out in Terms of Reference for the Board **[Exhibit KP/9 - INQ000086917]**.
  - A Memorandum of Understanding to provide for joint working between TEO and the Department of Finance on the planning and delivery of reform of the NICS **[Exhibit KP/10 - INQ000086919]**.
  - The Northern Ireland Audit Office (NIAO) is responsible for the external audit of central government bodies in Northern Ireland, including Northern Ireland departments and their executive agencies and a wide range of other public sector bodies, including executive non-departmental public bodies and health and social care bodies.

### The Northern Ireland Assembly

29. The Northern Ireland Assembly sits at Parliament Buildings, Stormont Estate, in Belfast, and is composed of 90 members elected by single transferable vote. There are five Members of the Legislative Assembly (MLAs) for each of the 18 constituencies which are the same as those used to elect MPs to the House of Commons.

## Module 2C – TEO Corporate Statement

30. Most votes in the Assembly are taken on a simple majority basis, but on certain specified matters, such as the Budget or the Executive's Programme for Government, the Assembly votes by the special mechanism of 'cross-community support', which is defined (in the Agreement and in the 1998 Act) as either:
- parallel consent – an overall majority plus a majority of unionists and a majority of nationalists (sometimes called '50:50:50'); or
  - weighted majority – an overall majority of 60% plus at least 40% of the designated Nationalists voting and 40% of the designated Unionists voting;
  - A cross-community vote may also be taken where at least 30 MLAs have signed a Petition of Concern on a particular matter.
31. One of the roles of the Northern Ireland Assembly is to hold the Executive to account. Section 29 of the NIA makes provision for the establishment of statutory committees to 'advise and assist' Executive Ministers in the 'formulation of policy' in relation to matters within their responsibility. MLAs can also question Executive Ministers in the Chamber and in writing.
32. In recognition of the special circumstances created by the pandemic which affected the conduct of business, the Assembly formed an Ad Hoc Committee on the Covid-19 Response through which Ministers could report to it. During this period TEO received more than 340 written Assembly questions and over 50 'oral' questions in relation to COVID-19. The First Minister and deputy First Minister also made six appearances before the TEO Assembly Committee to give evidence on matters relating to the pandemic and appeared before the Assembly's Ad Hoc Committee on the COVID-19 Response on three occasions.
33. The Northern Ireland Assembly was dissolved on 28 March 2022. The Assembly subsequently elected on 5 May 2022 has been unable to function in the absence of an elected Presiding Officer.

### **The Executive Committee**

34. The Northern Ireland Executive Committee ("the Executive") is the Executive Committee of the Northern Ireland Assembly and exercises executive authority on its behalf. Its functions are set out in Section 20 NIA. The Executive Committee comprises the First Minister and deputy First Minister, who are joint chairs and convene and preside over its meetings, and eight Northern

## Module 2C – TEO Corporate Statement

Ireland Ministers: Minister of Agriculture, Environment and Rural Affairs; Minister for Communities; Minister for the Economy; Minister of Education; Minister of Finance; Minister of Health; Minister for Infrastructure; Minister of Justice (Ministers). The First Minister and the deputy First Minister acting jointly may appoint Junior Ministers under Section 19 NIA, however whilst Junior Ministers attend all meetings of the Executive, they are not members of the Executive Committee and cannot participate in any vote taken by the Executive.

35. The formation of the Northern Ireland Executive Committee is intended to promote power-sharing and inclusivity among the political parties represented in the Assembly. The procedures for the nomination of an MLA to the offices of First Minister and deputy First Minister are set out in s16A of the NIA, which provides that the First Minister and deputy First Minister are nominated respectively by the largest party of the largest political designation (i.e. Unionist, Nationalist or Other) and by the largest party of the second largest political designation. Where the largest party of the largest political designation is not the largest political party then the nominating officer of the largest political party nominates the First Minister, and the largest political party of the largest political designation nominates the deputy First Minister. In the exercise of all their statutory functions, the First Minister and deputy First Minister are required to act jointly.
36. The procedures for the nomination of an MLA as a Northern Ireland Minister are set out in s18 of the NIA, with seven of the eight Ministers nominated by their parties in accordance with their numerical strength in the Assembly by means of the D'Hondt formula [**Exhibit KP/11 - INQ000262762**]. The exception to these procedures is the nomination to the office of the Minister of Justice which is made in accordance with s21A NIA using a cross community vote in the Assembly.
37. The Assembly election held in March 2017 resulted in four parties (the DUP, Sinn Féin, SDLP, and UUP) being entitled to take Executive positions. The Executive did not meet, however until January 2020 at which point the Alliance Party also joined it through the special arrangements for the appointment of the Minister of Justice.
38. All Executive Ministers (including the First Minister and deputy First Minister) are required to take a Pledge of Office before assuming office (s16A(9) and s18(8) NIA). The terms of the Pledge of Office and associated Ministerial Code of Conduct are set out in Schedule 4 NIA [**Exhibit KP/12 – INQ000147489**]. The Pledge includes a commitment to support and act in accordance with all decisions of the Executive Committee and the Assembly.
39. Meetings of the Executive are conducted in accordance with Section 2 of the Ministerial Code which is made in accordance with the requirements specified in s28A of the NIA. In accordance



## Module 2C – TEO Corporate Statement

with the Ministerial Code, the First Minister and deputy First Minister are responsible for convening and chairing meetings and for drawing up the agenda for each meeting, taking account of proposals from other Ministers. Executive Committee meetings normally take place fortnightly on Thursdays and Ministers are advised of the schedule of meetings for the forthcoming period as far in advance as possible. Additional meetings may be arranged in the light of business need or at the request of any three Executive Ministers.

40. Additional protocols have been developed to govern various aspects of Executive Business **[Exhibit KP/13 - INQ000279220]** and guidance is issued to Ministers as to the exercise of their official responsibilities **[Exhibit KP/14 - INQ000262761]** and these operate in line with provisions of the Northern Ireland Act 1998 and the Ministerial Code.

### Executive decision making

41. In accordance with paragraph 24 of the Agreement reached on 10 April 1998 (the 1998 Agreement), each Minister exercises executive authority within their department but is required under the terms of paragraph 2.4 of the Ministerial Code **[Exhibit KP/15 - INQ000147493]** to refer certain categories of matter to the Executive for agreement. These include:

- matters which cut across the responsibility of two or more Ministers;
- significant or controversial matters; and
- matters which the First Minister and deputy First Minister have determined are significant or controversial and should be considered by the Executive.

42. Ministers seeking the agreement of the Executive to recommendations in respect of a certain policy or proposal will do so through the preparation of a draft Executive paper, which is circulated for comment to all Ministers, and copied to, amongst others, the Attorney General, the Departmental Solicitor and First Legislative Counsel (where the matter deals with legislation or has legislative implications). Where necessary, a subsequent draft (or drafts) will be circulated to reflect comments received and any changes proposed.

43. The agenda for Executive Committee meetings is determined by the First Minister and deputy First Minister acting jointly, taking account of the papers which have been submitted by Ministers. Those papers that the First Minister and deputy First Minister have jointly agreed should be included on the Executive agenda are then subject to substantive discussion and agreement at an Executive meeting.

44. Following discussion at a meeting of the Executive, the Chairs will formally put the paper's recommendations to Ministers for agreement.

## Module 2C – TEO Corporate Statement

45. In accordance with the Ministerial Code (paragraph 2.12), the First Minister and deputy First Minister have a duty as Chairs of the Executive Committee to seek to ensure that its decisions are reached by consensus wherever possible. This is not collective responsibility, and the convention of collective ministerial responsibility is not a feature of the Northern Ireland Executive. If consensus on a certain issue or recommendation cannot be reached, a vote may be taken, and may take one of two forms – a simple majority vote, or a cross-community vote.
46. A vote may be taken on a cross-community basis if requested by any three Ministers before the vote is taken. Cross-community support has the same meaning as that set out in section 4(5) of the Northern Ireland Act 1998, i.e., the support of a majority of the members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting; or the support of 60 percent of the members voting, 40 percent of the designated Nationalists voting and 40 percent of the designated Unionists voting. There is no convention of Cabinet Collective Responsibility in the Executive and there could not be given the constitutional setup in Northern Ireland. It is, however, expected by virtue of the Ministerial Code that members of the Executive committee will not publicly criticise decisions lawfully made at the Executive table.
47. The Ministerial Code also makes provision for the taking of Urgent Decisions. An Urgent Decision may be taken in circumstances where a decision which would normally require Executive agreement needs to be taken before the next scheduled Executive meeting. In this case, the responsible Minister will write to the First Minister, the deputy First Minister and the Secretary to the Executive, copied to Executive colleagues, the Attorney General, the Departmental Solicitor's Office, First Legislative Counsel (where appropriate) and Executive Secretariat, advising them of the decision required, and providing details of the background to the issue, the reason for urgency, the implications of not taking the decision, and as far as possible, the views of other relevant Ministers.
48. The First Minister and deputy First Minister, acting jointly, will consider the matter in consultation with the responsible Minister, and will notify them of the outcome of their consideration, copied to Executive colleagues, the Attorney General, the Departmental Solicitor's Office, First Legislative Counsel (where appropriate) and Executive Secretariat.
49. A matter dealt with in this way is deemed to have been dealt with in accordance with paragraph 2.4 of the Ministerial Code and will be included on the agenda for noting at the next Executive meeting.

### Executive Business

50. Between 3 February 2020 and 27 January 2022, the Executive Committee discussed and agreed its response to the evolving pandemic on 129 occasions.

## Module 2C – TEO Corporate Statement

51. Whilst the business of the Executive Committee was focused substantially on the response to the COVID-19 pandemic, it also took decisions on a range of other legislative and policy issues, including but not limited to Climate Change, EU Exit, Organ Donation, Parental Bereavement Leave, Private Tenancies and the Violence Against Women and Girls Strategy.

52. Executive business is transacted through the agreement of papers which are circulated in advance by Ministers to all other Ministers, the Attorney General, First Legislative Counsel and the Executive Secretariat. The role of the Minister in this process is to:

- determine the content of those Executive papers which the Minister intends to submit to the Executive for its agreement;
- make a response to papers which have been circulated by other Ministers, following advice from officials;
- be fully briefed on the Minister's own Executive papers which are included on the agenda for an Executive Committee meeting; and on other papers in which the Minister has an interest or contribution to make;
- take forward any necessary notifications and follow up procedures with the Assembly following the decision of the Executive.

53. In cross cutting, controversial or sensitive matters requiring Executive decision, officials will draft a submission which is brought to their Minister with a draft Executive paper attached. The Minister in turn seeks views from the other Ministers. Any Minister may comment upon the submission and that response may or may not be included in the paper to be put to the Executive for discussion and decision. Key public sectors will be represented through submissions or responses thereto.

54. When all Departmental comments, including a response from the First Minister and deputy First Minister, have been received and considered, the sponsoring Minister should submit a revised version of the paper to the First Minister and deputy First Minister, copied to all other Ministers, the Attorney General, the Departmental Solicitors Office and Executive Secretariat (and where appropriate, First Legislative Counsel), outlining any comments received and how these have been addressed and showing any revisions as tracked changes.

55. The First Minister and deputy First Minister will consider the Second Draft paper and, if required, may seek further amendments/information requiring a Third Draft to be provided for their consideration. Provision of any Third Draft should follow the same process as for the Second Draft Executive Paper.

## Module 2C – TEO Corporate Statement

### Sources of Information Used to Inform Executive Decision-making on COVID-19 Matters

56. Papers summarising the latest scientific and medical evidence were provided in advance of Executive meetings to all Ministers for consideration in addition to specialist Executive papers:
- DoH Emergency Response COVID-19 Update Report (first written update provided at **[Exhibit KP/16 - INQ000023183]**).
  - Weekly R paper **[Exhibit KP/17 - INQ00018358]** from the Department of Health (from 26 May 2020 onwards).
  - Mobility reports from the Department of Health (from 20 October 2020 onwards) (First paper provided at **[Exhibit KP/18INQ000086918]**).
57. Direct sources of information provided to the Executive included the R paper, DoH mobility reports, the ECT dashboard and information contained in any TEO submissions which formed the basis for the Executive paper. The R paper contained statistical modelling in respect of various responses to the virus and the mobility paper contained information on how movement throughout Northern Ireland was contributing to virus numbers. The main raw data gathered in respect of the pandemic in NI was via the Department of Health.
58. The Executive received the Executive Covid Taskforce (ECT) dashboard, which is built on and expanded the range of metrics that were provided as listed above. This was a dynamic PowerPoint presentation of data analytics inputted from various Departments updated weekly, which included health, economic and societal data. An early version of the dashboard was considered by the ECT on 13 April 2021 **[Exhibit KP/19 - INQ000212960]**. The first ECT dashboard went to the Executive on 28 April 2021 **[Exhibit KP/20 - INQ000190739]** and the last was provided on 19 January 2022 **[Exhibit KP/21 - INQ000190879]**. The dashboards were provided on a weekly basis following meetings of the ECT until 11 August 2021, after which they were provided on a fortnightly basis. The dashboards varied over time to ensure information was required to inform decisions based on current and future events.
59. Indirect sources of information included such information as was presented by DOH in their papers for Executive, including information from Public Health England, SAGE, HSC Public Health Agency, World Health Organisation (WHO).
60. From March 2020 to January 2022, Northern Ireland's Chief Medical Officer (CMO) regularly attended Executive meetings to brief Ministers and respond to questions. From April 2020 to January 2022, he was accompanied by the Chief Scientific Adviser or his deputy.

## Module 2C – TEO Corporate Statement

61. The First Minister and deputy First Minister held pre-executive briefings with the Chief Medical Officer (CMO), Chief Scientific Adviser (CSA) and Health Minister on an Ad Hoc basis in the early stages of the Pandemic and more regularly thereafter. The meetings provided an opportunity for First Minister and deputy First Minister to discuss proposals the Health Minister was bringing to the Executive to aid discussion at Executive meetings. No decisions were taken at these meetings. All significant decisions were made at the Executive.
62. The Chief Medical Officer (CMO) and Chief Scientific Adviser (CSA) accessed a number of sources of information to inform the advice provided to the Executive, including vaccine programme progress, testing regime information and the daily Covid dashboard, all provided by the Department of Health.
63. In addition, the senior officials responsible for the rollout of the vaccination programme in Northern Ireland briefed Executive Ministers to provide an update on progress on 26 November 2020 [**Exhibit KP/22 - INQ000279203**]; 14 January 2021 [**Exhibit KP/23 - INQ000048509**]; 6 July 2021 [**Exhibit KP/24 - INQ000279202**]; and 16 December 2021 [**Exhibit KP/25 - INQ000048551**]. Presentations for two of the briefings are exhibited at (INQ000279203 and INQ00279202).
64. The process for reaching decisions concerning Non-Pharmaceutical Interventions (NPIs) was the same as that for any other issue requiring Executive consideration – papers were circulated to Executive Ministers for consideration, and then discussed by the Executive Committee following which a decision was taken on the paper’s recommendations.
65. During the first wave when the NI Hub was operational, Anthony Harbinson, NI Hub Chief of Staff, supported HOCS at Executive meetings at which he delivered the situation report and reported new developments, as required by business need.
66. As the pandemic evolved, other Senior Officials attended, such as myself (Deputy Secretary, COVID Recovery, Civil Contingencies, PFG, and NICS of the Future) to provide advice on the Covid response policy and Chris McNabb (Director, Executive Information Services) to provide advice on media and communications.
67. This information was used collectively to aid Executive decision-making in light of the nature and spread of COVID-19 in Northern Ireland. It is not known if any informal or private communications took place between Ministers, which have not been captured in NICS records. That is a matter which would be required to be addressed by ministers in their own evidence; there are currently no Ministers within TEO.

## **Module 2C – TEO Corporate Statement**

### **Processes for Recording Meetings**

68. Minutes for Executive meetings are taken by a member of NICS staff (civil servant) from the Executive Secretariat. The draft minutes of each Executive meeting are submitted to the First Minister and deputy First Minister for agreement, following which they are circulated to other Ministers for agreement at the next meeting. Ministers may request amendment of the draft minutes in advance of the meeting or during the meeting itself under the relevant agenda item.
69. The final minutes of Executive meetings are not verbatim and record the following for each agenda item: the recommendations agreed by the Executive; details of any vote taken on those recommendations; the position of individual Ministers on those recommendations or on any other issue where they formally request that this be recorded; and any other agreed conclusions or action points.
70. There is no requirement for the retention or filing of manuscript notes of Executive meetings after the formal agreement to the minutes.
71. The handwritten notes for the 3 February 2020, at which the emergence of Covid was noted under Any Other Business; 6 August 2020; and 13 August 2020), are not available. The existence of manuscript notes is attributable solely to the discretion of the customary minute taker to retain these in hard copy format. It would appear that in relation to those meetings for which no manuscript records have been identified that person may have been absent through leave or other arrangements on those dates, and the minute taker for those meetings either did not make handwritten notes, or if handwritten notes were taken, did not retain them. All extant handwritten notes of an Executive meeting taken by the usual minute taker have been provided.

### **First Minister and deputy First Minister role and function in TEO**

72. The First Minister and deputy First Minister are joint heads of the Executive Office (TEO) and are accountable, as are all Ministers, to the Northern Ireland Assembly for their policies and programmes and the activities of the department, including its ALBs. All civil servants in the Executive Office operate subject to their direction and control in the discharge of their functions. All statutory functions assigned to the First Minister and deputy First Minister by the Northern Ireland Act 1998 must be exercised jointly and all decisions concerning the functions of TEO must be taken by joint agreement. The First Minister and deputy First Minister may appoint two junior Ministers to assist them in the exercise of their functions. While they may delegate certain functions to the junior Ministers or ask them to undertake certain activities on their behalf, decision making is not delegated to them.

## Module 2C – TEO Corporate Statement

73. The First Minister and deputy First Minister may also appoint Special Advisers in accordance with the statutory Code issued under Section 8 of the Civil Service (Special Advisers) Act (Northern Ireland) 2013 [Exhibit KP/26 - INQ000147492]. Special Advisers (SpAds) have the status of temporary civil servants but can give political advice and support that would be inappropriate for the civil service to provide and are subject to a different Code of Conduct.

74. A First Minister and deputy First Minister were nominated to office on 11 January 2020. In the period from March 2020 to February 2022, in addition to chairing meetings of the Executive Committee, the First Minister and deputy First Minister also:

- Jointly chaired the Executive Covid Crisis Management Committee;
- Attended meetings of the Civil Contingencies Group, for example during wave one of the pandemic when the formal arrangements were stood up;
- Provided written and oral statements to the Assembly;
- Attended the Assembly Ad Hoc Committee;
- Undertook ad hoc meetings with the Minister of Health and senior health officials;
- Attended meetings with UK Government Ministers and members of the Scottish and Welsh Governments and with Irish Government Ministers in various formats including North South Ministerial Council (NSMC) and British Irish Council (BIC) meetings;
- Met with stakeholders; and
- Undertook press conferences to update the public on the response to the pandemic.

75. Arlene Foster, the First Minister, resigned on 14 June 2021 and was succeeded by Paul Givan on 14 June. He resigned from office on 3 February 2022. While this latter resignation also caused the deputy First Minister to cease to hold her office, she was entitled to continue to exercise the functions of her office, in accordance with the Northern Ireland Act 1998, until the Assembly election on 5 May 2022.

76. The functions which the deputy First Minister could fulfil in the absence of a First Minister were however very limited. She could not exercise any statutory functions which required the First Minister and deputy First Minister to act jointly and, in accordance this would have been unable to take decisions or exercise any functions to confer agreement to policies and courses of action which would normally require joint agreement. Effectively therefore the functions exercisable during this period were limited to discharging outstanding representational commitments e.g., meetings and visits.

## Module 2C – TEO Corporate Statement

### Events since May 2022

77. An election to the NI Assembly took place on 5 May 2022. The first item of business of the Assembly is the election of a Speaker, which has not yet been done. Absent an elected speaker, an Executive Committee has not been formed as it cannot fully discharge its functions. Election of a Speaker is a necessary prerequisite to the procedures for forming an Executive. Those Ministers (other than the First Minister and deputy First Minister who had already ceased to hold office) appointed in the previous mandate continued in office under the provisions of the Northern Ireland (Ministers, Elections and Petitions of Concern Act) 2022 [Exhibit KP/27 - INQ000279215], until 28 October 2022, at which point they ceased to hold office.
78. As the functions of a department normally operate subject to the direction and control of a Minister, legislation was required to enable civil servants to take decisions related to the exercise of those functions in the absence of Ministers. The Northern Ireland (Executive Formation etc.) Act 2022 [Exhibit KP/28 - INQ000279216] was passed on 6 December 2022 and allows senior officers of departments to exercise functions if doing so is deemed to be in the public interest (in accordance with guidance issued by the Secretary of State). The guidance requires a monthly report detailing decisions taken to be provided to the Secretary of State, which is then shared with Parliament and MLAs.

### Absence of Ministers

79. Northern Ireland Departments, in exercising their functions, must do so subject to the direction and control of Ministers; and that Ministerial authority is subject to the requirement for certain matters to be referred to the Executive for consideration.
80. In the absence of a functioning Assembly, it is not possible for Departments to bring forward primary legislation, although it was possible to make some subordinate legislation by negative resolution.
81. In relation to the exercise of other functions, this has been considered and determined by judgments in the High Court and Court of Appeal in Northern Ireland and subsequent Acts of Parliament on foot of those judgments. In *Re Buick* [2018] NIQB 43; [2018] NICA 26 the court determined a challenge to the exercise of a planning function performed by the Department for Infrastructure in absence of its Minister and ruled against the Department at first instance, and on appeal. The Court of Appeal in *Buick* concluded that a senior departmental official making decisions in the absence of ministerial direction and control could not have a greater power to make decisions on cross-cutting, significant or



## Module 2C – TEO Corporate Statement

controversial matters than a Minister in charge of their department would. This clarified that the correct interpretation of Article 4 of the Departments (Northern Ireland) Order 1999 was that there were limited powers available to Departments in the absence of Ministers.

82. The decision in Buick led to the UK Parliament enacting the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 which received Royal Assent on 1 November 2018. The principal aim and function of the Act was to facilitate a period where the Executive cannot be formed and talks can take place. Further primary legislation, namely the Northern Ireland (Executive Formation etc.) Act 2019 received Royal assent on 24 July 2019 and extended the period for forming an Executive to 21 October 2019 and gave a limited power by regulations to further extend that period to 13 January 2020.
83. The New Decade, New Approach (NDNA) deal was published by the British and Irish governments and endorsed by the political parties in Northern Ireland on 9 January 2020, and set out a plan of action for the formation and operation of a new Executive. As part of the implementation of NDNA, the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 was repealed by the Northern Ireland (Ministers, Elections and Petitions of Concern) Act 2022 which received Royal Assent on 8 February 2022 [**Exhibit KP/27 - INQ000279215**].
84. The net effect of the legislative changes has been to reduce (but not eliminate) the constraints arising in the absence of Ministers, and to provide for the greater exercise of functions by Departments. Decisions on whether to exercise a function are taken on its own merits by the relevant Department, having regard to guidance of the Secretary of State. In general terms, legislation has provided clarity on the exercise of a range of operational functions by Departments. It does not provide for the exercise of functions that were specifically vested in Ministers (as opposed to Departments) by statute, or for Departments to bring forward primary legislation, or major new (or altered) policies, strategies, programmes, or projects. This remains the current position since February 2022.

### **Impact of No Ministers from January 2017 – January 2020**

85. I fully concur with the views expressed by Sir David Sterling in his module 2C statement, and with those expressed by Dr Denis McMahon in his oral evidence to the Inquiry for module one, on the importance of Ministers being in office. Civil Servants could not in the period 2017 to 2020 take decisions which properly fell to Ministers except in very limited circumstances. There was therefore a material impact arising from the absence of Ministers up to 11 January 2020.

## Module 2C – TEO Corporate Statement

86. It is factually correct to say that the absence of Ministers between 2017 and 2020 and the limitations on the Civil Service had an impact on decisions which could be taken on funding and on significant reform of public services.
87. The Department of Health will be able to say more about the impact on the health and social care sector during 2017 and 2020 and consequently for the ability of that sector to withstand the pandemic.
88. The Inquiry has asked for views on impacts arising from the absence of Ministers on their decision making on return to office, and on management of the pandemic in its early stages. I have set out below information which may assist the Inquiry with this, and I have covered the period 11 January 2020 to 14 May 2020, the date on which the first easements to Covid 19 regulations took effect.
89. I have set out below examples of the issues and decisions which required attention on the return of Ministers. In summary, on their return, Ministers and the Executive operated in a complex environment of the UK/EU transition period, industrial action in relation to pay in the NHS, and a set of issues which civil servants had been unable to address in the absence of Ministers.
90. When Ministers took up office in January 2020 after a three-year hiatus, there was a substantial programme of legislation to progress. The legislation programme was set out by First Minister and deputy First Ministers in a Written Ministerial Statement submitted to the Assembly on 11 February 2020 [**Exhibit KP/29 - INQ000391216**].
91. The following Bills covering a range of policy matters were listed in the WMS:
- Department for Communities
- Welfare Mitigation/ Social Sector Size Criteria Bill
  - The Pension Schemes Bill
  - Housing (Amendment) Bill
  - Licensing and Registration of Clubs (Amendment) Bill
- Department of Justice
- Criminal Justice Bill to reform the Committal process
  - Domestic Abuse Bill
- The Executive Office
- Northern Ireland Act 1998 Amendment No 1, 2 and 3 Bills

## Module 2C – TEO Corporate Statement

92. Deputy First Minister subsequently led a debate in the Assembly on the legislative programme on 2 March 2020 (see pages 17 - 21 and 46 - 58 in **[Exhibit KP/30 - INQ000391217]**). In this, deputy First Minister advised the Assembly that:

*“.....The context in which this programme is being presented differs significantly from that of previous years. The continuity in policy and legislative development, which could normally be maintained between different mandates and sessions of the Assembly, has undoubtedly been disrupted by the hiatus of the last three years.*

*Ministers have inherited responsibility for a wide range of issues that may ultimately require the enactment of legislation. Departments have not, however, in the absence of Ministers, been able to develop policy, in many cases, to a point where it can yet be translated into firm proposals for Bills. Therefore, there is a great deal of work to be done across Departments in reinvigorating the policy development process, and Ministers are now actively doing so.*

*Since 11 January, Ministers have been briefing themselves not only on outstanding issues, but also on the commitments arising from the New Decade, New Approach deal and from the Programme for Government, when it is agreed. These are, therefore, still early days, and whilst the Executive is committed to restoring the work of this Administration to full capacity as soon as possible, the situation will obviously determine the size and content of a legislative programme at this time.*

*We are also, unlike previous years, not at the beginning of a mandate, but over halfway through. That has both advantages and disadvantages. The two years remaining to us obviously place a constraint on the number of Bills that will be able to complete their passage before the end of the mandate. As the mandate progresses, this factor and the risk of nugatory activity will be important considerations.*

*At the same time, those constraints will place a discipline on all partners in the legislative process — Departments, Ministers, the Assembly and its Committees to progress legislation efficiently and accord the progress of Bills due priority. ....”*

93. This sets out clearly the impact that Ministers not being in office had on policy and legislation development across the NICS.
94. A specific example of the impact of Ministers not being in post from 2017 to 2020 is in relation to the Public Health Act 1967. The legislation was reviewed in 2016 and deemed

## Module 2C – TEO Corporate Statement

not fit for purpose in a report published in March 2016 [Exhibit KP/31 - INQ000188777 ]. The report identifies a number of deficiencies in the 1967 Act and makes 18 recommendations in total. The absence of an Executive is likely to have precluded the progress of those recommendations but DOH colleagues can assist on that more.

95. The Executive had a number of other matters to address that had been stalled during the three years from January 2017 to January 2020. These are set out below.

	<b>Non Covid related business discussed at The Executive</b>
14 January 2020	HSC Industrial dispute, funding requirements for New Decade New Approach and Ministerial and SpAd code of conduct discussed.
20 January 2020	New Decade New Approach financial allocations, SpAd appointments and Brexit discussed.
3 February 2020	Establishment of the Brexit sub-committee of the Executive and the Executive working group on mental wellbeing and resilience discussed.
10 February 2020	Avian Flu, Treasury resource and Translink data issues discussed.
17 February 2020	Changes to the operation of the Petition of Concern, public expenditure allocations, Programme for Government, Social Security benefits up rating Order, Health waiting times, Avian Flu, Counter Terrorism sentencing and release Bill discussed.
24 February 2020	Programme for Government, Budget 2020-21 timing, Social Security benefits up rating order, Avian Flu, Renewable Heat Incentive (RHI) and UK Immigration system/agri-food sector discussed.
2 March 2020	EU exit, Renewable Heat Incentive, Introduction of the UK Immigration points-based system, NI Civil Service pay and transparency, accountability & functioning of the Executive discussed.
10 March 2020	Avian Flu, 2021 Census, Handling of the RHI report, enforcement of ministerial standards, Executive agreement on 7 principles for trade and security, NI Civil Service pay and Private International Law Bill discussed.
16 March 2020	RHI report, Westminster Environment Bill, Avian Flu and agreement regarding the draft papers for NSMC meeting discussed.
19 March 2020	Budget / Public Expenditure discussed.
26 March 2020	Nurses pay reinstatement discussed.

96. I have been asked about the practical consequences of the absence of Ministers on their initial handling of the pandemic. I have covered below issues which I believe are relevant to the Inquiry's question:

## Module 2C – TEO Corporate Statement

- Prior Ministerial experience;
- Ability to prioritise the pandemic in Executive business;
- Decision making including joint decision making;
- Engagement with the Northern Ireland Assembly; and
- Communications.

### *Prior Ministerial Experience*

97. On prior Ministerial experience, I note that the First Minister, Dame Arlene Foster and deputy First Minister Ms Michelle O'Neill had served as Ministers in the Executive prior to the collapse of the institutions in 2017.

98. Dame Arlene Foster served as Minister for the Environment from May 2007 to June 2008; as Minister for Enterprise, Trade and Investment from June 2008 to 11 May 2015; as Minister for Finance and Personnel from May 2015 to January 2016; and as First Minister, alongside deputy First Minister, Mr Martin McGuinness, from January 2016 to January 2017. Dame Arlene Foster had also undertaken the duties of the First Minister for a short period between 11 January 2010 and 3 February 2010; and as acting First Minister on 10 September 2015 until 20 October 2015.

99. Ms O'Neill served as Minister for Agriculture and Rural Development from May 2011 to May 2016; and as Minister of Health from May 2016 to March 2017.

100. I would note that the Executive as formed in January 2020 was the first time it had sat in a five-party mandatory coalition since the Assembly elections in May 2016. After the 2016 election, the SDLP, UUP and Alliance Party left the Executive.

101. SDLP, UUP and Alliance did not take up their entitlements to Ministerial office and went into Official Opposition. The Alliance Party also decided not to put forward a nominee for the office of Minister of Justice. The Justice portfolio was subsequently taken by Claire Sugden, an independent unionist in the Assembly.

102. In January 2020, the five-party mandatory coalition consisted of:

- the First Minister and deputy First Minister;
- Ms Naomi Long, Minister of Justice (Alliance Party, with prior experience via Belfast City Council, including as Lord Mayor, and as a Westminster MP);

## Module 2C – TEO Corporate Statement

- Mr Robin Swann, Minister of Health (UUP, having served as a MLA from 2011 and experience on Assembly Committees);
- Ms Nichola Mallon, Minister for Infrastructure (SDLP, with prior experience via Belfast City Council, including as Lord Mayor);
- Mrs Diane Dodds, Minister for the Economy (DUP, with prior experience on Belfast City Council, and as a Member of the European Parliament);
- Mr Edwin Poots, Minister for the Department of Agriculture, Environment and Rural Affairs (DUP, with prior experience in local government, and having served as Minister of Culture, Arts and Leisure between 2007 and 2008, as Minister of the Environment in 2009, and as Minister of Health, Social Services and Public Safety in 2011 to 2014);
- Mr Peter Weir, Minister for Education (DUP, with prior experience in local government and as a MLA);
- Mr Conor Murphy, Minister of Finance (Sinn Fein, with prior experience as Minister for Regional Development from May 2007 to May 2011, and with prior experience in local government); and
- Ms Deirdre Hargey, Minister for Communities (Sinn Fein, with prior experience via Belfast City Council and as Lord Mayor of Belfast).

103. The Executive, while newly formed in January 2020, had considerable political and elected office-holder experience including four Ministers who had served in previous Executives.

### *Ability to prioritise the pandemic in Executive decision making*

104. The pandemic was of course an unprecedented global challenge. It required the newly formed Executive to prioritise it, and the Inquiry has been provided with copies of the Executive's minutes. It can be seen from the minutes that the pandemic was first considered by the Executive on 3 February 2020 and subsequently became the key issue under discussion at meetings of the Executive during the specified period. Prioritising the pandemic in the context outlined above (i.e., the UK/EU transition period and a backlog of issues requiring consideration) was achieved. The Executive took some early steps around prioritising the pandemic:

## Module 2C – TEO Corporate Statement

- A sub-committee of the Executive Committee, the Executive Covid Crisis Management Committee (ECCMC), was established and existed from 20 to 27 March 2020. The sub-committee was stood down in favour of the full Executive having oversight of the pandemic;
- The Executive met more regularly than would have been the case pre-pandemic. For example, between 27 February 2020, the date of the first recorded coronavirus case in Northern Ireland, and the first easements of restrictions in Northern Ireland on 14 May 2020, the Executive met on 22 occasions. Whereas prior to the pandemic, the Executive usually met once a fortnight; and
- The Executive enabled officials to address certain issues in meetings, by invitation, which was highly unusual. This reflected the need to move at pace and for Ministers to be able to prioritise Covid decisions as swiftly as possible.

### *Decision making including joint decision making*

105. On decision making, the Executive's minutes record the number and nature of pandemic-related decisions reached at the Executive. The first and one of the most significant decisions taken in the early stages of the pandemic was the decision to move into a formal lockdown from 28 March 2020 underpinned by regulations. This critical decision was taken on the same timeline and on the same substance as UKG, SG and WG.

### Other decisions prior to lockdown

106. The Executive took a number of decisions prior to the lockdown on a range of issues, including inter alia:

- A decision to resolve a public sector pay dispute with Health and Social Care staff;
- A decision to establish a Brexit Sub-Committee
- Decisions to make various pieces of legislation in relation to Social Security
- A decision to establish a Working Group on Mental Wellbeing and Resilience
- A decision to agree the Executive's legislative programme
- A decision to make various budgetary allocations

107. All discussions and decisions on the above matters required prior joint agreement between the First Minister and deputy First Minister to enable the matter to be tabled.

## Module 2C – TEO Corporate Statement

### *Engagement with the Northern Ireland Assembly*

108. The Executive and individual Ministers are accountable and report regularly to the Northern Ireland Assembly in a variety of ways including:

- Statements on key events
- Debates on matters of interest
- Answering questions tabled by MLAs
- Appearing in front of Assembly Scrutiny Committees on general departmental business (this is often undertaken at Official level)
- Appearing in front of Assembly Scrutiny Committees on legislative proposals (this is often undertaken at Official level)
- Progressing legislative proposals in Assembly plenary session

109. The pandemic resulted in the Assembly altering its processes for safety reasons and to maintain appropriate arrangements for effective scrutiny. It established an Ad Hoc Committee on the Covid-19 Response to receive oral statements from Ministers on matters relating to the Covid-19 response.

110. Between 11 January 2020, and 14 May 2020, The First Minister and deputy First Minister took part in the following Assembly Plenary Motions:

- 20/01/2020 – European Union (Withdrawal Agreement) Bill (Motion)
- 10/02/2020 - Legislative Programme (Written Ministerial Statement)
- 02/03/2020 - Legislative Programme (Motion)
- Tabled 16/03/2020 - Rationale for School Closures in Response to COVID-19 (Urgent Oral Question)
- 23/03/2020 - Response to COVID-19 (Oral Ministerial Statement)
- 21/04/2020 - The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (Motion)
- 05/05/2020 - The draft Census Order (Northern Ireland) 2020 (Motion)
- 12/05/2020 - The Executive's Approach to Coronavirus Decision-Making (Oral Ministerial Statement)



## Module 2C – TEO Corporate Statement

- 19/05/2020 - The Health Protection (Coronavirus, Restrictions) (Amendment) Regulations (Northern Ireland) 2020 (Motion)

### *Communications*

111. Communications from the Executive Office and/or on behalf of the Executive require joint agreement to the substance and wording. Once agreed, communications about Covid was released in a variety of ways:

- At a joint press conference, where the First Minister and deputy First Minister both appeared together or where they agreed appearances by others, including the Health Minister, Chief Medical Officer and Chief Scientific Adviser;
- As a joint press release;
- Media interviews;
- Material uploaded to NI Direct;
- Updates to the Northern Ireland Assembly, including in-person statements and Written Ministerial Statements;
- Large scale multi-channel public information campaign.
- Social media.

112. Between 11 January 2020 and 14 May 2020 Covid communications from TEO included:

- 60 press releases (with additional releases issued directly by departments on areas for which they had policy responsibility).
- 40 Executive press conferences.
- Roll out of large scale multi-channel public information campaign across NI (commencing March 2020).
- Leaflet drop to every household in NI with key Covid information and advice.

### *Summary*

113. It is undoubtedly the case that the absence of Ministers prior to 11 January 2020 had an impact on the conduct of business, and there were limitations on decisions which could be made by Civil Servants. On return, there were pressing issues to address, and the context then included the UK/EU transition period.

114. The make-up of the new Executive, in five party mandatory coalition format, included

## Module 2C – TEO Corporate Statement

Ministers with a wide range of elected office-holder experiences. All were known to each other and had worked together in various political processes. The effective functioning of the Executive Committee was supported from the outset by well established procedures which enabled it to take decisions promptly as outlined above.

115. The Executive kept the Northern Ireland Assembly up to date, and there were a range of ways for communicating decisions to the public.

### Intergovernmental Relations

116. Following earlier inter-governmental discussions beginning in 2016, a Review of Inter-Governmental Relations (IGR) was initiated in 2018 to examine the need for new structures and procedures which might promote more effective inter-governmental working post EU-exit. IGR also reviewed existing procedures including the disputes resolution protocol. In the absence of a NI Executive NICS officials participated in the review without prejudice to the views of future Ministers. Proposals were ultimately brought forward on a range of reforms, including a new tiered structure for the conduct of relations at Ministerial level, the creation of a dedicated and impartial secretariat and a new disputes resolution mechanism. These measures were agreed by the NI Executive at its meeting on 16 December 2021 with implementation by the four governments ongoing since then.

### The Executive Office Purpose, Role and Structure

117. The overarching purpose of The Executive Office (TEO) is to support the Executive, and in particular to further the departmental mission of wellbeing for all through improved relations, outcomes and governance. Within this purpose, there are three key elements:

- governance, support and secretariat for the Executive (broadly analogous to the Cabinet Office) under the leadership of the Head of the Civil Service;
- private Offices for the First Minister and deputy First Minister (broadly equivalent to 10 Downing Street); and
- specific policy development and delivery functions on matters (see below), including civil contingencies.

118. TEO Ministers are supported by officials who are employed by the Northern Ireland Civil Service (NICS) which is a separate civil service from the Home Civil Service in GB. Further information about the status of the NICS can be provided if required. In July 2021, the NICS created a new Permanent Secretary role within TEO to lead the policy agenda and delivery.

## Module 2C – TEO Corporate Statement

119. The vision of TEO is wellbeing for all through improved relations, outcomes and governance. TEO has a central role for policy making and delivery: making sense of our society's most complex and challenging issues and securing agile implementation on the ground.
120. Our current functions include some long-standing areas of well-established responsibility that mirror some of the biggest challenges and opportunities facing society, including promoting equality, the oversight of the Executive's Together: Building a United Community programme, Good Relations programmes, the Racial Equality Strategy, work on Ending Violence Against Women and Girls and on supporting victims and survivors of the Troubles/Conflict.
121. We also lead on a range of specific, emergent policy issues that require cross departmental coordination or which have not sat easily within the responsibility of individual departments. Examples include supporting survivors of Historical Institutional Abuse and Mother and Baby Institutions. At the core of these issues is the protection and support of some of the most vulnerable people in our society. We also played a role in supporting the work of the Executive's COVID Taskforce and in building contingency planning arrangements to protect the people who live here.
122. TEO leads on International Relations on behalf of the Executive with offices in the US, China and Brussels, showcasing all we have to offer, and forging links with best practice internationally.
123. A number of the above functions are delivered through associated delivery bodies which fall into three categories. The first set of bodies is within the Departmental boundary and are analogous to Departmental Agencies. The following bodies fall within TEO Departmental Boundary:
- North South Ministerial Council Joint Secretariat (North);
  - Historical Institutional Abuse Redress Board; and
  - Victims' Payments Board.
124. The second set of bodies are outside the Departmental boundary that are classified as, or analogous to, an executive Non-Departmental Public Body (NDPB). These are as follows:
- NI Community Relations Council;

## Module 2C – TEO Corporate Statement

- Commission for Victims and Survivors for NI;
- Equality Commission for NI;
- Maze/Long Kesh Development Corporation;
- Northern Ireland Judicial Appointments Commission;
- Strategic Investment Board Limited;
- The Commissioner for Survivors of Institutional Childhood Abuse; and
- Victims and Survivors Service Limited.

125. The following bodies have a statutory foundation with a greater degree of independence than a normal NDPB and are sponsored by The Executive Office:

- Office of the Commissioner for Public Appointments for NI; and
- Office of the Attorney General for NI.

126. The current Organisation Chart is exhibited at **[Exhibit KP/32 - INQ000086921]**

### Head of Civil Service and Permanent Secretary in TEO

127. The timeline of HOCS/Permanent Secretary appointments in TEO during the Module 2C period is:

- June 2017– 31 August 2020: Sir David Sterling (Head of the Civil Service).
- December 2020 – September 2021: Jenny Pyper (interim Head of the Civil Service).
- July 2021 – 4 September 2023: Denis McMahon (TEO Permanent Secretary).
- September 2021 – Present: Jane Brady (Head of the Civil Service).

128. Sir David Sterling was Head of the Civil Service (HOCS) until the end of August 2020 when he retired. At this time the HOCS also fulfilled the role of Permanent Secretary; however, the role of Accounting Officer was fulfilled by Mark Browne. Whilst there was no HOCS in post, Mark Browne continued to fill the role of Accounting Officer until he moved on promotion to become the Permanent Secretary of Education on 1 March 2021. Chris Stewart took over the role of Accounting Officer until 26 July 2021 when Denis McMahon

## Module 2C – TEO Corporate Statement

became Permanent Secretary for TEO.

129. I had day-to-day senior management of Covid-19 matters, providing advice and guidance to the Executive.
130. Pending the appointment of an interim HOCS, short term arrangements were put in place in October 2020 for Permanent Secretaries to cover key aspects of the HOCS role. For a few weeks prior to his retirement, one Permanent Secretary, Derek Baker supported the C3 arrangements and the running of the Civil Contingencies Group. Additionally, another Permanent Secretary, Andrew McCormick, undertook the Senior Responsible Owner role and on all EU Exit related matters.
131. Jenny Pyper was appointed as interim HOCS on 1 December 2020.
132. Planning for a recruitment competition to appoint a new HOCS commenced in January 2020. In December 2019, the previous post holder, Sir David Sterling, had announced his intention to retire at the end of August 2020.
133. Due to the unprecedented challenges associated with the COVID-19 pandemic, the recruitment competition was paused and then reactivated at the start of June 2020. This process did not secure an appointment.
134. The First Minister and deputy First Minister confirmed by 18 November 2020 **[Exhibit KP/33 - INQ000279205]**, that they had considered the HR advice and recommendations to proceed with the appointment of Jenny Pyper as HOCS on an interim basis. Jenny Pyper held the post of interim Head of the Civil Service until 31 August 2021 and, as such, undertook the role of Permanent Secretary for the Department until 25 July 2021 when Denis McMahon took up the post of Permanent Secretary and Accounting Officer.
135. A new recruitment campaign for HOCS was advertised on 18 March 2021 **[Exhibit KP/34 - INQ000279206]** to enable a substantive HOCS appointment to be made by summer 2021. Jayne Brady was appointed as Head of Civil Service on 1 September 2021. Following a review of the HOCS role in 2021, First Minister and deputy First Minister agreed that a new Permanent Secretary role in TEO should be created. **[Exhibit KP/35a - INQ000279207]**, **[Exhibit KP/35b - INQ000279208]**.
136. The decision to split the Head of the Civil Service and Permanent Secretary role was taken to negate the impact of political instability upon NICS. This change was not related to the

## Module 2C – TEO Corporate Statement

pandemic.

### Permanent Secretary Role

137. The Permanent Secretary is responsible to the First Minister and deputy First Minister for the day-to-day operation of departmental functions and, as Accounting Officer, for the management and control of the resources used by the Department.

138. This responsibility also includes chairing the Executive Office's Departmental Board.

139. As Permanent Secretary and Accounting Officer, the post holder is responsible for maintaining a sound system of internal governance that supports the achievement of the Department's policies, aims and objectives. The Permanent Secretary also has responsibility for the propriety and regularity of the public finances voted to the Department and for safeguarding those public funds and departmental assets, in accordance with the responsibilities assigned in the Department of Finance and Personnel's, now Department of Finance (DoF) guidance Managing Public Money Northern Ireland (MPMNI). In the role as Accounting Officer, the Permanent Secretary is supported by the Departmental Board ('the Board'). The Permanent Secretary responsibilities to the Board include highlighting specific business issues or risks and, where appropriate, their implications and/or the mitigating measures that could be employed to manage these risks.

140. Part of the role of the Permanent Secretary and Accounting Officer is to provide advice to Ministers on the allocation of departmental resources and the setting of appropriate financial and non-financial performance targets for ALBs.

141. Due to moves at Permanent Secretary level that took effect on 4 September 2023, the Permanent Secretary post is currently vacant [**Exhibit KP/36 - INQ000279219**] pending completion of the appointment process to fill the post. Gareth Johnston is currently the Accounting Officer for TEO.

### TEO Departmental Board

142. The objective of the departmental Board, encompassing Non-Executive Members, is to provide collective leadership for TEO including:

- Setting the vision and/or mission and ensuring all activities, either directly or indirectly, contribute towards it;

## Module 2C – TEO Corporate Statement

- Setting TEO's risk appetite and ensuring controls are in place to manage risk;
- Ensuring TEO has the capability to deliver and to plan to meet current and future needs;
- Agreeing the operational Business Plan, including strategic aims and objectives; and
- Ensuring clear, consistent, comparable performance information is used to drive improvements.

### Non-Executive Board Members (NEMs) – Roles and responsibilities

143. Non-Executive Members have an important and significant contribution to make by providing constructive advice and challenge across all of the Board's business, to ensure good corporate governance and effective strategic management.

144. The primary role of Non-Executive Board Members is to contribute to the good governance of TEO. Non-Executive Members should be prepared to offer constructive challenge to the Board with a view to ensuring that all aspects of strategy and delivery are scrutinised for effectiveness and efficiency. In addition, they will also:

- assist and advise on the development of departmental business and strategic plans;
- monitor and challenge the Department's performance in relation to its objectives and commitments;
- participate actively in the planning of departmental budgets and in financial decisions;
- identify and advise on new challenges, initiatives and opportunities;
- provide a challenge role in relation to the work of the department;
- serve as either Chair or Deputy Chair of the Departmental Audit & Risk Assurance Committee.

145. During 2020-21, the Departmental Board was chaired by David Sterling in his capacity as Head of the Northern Ireland Civil Service (HOCS) and Permanent Secretary of TEO until his retirement in August 2020.

146. The Board had no role in decision-making in relation to the public-facing aspects of the pandemic, any decision making related to internal governance matters only. The Board, however, considered a number of Covid Related Papers, including financial implications, COVID-19 crisis management and implications for TEO, staffing and work halted [**Exhibit KP/37 - INQ000279213**].

## Module 2C – TEO Corporate Statement

147. Informal and private communications were used by officials to keep each other informed of developments in their respective business areas, however, such communications were not used for the purpose of decision making.

### Departmental Board Membership

148. During 2021-22 the Departmental Board comprised the following members:

- Jenny Pyper, Interim HOCS from December 2020 also undertook the role of Permanent Secretary for the Department until 25 July 2021 (Chair of Departmental Board)
- Denis McMahon, TEO Permanent Secretary and Accounting Officer from 26 July 2021 until 4 September 2023 (Chair of Department Board)
- Denis Power, Non Executive Member (In post from September 2017)
- Andrew McCormick, Director General, International Relations Group until 31 August 2021.
- Chris Stewart, Accounting Officer until 25 July 2021.
- Gareth Johnston, (Acting) Director of Good Relations and Inclusion (formerly Strategic Policy, Equality and Good Relations) from 9 September 2021.
- Tom Reid, Director of EU Exit and International Relations. (In post from September 2020)
- Alexander Gordon, Head of the Office of the Legislative Counsel. (in post from July 2020. The post was previously held by Brenda King, now that Attorney General for Northern Ireland)
- Claire Archbold, Director of Ending Violence Against Women and Girls from 1 December 2021, and
- Myself, Director of COVID Recovery, Civil Contingencies and Programme for Government.

149. The Board is supported through attendance of colleagues at different grades to advise on finance, corporate services and human resources, some standing and some ad hoc.



## Module 2C – TEO Corporate Statement

### FINANCIAL POSITION

#### Funding

150. In 2020-21, the Executive received more than £3 billion of Covid-19 funding from the UK Government in order to implement its Covid-19 Response and Recovery. This funding was received in the form of Barnett consequentials, i.e., additions to the NI block grant, throughout the financial year as follows:

- 7 May 2020 - £1 billion (UK Main Estimates);
- 7 July 2020 - £0.6 billion (UK Summer Economic Update);
- 24 July 2020 - £0.6 billion (Covid-19 funding guarantee received);
- 9 October 2020 - £0.2 billion (Covid-19 funding guarantee extended);
- 5 November 2020 - £0.4 billion (Covid-19 funding guarantee extended);
- 24 December 2020 - £0.2 billion (Covid-19 funding guarantee extended);
- February 2021 - £0.3 billion (UK Supplementary Estimates) - carried over to the next financial year, 2021-22.

151. The Department of Finance was responsible for allocating the Covid-19 funding to each of the nine Executive departments, including TEO, through a series of Covid-19 bidding exercises, which took place throughout the financial year 2020-21 and largely outside of the normal budgeting process. The legislative provisions for the Northern Ireland Budget are contained in sections 63 to 67 of the NIA. Additional allocations (as well as any and reduced requirements) were formally recorded during the normal three in-year monitoring rounds which take place in June, October and January of each financial year. Additional allocations were announced through a series of Ministerial Statements (both written and oral) from the Minister of Finance.

152. TEO submitted seven bids for Covid-19 funding, totalling £14.4m. Of these:

- Two were successful - £3.1m for Executive communications (October 2020) and £1.2m for the Travel Agent Scheme (March 2021) (£4.3m in total)
- One was partially successful - £0.5m of a bid for £1.9m was allocated for Press work on behalf of Executive around COVID-19 (June 2020).

## Module 2C – TEO Corporate Statement

- Four were unsuccessful:
  - £0.9m for Covid-19 Hub costs (June 2020).
  - £2m for Civil Contingencies (April/May 2020).
  - £2m for public relations (April/May 2020).
  - £3.4m for public relations (September 2020).

153. There was, therefore, a total Covid-19 funding allocation of £4.8m. There was insufficient funding available to fund all bids (the decision of which bids to fund was a decision of the Executive). The Northern Ireland budget process does not involve regular hypothecated allocations for civil contingencies matters and, whilst it would be open to the Executive to make a hypothecated budget allocation for civil contingencies purposes, the Executive has not, to date, done so; nor has it been asked to do so.

154. The Assembly passed the Budget Act (Northern Ireland) 2021 [**Exhibit KP/38 - INQ000147499**] in March 2021 which authorised the cash and use of resources for all departments for the 2020-21 year, based on the Executive's final expenditure plans for the year. The Budget Act (Northern Ireland) 2021 also authorised a Vote on Account to authorise departments' access to cash and use of resources for the early months of the 2021-22 financial year. The Budget (No. 2) Act (Northern Ireland) 2021 which received Royal Assent on 4 August 2021 authorises the cash and resource balance to complete for the remainder of the 2021-22 financial year based on the Executive's 2021-22 Final Budget.

155. The Assembly passed the Budget Act (Northern Ireland) 2022 [**Exhibit KP/39 - INQ000147500**] in March 2022 which authorised the cash and use of resources for all departments for the 2021-22 year, based on the Executive's final expenditure plans for the year. The Budget Act (Northern Ireland) 2022 also included a Vote on Account which authorised departments' access to cash and use of resources for the early months of the 2022-23 financial year. The Budget Act (Northern Ireland) 2022 which received Royal Assent on 24 March 2022 authorises the cash and resource balance to complete for the remainder of the 2022-23 financial year based on the Executive's 2022-23 Final Budget.

156. Following the resignation of the First Minister and the subsequent lack of an Executive, a Budget for 2022-23 could not be finalised. The Finance Minister wrote to departments [**Exhibit KP/40a - INQ000279209**] and [**Exhibit KP/40b - INQ000279210**] to set out a way forward in the absence of an Executive to agree a Budget. This process involved DoF issuing

## **Module 2C – TEO Corporate Statement**

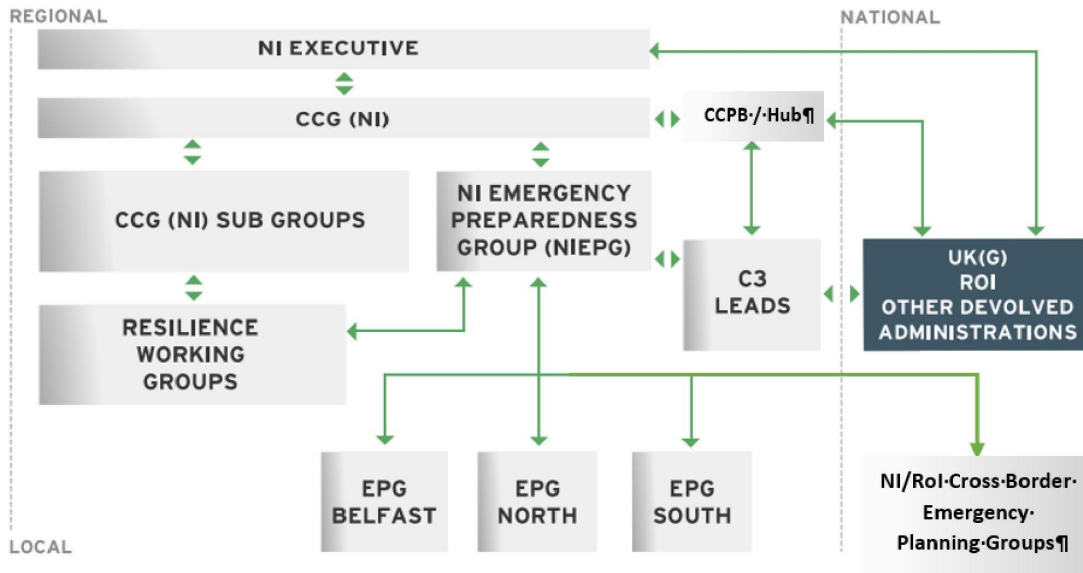
departments with contingency planning envelopes for the 2022-23 financial year. These envelopes provided departments with an assessment of the minimum funding they could reasonably expect for 2022-23 and allowed departments to plan for expenditure until such times as a Budget could be agreed.

157. On 27 April 2023 the Secretary of State for Northern Ireland set a budget for 2023-24 and introduced legislation to ensure public services could continue to function in the absence of an NI Executive.

## Module 2C – TEO Corporate Statement

### PART 2 – TEO’S ROLE IN RESPONDING TO THE COVID-19 PANDEMIC

158. The diagram below provides an overview of the Civil Contingencies Structure in Northern Ireland.



159. There are three tiers of coordination:



#### Strategic: TEO’s Role in Civil Emergencies

160. TEO is the Northern Ireland Department with policy responsibility for civil contingencies matters. The TEO role is one of coordination across Northern Ireland Departments, but this

## Module 2C – TEO Corporate Statement

does not extend to directing or controlling other Departments (or their agencies) in the exercise of their functions. TEO leads Northern Ireland's long-established civil contingencies response arrangements to support strategic decision making at the Civil Contingencies Group (CCG), and the Executive.

161. The Civil Contingencies Group Northern Ireland (CCG) is the principal strategic civil contingencies preparedness body for the public sector. CCG comprises senior level membership from all NICS Departments and key civil contingencies stakeholders. CCG terms of reference are exhibited **[Exhibit KP/41 - INQ000183582]**. In prepare mode CCG is chaired by a senior official in TEO. The Division in TEO responsible for these matters is the Civil Contingencies Division (CCD). The Civil Contingencies Policy Branch (CCPB), which is part of CCD, supports CCG.
162. The Civil Contingencies Group (CCG) is responsible for:
- directing and coordinating the efforts of NI departments in responding to the emergency;
  - assessing the wider impacts of events and decisions on infrastructure, systems and people;
  - identifying (from the start of the response) the key issues for consequence management and long-term recovery;
  - deciding on the relative priorities to be attached to the management of the various elements of the overarching response;
  - establishing the strategic direction of the coordinated media and public information policies;
  - identifying the priorities and interdependencies to be addressed and the actions required by member organisations; and
  - establishing working groups to deal with interdependencies or cross-cutting issues.
163. In response mode, CCG can be convened and chaired in one of two ways at either official or ministerial level. If convened at official level, CCG is normally chaired by the Head of the Northern Ireland Civil Service and is referred to as CCG (O). If convened at ministerial level, CCG may be chaired by the First Minister and the deputy First Minister acting jointly or, where appropriate, another Minister nominated jointly by the First Minister and deputy First Minister depending on the nature of the incident and this is referred to as CCG (M).
164. NI representatives participate in UK coordination arrangements. The NI Central Crisis

## Module 2C – TEO Corporate Statement

Management structure usually feeds directly into COBR, but in the case of Northern Ireland terrorist inspired incidents, NIO would take the NI lead. In that event, the NI Departments, individually or collectively, as part of the central crisis management structure, provide input to NIO on the consequence management and recovery aspects.

165. The Northern Ireland Central Crisis Management Arrangements (NICCMA) were summarised in a paper submitted to the Executive on 16 March 2020 [**Exhibit KP/42 - INQ000086933**]. Annex A of that paper provides an organogram setting out the key organisational roles and governance arrangements that would be in operation during the respond phase.

166. Activation of NICCMA needs to be a formal process so that all partners jointly understand at the same time that NICCMA has been activated, or not, in response to a crisis.

167. The decision to escalate into central crisis management arrangements will be made by TEO and a request can come from any of the following:

- The NI Executive
- The First Minister and deputy First Minister
- CCG (O)
- The Lead Government Department (LGD)
- A senior representative of the PSNI GOLD group
- Resilience Managers, Regional Officer and/or SOLACE lead.

168. The purpose of activating NICCMA is to gain multi-agency coherence to an escalating emergency which has breached the ability of both the Local level and LGD level to deal with it by setting up and running CCG (O) to co-ordinate the strategic response to the emergency.

169. NICCMA activation should be through a phased approach, where possible. The phases are ALERT, ONE ACTIVE, TWO ACTIVE, FULL ACTIVE. Warning and informing as early as possible provides all partners with joint situational awareness should the situation quickly escalate.

### **Tactical: NI Hub and C3 Arrangements**

170. The Northern Ireland Hub (NI Hub) centrally coordinates information during an emergency response, across all NI Departments and key partners, providing situational awareness to enhance decision making at all levels, primarily the CCG (O) and the Executive. The NI Hub

## Module 2C – TEO Corporate Statement

is generic in design, can deal with single or concurrent issues and provides one single source of cross departmental and regional coordination to CCG(O).

171. The NI Hub is designed to maximise information flow into and out of Northern Ireland. It is not a decision-making body. The NI Hub was founded on well-established and tested civil contingency arrangements in Northern Ireland covered in the extant NICCMA; though enhanced to have the capacity to deal with the predicted complexity, scale and duration of the Reasonable Worst-Case Scenario (RWCS) of any civil contingency event.

172. The NI Hub controls the flow of information into and out of CCG. Its role is to:

- commission situation reports from the Lead Government Department, Tactical Co-ordination Group, PSNI led Multi-agency GOLD; other NI departments and key organisations as appropriate and pass these to CCG;
- provide reports and assessments on behalf of CCG; and
- facilitate liaison between responders on specific issues as required.

173. The NI Hub function is discharged by Civil Contingencies Policy Branch (CCPB) staff, augmented as necessary with other staff from TEO or other Departments.

174. The diagram below shows the NI Hub design.

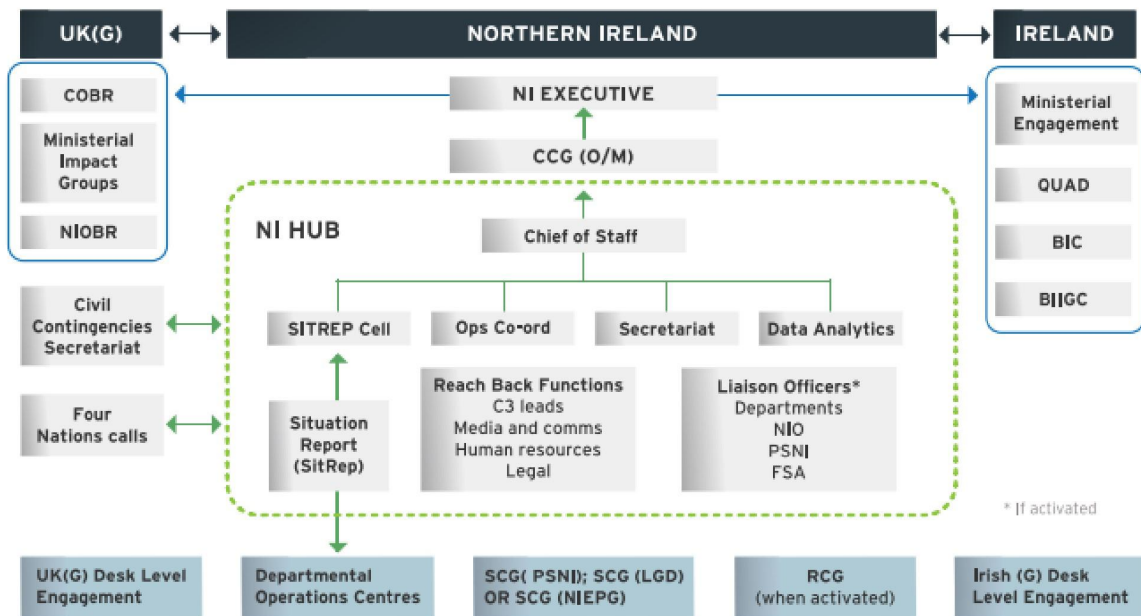


Fig. 16 of The Northern Ireland Civil Contingencies Framework, published 10 August 2021

## Module 2C – TEO Corporate Statement

175. The **Command, Control and Coordination (C3) Arrangements** consist of a network across all Northern Ireland departments, the PSNI, Local Government and the Food Standards Agency.
176. Departments participate in CCG via Departmental Operations Centres (DOCs) to ensure a coordinated response across government. However, Departments remain responsible for their own policy areas and delivery of their functions and are accountable to Ministers for the effective delivery of their functions. Each Department will have individual emergency management / response groups working to deliver their own specific functions and to keep their Minister and partners apprised of the situation. DOCs are required to provide information to the NI Hub by way of Departmental Situational Reports (SitRep).
177. Each department, PSNI, Local Government, the Food Standards Agency and the NIO has a Liaison Officer (LO) in the NI Hub to facilitate the flow of information between their DOC and the NI Hub.

### C3 Doctrine

178. In delivering the strategic intent of the NI Executive, the NICS and its partners must work as a single coherent unit. C3 systems are necessary where multiple teams and organisations come together to work across traditional boundaries in order to prepare for, respond to and recover from emergencies and disruptive challenges.
179. In these arrangements, teams and organisations remain under the usual command, but may temporarily come under the control of another part of the system. This allows for a response to be managed in a coordinated way across the system.
180. Key principles apply across C3:
- clarity of roles, responsibilities, and an understanding of levels of delegation/authority; subsidiarity; collaboration.
  - issues will cross traditional boundaries and departments will work together with partners; timely decision making & escalation.



## Module 2C – TEO Corporate Statement

- evidence based approach through the collection, sharing and dissemination of a common data set.
- clarity and coherence in our messaging.

181. If activated, the Strategic Co-ordination Group (SCG) discharges strategic coordination in response to an emergency, takes overall responsibility for the multi-agency management of an incident and establishes a strategic framework for all levels of C3. Its objectives are to:

- Protect and preserve life.
- Contain the incident – mitigate and minimise impacts.
- Create conditions for recovery.

182. The SCG is chaired by PSNI if there is a risk to life; the Lead Government Department in the event that the issues or impacts fall to that policy area; or the Northern Ireland Emergency Preparedness Group (NIEPG) when a community response is necessary. Membership of an SCG is tailored according to the nature of the emergency.

183. For strategic planning purposes, a number of agencies and arm's length bodies are members of CCG and participate in its activities during the 'prepare' and 'respond' phases of a civil contingency. Participating organisations include:

- Police Service of Northern Ireland;
- Fire Service of Northern Ireland;
- Northern Ireland Ambulance Service;
- Public Health Agency;
- Meteorological Office;
- Maritime and Coastguard Agency;
- Department for Infrastructure Rivers;
- Food Standards Agency;
- Local Government;
- Northern Ireland Office.

184. The capabilities and capacities around these arrangements were mobilised during Northern Ireland's emergency response to the first wave of COVID-19, and further refined and strengthened as a result of lessons learned from that response.

## Module 2C – TEO Corporate Statement

### Operational: Emergency Preparedness (OEP) Groups

185. The Northern Ireland Emergency Preparedness Group (NIEPG) is a subgroup of CCG. Its purpose is to ensure that work at local level is in line with strategic direction provided by CCG and provides direction to the work of the Northern, Southern and Belfast Emergency Preparedness Groups (EPGs). It also facilitates cohesion between these groups and ensures effective communication between the EPGs, regional working groups and CCG (NI).

186. The NIEPG (Covid Regional Co-ordination) Subgroup was chaired on a rotational basis by local government and PSNI with the Secretariat provided by the Local Government Civil Contingencies Team.

187. The functions of the subgroup were to:

- facilitate the timely knowledge and information sharing from CCG partners, in particular health, to ensure partner organisations remain coordinated and work together in supporting the aims of CCG,
- To allow partners to update on any local or sub regional issues that require resolution or escalation.

188. The Terms of Reference for this group can be seen at **[Exhibit KP/43 - INQ000236673]**

189. CCG engages and coordinates as appropriate with Cabinet Office, other Devolved Administrations and Ireland. Officials engage with colleagues in ROI through the Office of Emergency Planning.

### **Civil Contingencies engagement with ROI, Cabinet Office and DAs**

190. During the Covid-19 response, the NI Hub regularly received DUBLIN: Coronavirus - Economic & Business Roundup and CRISIS WATCH SITREP; CORONAVIRUS: IRELAND from the British Embassy in Dublin. **[Exhibit KP/44 – INQ000277092]** and **[Exhibit KP/45 – INQ000277084]**

191. Since 2022 there has been increased contact and relationship building with colleagues in Office of Emergency Planning (OEP) in the Republic of Ireland starting with a visit to Dublin in September 2022 to visit their National Emergency Coordination Centre and provide and

## Module 2C – TEO Corporate Statement

receive briefing on the respective civil contingencies arrangements.

192. In October 2022, CCPB attended the planning meeting for the All-Island Disaster Risk Reduction Conference.
193. In November 2022, representatives from TEO attended the Office of Emergency Planning All Island Disaster Risk Reduction Conference in Dundalk where both the Permanent Secretary from TEO and the I both presented. Three other members of CCPB attended the conference as did members of local government and a member from the Public Health Agency in Northern Ireland (Northern Ireland **[Exhibit KP/46a - INQ000279560]**, **[Exhibit KP/46b – INQ000279562]**).
194. In January 2023, CCPB provided a briefing to the OEP on the rollout of the new Emergency Alerts System which was tested in April 2023. Regular contact and briefings took place from January to April to ensure that OEP were fully up to date with the proposals and could brief their stakeholders accordingly so that, in the event of any 'bleed across' the border with the Emergency Alert, colleagues in ROI would be in an informed position and have plans in place to communicate more widely **[Exhibit KP/47 - INQ000279569]**.
195. A further visit to OEP took place on 20 February 2023 where CCPB presented on the NI Civil Contingencies Risk Register. There were also wider discussions on matters of mutual interest including the Emergency Alerts system.
196. Further engagement with colleagues in OEP is underway regarding the next All-Island Conference which is taking place in late 2023.
197. Frequent engagement takes place with the other Devolved Administration and Cabinet Office on resilience, emergency alerts, risk register, etc., and at all levels, i.e., Ministerial which HOCS currently attends, Director level meetings, deputy Director, and policy catch ups.

### Relationship between Executive Office and the Local Councils

198. The Department obtained Executive approval on 27 February 2014 **[Exhibit KP/48 - INQ000183588]** for several measures to enhance civil contingencies arrangements at local level.
199. This outcome was communicated to CCG members in a letter from the Head of the Civil Contingencies Branch in the Office of the First Minister and deputy First Minister (OFMdFM)

## Module 2C – TEO Corporate Statement

(now known as TEO) on 13 March 2014 [Exhibit KP/49 - INQ000183576]. The enhanced arrangements provide for:

- Establishment of four additional Sub-Regional Civil Emergencies Preparedness Groups (SCEPGs) which between them cover the rest of NI outside of Belfast. Belfast Resilience already provided this function for the Belfast area. Terms of Reference for the SCEPGs are provided at Annex 2 of [Exhibit KP/50 - INQ000183576].
- Establishment of a CCG Sub-Group to oversee the work of the SCEPGs.
- Establishment of a CCG workstream to identify the need to formalise the district council civil contingencies role and to consider how this could be done. This work included consideration of the need for wider civil contingencies legislation.
- Presentation of a draft Memorandum of Understanding to the Local Government Emergency Management Group and CCG for agreement which set out how district councils should discharge their civil contingencies role at sub-regional level and how CCG member organisations should support councils in the execution of that role.

200. The letter dated 13 March 2014 led to multi-agency working to establish the groups set out above. This multi-agency working aligns with the joint emergency services interoperability principles (JESIP) ethos.

201. There is no regional tier of government between the Executive and local government. Responsibility for the formal funding and accountability relationship with local government falls to the Department for Communities. In relation to civil contingencies arrangements, the relationship is one of co-ordination and partnership rather than formal accountability. As noted above, local government representatives are part of CCG; local government participates in tactical co-ordination groups and the strategic co-ordination group (leading the latter when the emergency does not involve threat to life).

202. CCPB is now regularly represented at meetings of the Cross Border Emergency Management Group (CBEMG) with ROI and has been since September 2020. In addition, local government are members of the TEO led CCG and C3 meetings. In line with its policy position to work in partnership with other stakeholders engaged in emergency response and to deliver on matters arising TEO attend meetings of the NIEPG which is a subgroup of CCG. The purpose of NIEPG is to ensure that work at local level is in line with strategic

## Module 2C – TEO Corporate Statement

direction provided by CCG. It provides direction to the work of the Northern, Southern and Belfast EPGs, facilitates cohesion between these groups, and ensures effective communication between the EPGs, regional working groups and CCG. Building on this partnership, CCPB also attends the separate EPG meetings. The relationships with local government colleagues are well established and productive.

### Executive Information Service (EIS)

203. Executive Information Services (EIS) role is to provide strategic media advice and support to Ministers in the Executive. This is delivered by a team of dedicated communications professionals across all NICS government departments. Further information on communications and public messaging is provided in a separate statement dated 31 August 2023 from Chris McNabb, EIS Director of Operations in response to a Rule 9 request dated 27 June 2023 from the Inquiry.
204. The Grade 5 role of EIS Director of Operations is currently the most senior communications post within the EIS structure. A Grade 3 Director of Communications was in post until retirement on 12 September 2016. In September 2016, a further Grade 5 appointment was made through the creation of an Executive Press Secretary post.
205. The appointment of Executive Press Secretary was made by the First Minister and deputy First Minister acting jointly **[Exhibit KP/51 - INQ000262759]**. This was a new post created under the Civil Service Commissioners (Amendment) Order (Northern Ireland) 2016 **[Exhibit KP/52 - INQ000279376]**. The 2016 Order was secondary legislation made by the First Minister and deputy First Minister in the exercise of their prerogative powers (pursuant to section 23 (3) of the NIA 1998) to amend Article 3 of the Civil Service Commissioners (Northern Ireland) Order 1999 **[Exhibit KP/53 - INQ000279377]** and permit “appointment by the First Minister and deputy First Minister of a person to provide specialised support”. Appointments made under these provisions, being political in nature and akin to a SpAd, role, were designed to expire when Executive Ministers were no longer in post. The collapse of the Executive in January 2017 meant this post was vacated when First Minister and deputy First Minister were no longer in post and a new Executive was not formed until January 2020. On 3 February 2020, the Functioning of Government (Miscellaneous Provisions) Bill, a private member’s bill, was brought before the NI Assembly and subsequently received Royal Assent on 22 March 2021. Section 3 of the Functioning of Government (Miscellaneous Provisions) Act (Northern Ireland) 2021 repealed the Civil Service Commissioners (Amendment) Order (Northern Ireland) 2016 and any amendment to the 1999 Order is now subject to the affirmative resolution process of the Assembly

## Module 2C – TEO Corporate Statement

[Exhibit KP/54 - INQ000279378]. Therefore, the legal provision used to appoint the Executive Press Secretary post in 2016 is no longer in force.

206. The key delivery services provided by EIS are captured under the broad areas of ministerial support; media relations; digital; government advertising; and citizen-facing government content on the nidirect website.

207. Executive Information Service in TEO coordinated COVID-19 related communications on behalf of the Executive. This included:

- Media and communications campaigns
- Press conferences and press releases
- Development of 'lines to take'
- Public information on NI Direct
- Occasional speeches as required for the Assembly and other events
- Input into Written Ministerial Statements to the Assembly following Executive decisions
- Responses to specific press and citizens' queries including through correspondence cases

208. EIS was responsible for the delivery of the COVID-19 public information campaign. Using a wide range of communication channels, the campaign raised awareness about COVID-19 and encouraged compliance with the latest public health advice and uptake of the COVID-19 vaccination.

209. The Department of Health (DoH) and Public Health Agency (PHA) also had roles in Covid-19 in communicating public information directly across various platforms throughout the pandemic, both proactively and reactively. The details of the different roles and responsibilities are outlined in the statement of Chris McNabb. For example, DoH and PHA took a lead on communicating various aspects of public health policy such as the vaccination programme and were responsible for the development of any official government digital apps created as part of the pandemic response in Northern Ireland. Both DoH and PHA regularly fielded medical and scientific professionals on media platforms as part of efforts to address misinformation issues.

210. Covid-19 public information campaigns in Northern Ireland were predominantly developed

## Module 2C – TEO Corporate Statement

by and for Northern Ireland by the EIS of the NI Executive together with Genesis Agency. The communications were informed by advice from the Northern Ireland Chief Medical Officer and Chief Scientific Advisor.

211. From March 2020 to June 2022, working with Genesis, the NI Executive delivered 26 different campaign creatives, both strategic and tactical, connecting to the platform branding of 'We all must do it to get through it',
212. The EIS provides communications advice to Ministers and senior officials across the NICS departments. As a specialism within the NICS, press officers are outposted from TEO to the eight other departments, Government Advertising Unit and NI Direct. These teams are managed by the EIS Head of Communications.
213. There was no formal opportunity for the NI Executive to play a role in relation to the creation of the UKG's public health communications. At an official level, two communications groups were set up by UKG which were both attended by EIS. Both groups were chaired by Cabinet Office officials. The first was at an operational level and this included the sharing of UKG creatives and media plans. A representative of EIS and the Public Health Agency NI attended this meeting.
214. The second group was at a more strategic level and included the Director/Deputy Directors of communications from the devolved regions and territorial offices. There was a level of overlap in both the meetings but a constant theme from the meetings was whether it was appropriate for UKG creatives to feature in devolved communications channels and whether it reflected the policy position of the devolved regions.
215. These meetings started in earnest after the UKG moved from the 'Stay at Home' message to 'Stay Alert' while the rest of the UK remained messaging 'Stay at Home'.
216. Issues arose regarding messaging when UKG Ministers made announcements in relation to messaging and restrictions. The subsequent reporting of these announcements caused presentational issues because whilst the restrictions may have applied to England only, they were perceived or reported as applying across the UK. This was raised on a number of occasions by officials from devolved administrations. NI Executive Ministers were not involved in these meetings.
217. In May 2020, the First Minister and deputy First Minister agreed that EIS should undertake

## Module 2C – TEO Corporate Statement

polling on Covid-19 to test public opinion of the performance of the NI Executive in dealing with the pandemic. EIS procured Social Market Research (SMR) to conduct three surveys, representative of the adult population in terms of key factors such as age, gender and social class, that took place over a nine-week period between June and July 2020 (6 – 11 June 2020; 23 – 30 June 2020 and 8 – 19 July 2020). The three opinion polls were consistent in their findings in relation to the performance of the Executive in dealing with Covid-19 with the final report showing that some 77% believed that the NI Executive was performing either very well or quite well. The Executive also scored consistently well in building trust with the public, with 73% stating they are getting the information they need from the Executive; 70% believing the information is accurate and 68% trusting the information **[Exhibit KP/55a - INQ000259611]**, **[Exhibit KP/55b - INQ000259612]**, **[Exhibit KP/55c - INQ000259613]**).

218. Circumstances did arise on several occasions throughout the pandemic where views were vocalised or actions were taken on a party policy basis by individual Executive Ministers which were not consistent with decisions made collectively by the Executive. For example, deputy First Minister faced allegations of breaching social distancing measures after attending the funeral of Republican Bobby Storey on 30 June 2020 (**[Exhibit KP/56 - INQ000237649]**); and on 16 October 2020, Agriculture Minister Edwin Poots commented in broadcast media interviews that he held "grave reservations" about new coronavirus restrictions agreed by the Executive that week **[Exhibit KP/57 - INQ000279574]**. Further, there were situations when private Executive business appeared to be leaked to select members of the media while Executive meetings were taking place.

219. When such events occurred, widespread media and public scrutiny followed.

220. Strategies were also developed, coordinated and presented to the Executive for agreement at various points. Key Executive publications included:

- Coronavirus: Executive Approach to Decision-making (published 12 May 2020) **[Exhibit KP/58 - INQ000213710]**
- Moving Forward: The Executive's Pathway Out of Restrictions (published 2 March 2021) **[Exhibit KP/59 - INQ000213669]**
- Building Forward: Consolidated Covid-19 recovery Plan (published 2 August 2021). **[Exhibit KP/60 - INQ000279232]**



## Module 2C – TEO Corporate Statement

- NI Executive Autumn / Winter Covid-10 Contingency Plan (published 19 October 2021). **[Exhibit KP/61 - INQ000188216]**

221. Further information on each publication is provided below in the relevant phase of the statement.

### Sectoral Engagement

222. Throughout the pandemic, there was extensive engagement by Ministers and senior TEO officials with several sectors, including hospitality, retail, business, events and faiths groups.

223. The purpose of the engagement was to share information with the sectors on the proposed range of Non-Pharmaceutical Interventions (NPIs) that may be implemented or relaxed depending on Covid-19 case numbers at the time and to gather views on the likely impacts of the imposition or relaxation of the NPIs, including the nature of financial support required. Accordingly, the focus of meetings changed as the pandemic evolved.

224. The impact on sectors was an important factor in Ministerial decision-making and therefore sectors played a key role in informing and influencing the advice that was provided to Ministers.

225. The meetings with sectors were either led by Ministers or senior officials. On occasions, officials would have had telephone conversations with sectoral leads that were not minuted.

226. Further information on sectoral engagement is provided for each phase of the pandemic below. The information provided is not exhaustive but provides examples of the engagement undertaken.

227. During the pandemic there was ongoing engagement with citizens via case work assigned to the COVID-19 Strategy and Recovery Division. Internal tracking indicates that the Division dealt with over 220 items of correspondence received directly from members of the public during 2021/22 period.

### Co-operation with ROI

228. During the Covid-19 response, the NI Hub regularly received DUBLIN: Coronavirus - Economic & Business Roundup and CRISIS WATCH SITREP; CORONAVIRUS: IRELAND from the British Embassy in Dublin. Examples are provided at **[Exhibit KP/62 - INQ000277092]** and **[Exhibit KP/63 - INQ000277084]**.

## Module 2C – TEO Corporate Statement

229. Since 2022 there has been increased contact and relationship building with colleagues in the Office of Emergency Planning (OEP) starting with a visit to Dublin in September 2022 to visit their National Emergency Coordination Centre and provide and receive briefing on the respective civil contingencies arrangements.
230. In October 2022, CCPB attended the planning meeting for the All-Island Disaster Risk Reduction Conference.
231. In November 2022, representatives from TEO attended the Office of Emergency Planning All Island Disaster Risk Reduction Conference in Dundalk at which Denis McMahon and I both presented. Three other members of CCPB attended the conference as did members of local government and a member from the Public Health Agency in Northern Ireland [Exhibit KP/64a - INQ000279560], [Exhibit KP/64b - INQ000279562], [Exhibit KP/64c - INQ000279561].
232. In January 2023, CCPB provided a briefing to the OEP on the rollout of the new Emergency Alerts System which was tested in April 2023. Regular contact and briefings took place from January to April to ensure that OEP were fully up to date with the proposals and could brief their stakeholders accordingly so that, in the event of any 'bleed across' the border with the Emergency Alert, colleagues in ROI would be in an informed position and have plans in place to communicate more widely [Exhibit KP/65 – INQ000279569].
233. A further visit to OEP took place on 20 February 2022 when CCPB gave a presentation on the NI Civil Contingencies Risk Register. There were also wider discussions on matters of mutual interest including the Emergency Alerts system.

### British Irish Council

234. The Executive Office Ministerial and officials participated in the British Irish Council (BIC) during the pandemic at the regular, bi-annual summit. These meetings, both formal and informal, afforded Heads of Administration the opportunity to learn from and share experiences with senior Ministers across the BIC membership. Discussions aimed to identify examples of best practice based on the experiences of other administrations that might be implemented in other member regions.
235. Three Summit meetings that took place during the pandemic period and as shown below.
236. A meeting scheduled to be hosted by Scotland was postponed to November 2020.

## Module 2C – TEO Corporate Statement

237. The meeting on 6 November 2020 was hosted by Scotland and focused on Economic Recovery in the context of Covid-19 and political developments [Exhibit KP/66 - INQ000279260]. The meeting was attended by:

### Scottish Government

- First Minister Rt Hon Nicola Sturgeon MSP
- Cabinet Secretary for Constitution, Europe and External Affairs Michael Russell MSP
- Cabinet Secretary for Finance Kate Forbes MSP

### Northern Ireland Executive

- First Minister Rt Hon Arlene Foster MLA
- deputy First Minister Michelle O'Neill MLA
- Minister of the Economy Diane Dodds MLA
- Minister of Finance Conor Murphy MLA
- Minister for Communities Caral Ní Chuilín MLA
- Junior Minister Declan Kearney MLA

### Welsh Government

- First Minister Rt Hon Mark Drakeford MS
- Minister for Economy, Transport and North Wales Ken Skates MS

### Government of Guernsey

- Chief Minister Deputy Peter Ferbrache

### UK Government

- Chancellor of the Duchy of Lancaster The Rt Hon Michael Gove MP
- Secretary of State for Northern Ireland The Rt Hon Brandon Lewis MP
- Secretary of State for Scotland The Rt Hon Alister Jack MP

### Government of Jersey

- Chief Minister Senator John Le Fondré
- Deputy Chief Minister Senator Lyndon Farnham
- Minister for External Relations Senator Ian Gorst

### Irish Government

- An Taoiseach Micheál Martin T.D.
- An Tánaiste Leo Varadkar T.D.
- Minister for Foreign Affairs and Minister for Defence Simon Coveney T.D.

### Isle of Man Government

- Chief Minister Hon Howard Quayle MHK

## Module 2C – TEO Corporate Statement

- Minister for the Treasury Hon Alfred Cannan MHK

238. The 35<sup>th</sup> British-Irish Council Summit was hosted by the Northern Ireland Executive on 11 June 2021 and focused on Priorities for Covid-19 Recovery and Latest Political Developments [**Exhibit KP/67 - INQ000279261**]. The meeting was attended by:

### Northern Ireland Executive

- First Minister Rt Hon Arlene Foster MLA
- Deputy First Minister Michelle O'Neill MLA
- Minister of Agriculture, Environment and Rural Affairs Edwin Poots MLA
- Minister of Health Robin Swann MLA
- Minister for Infrastructure Nichola Mallon MLA
- Minister for the Economy Diane Dodds MLA
- Minister of Justice Naomi Long MLA
- Minister of Finance Conor Murphy MLA
- Minister for the Department for Communities Deirdre Hargey MLA
- Junior Minister in the Executive Declan Kearney MLA
- Junior Minister in the Executive Gordon Lyons MLA

### Irish Government

- An Taoiseach Micheál Martin TD
- An Tánaiste Leo Varadkar TD
- Minister for Foreign Affairs and Minister for Defence Simon Coveney TD

### UK Government

- Chancellor of the Duchy of Lancaster The Rt Hon Michael Gove MP
- Secretary of State for Northern Ireland The Rt Hon Brandon Lewis MP

### Welsh Government

- First Minister Rt Hon Mark Drakeford MS

### Scottish Government

- First Minister Rt Hon Nicola Sturgeon MSP
- Minister for Culture, Europe and International Development Jenny Gilruth MSP

### Government of Jersey

- Chief Minister Senator John Le Fondré
- Minister for External Relations Senator Ian Gorst

### Isle of Man Government

## Module 2C – TEO Corporate Statement

- Chief Minister Hon Howard Quayle MHK
- Minister for Education, Sport and Culture Hon Alexander John Allinson MHK

### Government of Guernsey

- Chief Minister Deputy Peter Ferbrache

239. The 36<sup>th</sup> British-Irish Council Summit was hosted by the Welsh Government on 19 November 2021 and focused on Latest Political Developments including a discussion on the continuing impact of the Covid-19 pandemic and the progress of post-pandemic recovery programmes. Indigenous, Minority and Lesser-Used Languages (IML) and Early Years Policy was also discussed. [Exhibit KP/68 - INQ000279262]. The meeting was attended by:

### Welsh Government

- First Minister Rt Hon Mark Drakeford MS
- Minister for Education and Welsh Language Jeremy Miles MS

### Government of Guernsey

- Treasury Minister Deputy Mark Helyar

### Irish Government

- An Taoiseach Micheál Martin TD
- An Tánaiste Leo Varadkar TD

### Isle of Man Government

- Deputy Chief Minister Jane Poole-Wilson MHK

### Government of Jersey

- Chief Minister Senator John Le Fondré
- Minister for External Relations Senator Ian Gorst

### Northern Ireland Executive

- Minister of Agriculture, Environment and Rural Affairs Edwin Poots MLA
- Minister for the Department for Communities Deirdre Hargey MLA
- Junior Minister in the Executive Gary Middleton MLA

### Scottish Government

- First Minister Rt Hon Nicola Sturgeon MSP
- Cabinet Secretary for Finance and the Economy Kate Forbes MSP

### UK Government

## Module 2C – TEO Corporate Statement

- Secretary of State for Levelling Up, Housing and Communities, and Minister for Intergovernmental Relations Rt Hon Michael Gove MP
- Secretary of State for Wales Rt Hon Simon Hart MP

240. In addition, there were three Ministerial meetings held in sectoral format on Transport, Indigenous, Minority and Lesser Used Languages and Energy.

### North South Ministerial Council

241. Established on 2 December 1999 under the terms of the 1998 Agreement, the North South Ministerial Council brings together Ministers from the Northern Ireland Executive and the Irish Government to develop consultation, co-operation, and action on matters of mutual interest. The North South Ministerial Council is supported by a Joint Secretariat.

242. Following the restoration of the Executive in January 2020, NSMC first met in Plenary format on 31 July 2020. There have been no NSMC Meetings since November 2021. There were three Plenary Meetings and an Institutional Meeting, which were either co-chaired by the NI First Minister and deputy First Minister or the Taoiseach on an alternating basis. Sectoral meetings were chaired by the appropriate Executive Minister or Irish Government depending on which sector, for example, Minister Swann or his Irish counterpart for Health Meetings, Minister Poots or his Irish counterpart for Agriculture and Environment Meetings.

243. Following each NSMC Meeting an agreed Joint Communiqué is issued. These are published inter alia via the NSMC website- [www.northsouthministerialcouncil.org](http://www.northsouthministerialcouncil.org) Copies of Joint Communiqués from each of the NSMC Meetings held from July 2020 to November 2021 are Exhibited below.

244. The plenary meeting on 31 July 2020 [**Exhibit KP/69 - INQ000104460**] took place in Dublin. The meeting discussed the ongoing response to Covid-19 and was briefed by the Chief Medical Officers, Dr. Ronan Glynn and Dr. Michael McBride, on the current public health situation and on ongoing cooperation in the response to the Covid-19 pandemic. It was attended by:

<b>Irish Government</b>	<b>Northern Ireland Executive</b>
Micheál Martin TD, Taoiseach	Rt. Hon. Arlene Foster MLA, First Minister
Leo Varadkar TD Tánaiste and Minister for Enterprise, Trade and Employment	Michelle O'Neill MLA deputy First Minister
Eamon Ryan TD Minister for Climate Action, Communications Networks and Transport	Diane Dodds MLA Minister for the Economy

## Module 2C – TEO Corporate Statement

Paschal Donohoe TD Minister for Finance	Nichola Mallon MLA Minister for Infrastructure
Michael McGrath TD Minister for Public Expenditure and Reform	Conor Murphy MLA Minister of Finance
Simon Coveney TD Minister for Foreign Affairs and Minister for Defence	Carál Ní Chuilín MLA Minister for Communities
Norma Foley TD Minister for Education	Edwin Poots MLA Minister of Agriculture, Environment and Rural Affairs
Roderic O’Gorman TD Minister for Children, Disability, Equality and Integration	Robin Swann MLA Minister of Health
Helen McEntee TD Minister for Justice	Peter Weir MLA Minister of Education
Heather Humphreys TD Minister for Social Protection, Community and Rural Development and the Islands	Declan Kearney MLA Junior Minister, The Executive Office
Darragh O’Brien TD Minister for Housing, Local Government and Heritage	Gordon Lyons MLA Junior Minister, The Executive Office
Catherine Martin TD Minister for Media, Tourism, Arts, Culture, Sport and the Gaeltacht	
Stephen Donnelly TD Minister for Health	
Simon Harris TD Minister for Higher Education, Innovation and Science	
Dara Calleary TD Minister for Agriculture, Food and the Marine	

245. The plenary meeting on 18 December 2020 **[Exhibit KP/70 - INQ000104461]** took place in Armagh and by videoconference. The Council was briefed by the Chief Medical Officers, Dr Michael McBride and Dr Tony Holohan, on the current public health situation and the ongoing close cooperation in the response to the Covid-19 pandemic. Ministers discussed the measures being implemented in the two jurisdictions to protect public health and limit the transmission of the virus. The Council also discussed implications of the withdrawal from the EU and “New Decade, New Approach commitments.” It was attended by:

<b>Irish Government</b>	<b>Northern Ireland Executive</b>
Micheál Martin TD, Taoiseach	Rt. Hon. Arlene Foster MLA, First Minister
Leo Varadkar TD Tánaiste and Minister for Enterprise, Trade and Employment	Michelle O’Neill MLA deputy First Minister
Eamon Ryan TD Minister for Climate Action, Communications Networks and Transport	Diane Dodds MLA Minister for the Economy
Paschal Donohoe TD Minister for Finance	Deirdre Hargey MLA Minister for Communities
Michael McGrath TD Minister for Public Expenditure and Reform	Nichola Mallon MLA Minister for Infrastructure
Simon Coveney TD Minister for Foreign Affairs and Minister for Defence	Conor Murphy MLA Minister of Finance
Norma Foley TD Minister for Education	Edwin Poots MLA Minister of Agriculture, Environment and Rural Affairs

## Module 2C – TEO Corporate Statement

Roderic O’Gorman TD Minister for Children, Equality, Disability, Integration and Youth	Robin Swann MLA Minister of Health
Helen McEntee TD Minister for Justice	Peter Weir MLA Minister of Education
Heather Humphreys TD Minister for Social Protection, and Minister for Rural and Community Development	Declan Kearney MLA Junior Minister, The Executive Office
Darragh O’Brien TD Minister for Housing, Local Government and Heritage	Gordon Lyons MLA Junior Minister, The Executive Office
Catherine Martin TD Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media	Naomi Long MLA, Minister for Justice
Stephen Donnelly TD Minister for Health	
Simon Harris TD Minister for Higher Education, Innovation and Science	
Charlie McConalogue TD Minister for Agriculture, Food and the Marine	

246. The plenary meeting on 30 July 2021 [**Exhibit KP/71 - INQ000104462**] took place in Armagh and by videoconference. The Council was briefed on the current public health situation and the ongoing close cooperation in the response to the Covid-19 pandemic. Ministers discussed the current position in the two jurisdictions, including progress on the roll-out of vaccines. The council also discussed the “New Decade, New Approach” commitments and the “Peace Plus Programme”. It was attended by:

<b>Irish Government</b>	<b>Northern Ireland Executive</b>
Micheál Martin TD, Taoiseach	Paul Givan MLA, First Minister
Leo Varadkar TD Tánaiste and Minister for Enterprise, Trade and Employment	Michelle O’Neill MLA, deputy First Minister
Eamon Ryan TD Minister for Climate Action, Communications Networks and Transport	Deirdre Hargey MLA Minister for Communities
Michael McGrath TD Minister for Public Expenditure and Reform	Nichola Mallon MLA Minister for Infrastructure
Simon Coveney TD Minister for Foreign Affairs and Minister for Defence	Gordon Lyons MLA Minister for the Economy
Norma Foley TD Minister for Education	Michelle McIlveen MLA Minister of Education
Catherine Martin TD Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media	Conor Murphy MLA Minister of Finance
Stephen Donnelly TD Minister for Health	Naomi Long MLA Minister of Justice
Simon Harris TD Minister for Higher Education, Innovation and Science	Edwin Poots MLA Minister of Agriculture, Environment and Rural Affairs
Charlie McConalogue TD Minister for Agriculture, Food and the Marine	Declan Kearney MLA Junior Minister, The Executive Office
	Gordon Lyons MLA Junior Minister, The Executive Office

247. Following each NSMC Meeting an agreed Joint Communiqué is issued. These are published



## Module 2C – TEO Corporate Statement

inter alia via the NSMC website. Copies of Joint Communiqués from each of the NSMC Meetings held from July 2020 to November 2021 are exhibited above.

248. There were 22 NSMC Meetings between January 2020 and November 2021 at which Covid-19 was discussed. This equates to approximately two meetings per month of Ministers from both jurisdictions meeting formally under the auspices of the North South Ministerial Council. Three of these were Plenary Meetings, attended by the majority of Ministers from both the Executive, including First and deputy First Ministers and junior Ministers, and the Irish Government on each occasion. At all three Plenary Meetings “Response to Covid 19” was tabled and Ministers from both jurisdictions had the opportunity to discuss.
249. Some 18 of the 22 were Sectoral Meetings, attended by the appropriate Ministers from each jurisdiction (and the Executive Accompanying Minister) at which Covid-19 was among the topics discussed. This included three meetings of the Health sector 2 October 2020 [**Exhibit KP/72 - INQ000279337**], [**Exhibit KP/73 - INQ000289942**] 26 March 2021, [**Exhibit KP/74 - INQ000289954**], [**Exhibit KP/75 - INQ000289947**] and 14 October 2021 [**Exhibit KP/76 - INQ000279341**], [**Exhibit KP/77 - INQ000289930**] where Response to Covid was an agenda item. The other meeting was an Institutional Meeting on 16 December 2020 [**Exhibit KP/78a - INQ000290963**], [**Exhibit KP/78b – INQ000290960**] chaired by the First and deputy First Ministers with the Irish Government represented by the Minister for Foreign Affairs at which Covid-19 and other cross-cutting matters were discussed.
250. The NSMC structures also provided Ministers from both Governments with the opportunity to discuss the response to Covid 19 during specific sectoral meetings. Papers from these meetings have been shared with the inquiry and demonstrate the close working relationships that were operating during this time.
251. Following each meeting of the NSMC it is a statutory requirement that the lead Executive Minister provides a statement to the Assembly on the content of the meeting. MLAs then have the opportunity to question Ministers on the content of their statement. This ensures the Council operates in an open and transparent way and allows elected representatives to be sighted on discussions, including on those discussion relating to Covid-19.
252. It is clear from the Statements made to the Assembly that there was significant discussion within the NSMC on Covid-19. On behalf of the First Minister and deputy First Minister, the deputy First Minister briefed the Assembly three times in relation to the three NSMC Plenary meetings at which Covid 19 was discussed.

## Module 2C – TEO Corporate Statement

253. On 21 September 2020 deputy First Minister Michelle O'Neill made a statement to the Assembly regarding the 31 July Plenary [**Exhibit KP/79 - INQ000279296**] in which she stated:

*“that the Council was briefed by the Chief Medical Officers, Dr Ronan Glynn and Dr Michael McBride, on the current public health situation and on ongoing cooperation on the response to the COVID-19 pandemic. Ministers extended their condolences to all those who have lost loved ones as a result of the pandemic. They also expressed their appreciation to all those who have played a part in the COVID-19 response, in particular health and social care workers, who have shown extraordinary courage and dedication in their work on the front line.*

*The Council noted that senior representatives of the Executive and the Irish Government, along with their Chief Medical Officers, met at the NSMC secretariat offices in Armagh on 14 March to review the situation regarding the COVID-19 virus and how best to address the outbreak. At that meeting, Ministers affirmed that everything possible would be done in coordination and cooperation between the Irish Government and the Executive and with the active involvement of the health administrations in both jurisdictions to tackle the outbreak. Senior representatives of both Administrations have continued to meet regularly to discuss the ongoing COVID-19 response. The Council noted the memorandum of understanding on public health cooperation on the COVID-19 response agreed between the Departments of Health, North and South, on 7 April. The Council welcomed the close and productive cooperation that has taken place between Health Ministers, Chief Medical Officers and health administrations, North and South, to deliver an effective public health response. Ministers agreed that an early meeting of the Council in the health sector should review ongoing cooperation in responding to the pandemic.*

*The Council also noted the impact of the pandemic on society and on the economy, North and South, and the measures put in place by both Administrations to support communities and businesses affected by the crisis and to assist with economic recovery. Ministers agreed that the upcoming meetings of the Council in relevant sectors will consider how North/South approaches can contribute to the promotion of economic and social recovery.”*

254. The deputy First Minister made a Statement to the Assembly on 18 January 2021 regarding the NSMC Plenary Meeting of 18 December 2020 [**Exhibit KP/80 - INQ000279231**] in which she advised,

## Module 2C – TEO Corporate Statement

*“that having regard to COVID-19 restrictions in both jurisdictions, meetings took place via videoconference and that in-person meetings would resume as soon as public health conditions permitted. The Council noted that each sector had considered a wide range of issues, including COVID-19 recovery, priorities and work programmes and the implications of Brexit, as well as various sector-specific matters.*

*The Council was briefed by the Chief Medical Officers (CMOs), Dr Michael McBride and Dr Tony Holohan, on the public health situation and the ongoing close cooperation in the response to the COVID-19 pandemic. Ministers discussed the measures being implemented in the two jurisdictions to protect public health and to limit the transmission of the virus. The Council expressed its sympathy to all those who have lost loved ones as a result of the pandemic and commended citizens in both jurisdictions who have complied with the restrictions imposed as a result of the pandemic and their efforts and perseverance in helping to manage the outbreak. The NSMC expressed its gratitude to all those who have contributed to the response to the COVID-19 pandemic, particularly front-line health and social care workers. It expressed its appreciation to the wider workforce of essential workers who have kept various services and facilities operational even in the most challenging of circumstances. Ministers recognised the impact of the pandemic on society and the economy in both jurisdictions and welcomed the measures put in place by both Administrations to support communities and businesses affected by the crisis and to assist economic recovery. The recent progress made in the development and roll-out of the vaccine was welcomed. The Council noted the NSMC health sector meeting on 2 October to review ongoing cooperation in responding to the pandemic. It noted that the impact of and response to COVID-19 has been considered at all NSMC meetings. Ministers agreed that future Council meetings would continue to consider how agreed collaborative approaches can contribute to the promotion of economic and social recovery in a COVID-19 context.”*

255. On 11 October 2021 the Deputy First Minister also made a statement to the Assembly with regard to the 30 July 2021 Plenary [**Exhibit KP/81 - INQ000279334**]. During her statement she informed the Chamber:

*“that the Council was briefed on the current public health situation and the ongoing close cooperation in the response to the COVID-19 pandemic. Ministers discussed the current position in the two jurisdictions, including progress on the roll-out of vaccines. The Council recognised the significant loss and challenges experienced by so many as a result of COVID-19. Ministers reiterated their appreciation to all those involved in responding to the*

## Module 2C – TEO Corporate Statement

*pandemic, particularly front-line health and social care workers and those in the wider workforce who kept essential services and facilities operational.*

*They also recognised the impact of the pandemic on society and the economy, and welcomed the measures put in place by both Administrations to support communities and businesses affected by the crisis and to assist economic recovery. Ministers welcomed the significant progress in the roll-out of vaccines, which has played a key part in the gradual reopening of society. The Council noted that the response to COVID-19 was considered at relevant meetings of the Council and that, where appropriate, sectors will continue to consider how agreed collaborative approaches can contribute to the promotion of economic and social recovery from the pandemic.”*

### **UK’s DEPARTURE FROM THE EUROPEAN UNION**

256. EU Exit was the other ongoing significant civil contingency issue the Executive was dealing with during the pandemic. It discussed EU Exit matters on over 50 occasions prior to the resignation of the First Minister in February 2022. The Executive’s discussion of EU Exit matters was largely dealt with by means of dedicated agenda items or in separate meetings solely dedicated to EU Exit.

## Module 2C – TEO Corporate Statement

### PHASES OF THE PANDEMIC

257. The emergence of Covid-19 required a rapid response that evolved over time and in which TEO had a central role. As such, the NI response has been broken down into phases to reflect the differing response required at any given time.

258. TEO’s response to the pandemic has been presented in phases in order to present complex information to assist the inquiry.

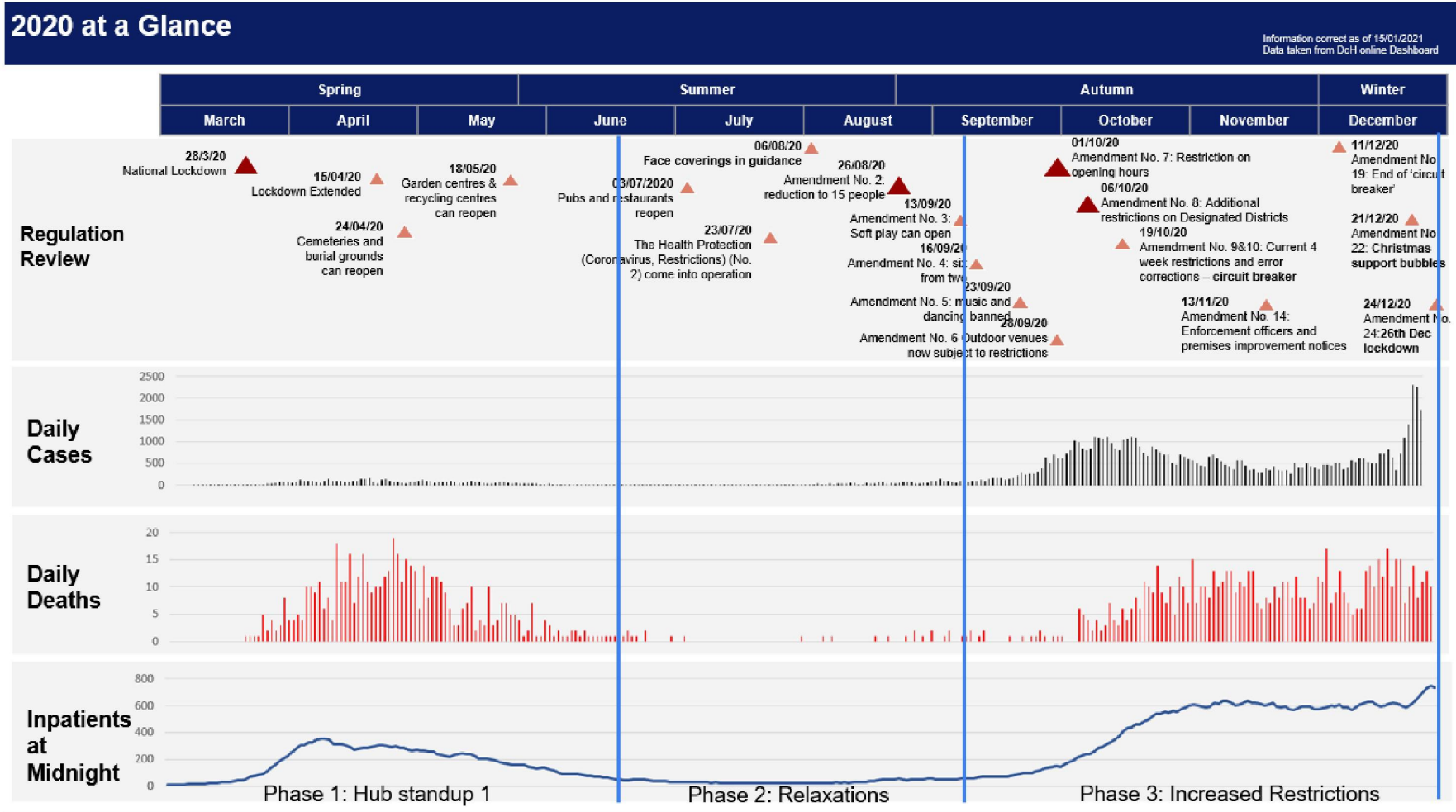
Phase	Dates	Key events
<b>Phase 0</b>	1 January 2020 – 18 March 2020	<ul style="list-style-type: none"> <li>- Emergence of the Covid-19 pandemic</li> <li>- Civil Contingencies Group (CCG) convened for Covid-19.</li> <li>- Activation of Northern Ireland Central Crisis Management Arrangements (NICCMA)</li> </ul>
<b>Phase 1</b>	18 March 2020 – 30 June 2020	<ul style="list-style-type: none"> <li>- First wave of Covid-19 cases</li> <li>- Lockdown</li> <li>- First activation of NI Hub in “full active” status</li> </ul>
<b>Phase 2</b>	1 July 2020 – 16 September 2020	<ul style="list-style-type: none"> <li>- Relaxation of lockdown restrictions</li> <li>- Deactivation of NI Hub from “full active”</li> <li>- Shielding paused</li> <li>- Mandatory use of face coverings:                             <ul style="list-style-type: none"> <li>· On public transport from 2 July 2020</li> <li>· In certain indoor settings including shops from 10 August 2020</li> </ul> </li> </ul>
<b>Phase 3</b>	17 September 2020 – 25 December 2020	<ul style="list-style-type: none"> <li>- Second wave of Covid-19 cases</li> <li>- Activation of Northern Ireland Central Crisis Management Arrangements (NICCMA)</li> <li>- Activation of Civil Contingencies Group (CCG) Protocol for the Escalation of Multi-Agency Response</li> <li>- Increased restrictions / “circuit breaker”</li> <li>- Activation of NI Hub to “Alert” status</li> </ul>
<b>Phase 4</b>	26 December 2020 – 7 March 2021	<ul style="list-style-type: none"> <li>- Lockdown 2</li> <li>- D20 Hub established by the Cabinet Office</li> <li>- Escalation of NI Hub from “Alert” to “One Active” status</li> <li>- Managed quarantine</li> </ul>
<b>Phase 5</b>	8 March 2021 – 22 December 2021	<ul style="list-style-type: none"> <li>- Development and publication of Pathway out of Restrictions by NI Executive</li> <li>- De-escalation of NI Hub from “Alert” to Steady</li> <li>- Relaxation of lockdown 2 restrictions</li> <li>- Introduction of COVID-status certification</li> </ul>
<b>Phase 6</b>	23 December 2021 – 19 January 2022	<ul style="list-style-type: none"> <li>- Third wave of Covid-19 cases (Omicron variant)</li> <li>- Increased restrictions</li> </ul>

## Module 2C – TEO Corporate Statement

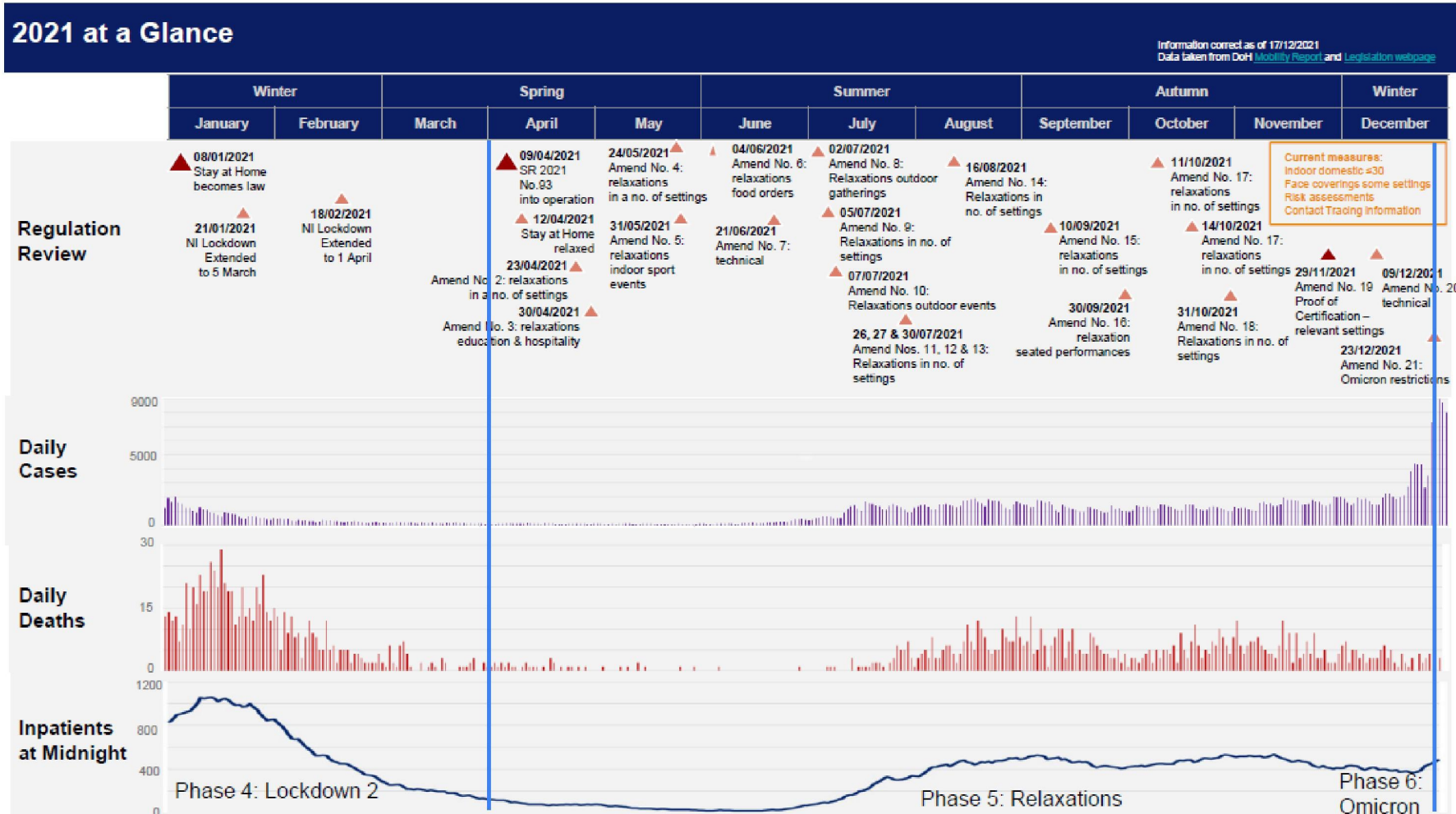
<b>Phase 7</b>	20 January 2022 – onwards	- All restrictions removed
----------------	---------------------------------	----------------------------

259. The diagrams below show the various stages of the pandemic.

# Module 2C – TEO Corporate Statement



# Module 2C – TEO Corporate Statement





# Module 2C – TEO Corporate Statement

## 2022 at a Glance

Information correct as of 17/12/2021  
Data taken from DoH [Mobility Report](#) and [Legislation webpage](#)



## Module 2C – TEO Corporate Statement

### PHASE 0 – EMERGENCE OF THE PANDEMIC (1 JANUARY 2020 – 17 MARCH 2020)

#### Phase 0 – Overview

260. The pandemic emerged just as the Executive was restored on 11 January 2020. From then until 18 March 2020 the Executive kept a watching brief on global developments.

261. In parallel, arrangements were being developed to deal with the developing situation. For example, on 3 March 2020, CCPB sent a submission to First Minister and deputy First Minister that provided advice on co-ordination arrangements for the health and wider non-health issues that would be required to deal with the escalating situation [Exhibit KP/82 - INQ000145786]. Subsequently, on 12 March 2020, First Minister and deputy First Minister met with David Sterling and Chris Stewart to discuss the announcement that had been made by the Taoiseach earlier that day regarding the closure of schools [Exhibit KP/83 - INQ000279448].

#### Phase 0 – Executive Meetings

262. Following the return of a functioning Assembly on 11 January 2020 after an absence of three years, an Executive Committee was formed. Between 3 February 2020 and 27 January 2022, the Executive discussed and agreed its response to the evolving pandemic on 129 occasions. There were two meetings of the Executive prior to 3 February on 14 and 20 January and one Executive away day on 22 January 2020.

263. The World Health Organisation (WHO) declared that the Coronavirus was a Public Health Emergency of International Concern (PHEIC) on 30 January 2020, and characterised the outbreak as a pandemic on 11 March 2020.

264. The Executive meeting on 3 February [Exhibit KP/84 – INQ000048442] was the first occasion on which the Executive discussed Covid-19, when the Minister for Health briefed the Executive on Covid-19 developments following his attendance at a COBR meeting on 29 January 2020 [Exhibit KP/85 – INQ000279353].

265. Minister Swann, sometimes accompanied by the Chief Medical Officer, further briefed the Executive on 10 [Exhibit KP/86 – INQ000207203], 17 [Exhibit KP/87 – INQ000207204] and 24 February [Exhibit KP/88 – INQ000207205] and 2 [Exhibit KP/89 – INQ000207202] and 10 March [Exhibit KP/90 – INQ000048446] on the emerging pandemic.

266. First Minister and deputy First Minister were involved in the COBR meeting on 9 March 2020

## Module 2C – TEO Corporate Statement

**[Exhibit KP/91 – INQ000258285]**. On 10 March 2020, First Minister and deputy First Minister cancelled their planned trip to Washington for the St Patrick's celebrations to allow them to participate in the ongoing contingency planning meetings.

267. On 16 March 2020 **[Exhibit KP/92 – INQ000147485]**, the Minister of Health provided a briefing on the latest developments in relation to Covid-19. Paul Bedding of the Office of Legislative Counsel also briefed the Executive on the powers contained in the Westminster Coronavirus Bill, which extended to all parts of the UK.

268. At that meeting, Chris Stewart, Director of Executive Support and Programme for Government, TEO, introduced a paper entitled 'Emergency Response to COVID-19' **[Exhibit KP/42 - INQ000086883]**, **[Exhibit KP/42b - INQ000023225]**, **[Exhibit KP/42c - INQ000023226]**. Following discussion, the Executive:

- (i) agreed the phased activation of the NI Central Crisis Management Arrangements to deal with the impacts of COVID-19;
- (ii) noted the wide ranging and protracted non health sectoral impacts and associated mitigations arising from COVID-19; and
- (iii) agreed to monitor these impacts and associated mitigations to ensure the cumulative risks arising were managed.

269. The Executive noted the urgent decisions taken in accordance with paragraph 2.14 of the Ministerial Code regarding the Coronavirus (Emergency) Bill. Chris Stewart also helped the Department of Health to draft the Northern Ireland clauses of the Coronavirus Bill.

270. In addition, the Minister of Finance raised the Executive's response to the Covid-19 pandemic and proposed to the Executive that a plan to close schools be included in a package of measures to be agreed by the Executive. The Executive voted on the Minister of Finance's proposal, which was not agreed. The Executive subsequently voted on a proposal by the First Minister that the closure of schools should be handled in accordance with the Chief Medical Officer's advice. This was agreed by the Executive.

271. A number of matters relating to Covid-19 were discussed by the Executive on 19 March 2020. I at that time I was Director of EU Relations, and attended the Executive meeting to introduce a paper on Covid-19 – Planning Framework **[Exhibit KP/93 – INQ000023228]** that had been tabled for Ministerial discussion. The Secretary to the Executive briefed the Executive on the framework to be put in place for the operation of an Executive COVID 19 Crisis Management Meeting and associated daily media briefings, Assembly statements

## Module 2C – TEO Corporate Statement

and press conferences.

272. A note for Urgent decisions in accordance with Para 2.14 of Ministerial Code NI regarding NI clauses for submission to the UK Wide Coronavirus Bill was considered.
273. The Executive also discussed communication structures and media handling approaches in relation to the Covid-19 pandemic.
274. The Minister for Infrastructure also advised that she was considering a number of issues relating to the public transport network in the context of the COVID 19 pandemic.
275. Following the restoration of the Executive on 11 January 2020, an Executive away day took place on 22 January 2020 at which there was general consensus for a two-stage approach to Programme for Government (PfG) Development to progress in line with New Decade, New Approach (NDNA) **[Exhibit KP/94 – INQ000279379]**. Firstly, preparation of an immediate PfG, to be ready by April 2020 and based on an enhanced version of the Outcome Delivery Plan (ODP). Secondly, development of a new strategic PfG reflecting agreed longer-term priorities, to be ready by April 2021.

### **Phase 0 - Engagement with UKG and other Devolved Administrations**

276. The first COBR meeting in relation to Covid-19 was attended by Minister Swann on 29 January 2020 focused on UK preparedness and gaining insight into the virus and its progression in China. At that time there were no reported cases of the virus in the UK. A copy of the submission containing a note of the meeting is exhibited at **[Exhibit KP/85 - INQ000279353]**.
277. Further COBR(M) meetings were held from 29 January up to and including 18 March, with the First Minister and deputy First Minister first attending the meetings on 2 March 2020 **[Exhibit KP/96 - INQ000258172]**. During this time the focus of the meetings very much on taking preventative steps, limiting transmission and development of Covid 19 emergency legislation.
278. On 6 March 2020 the First Minister and deputy First Minister met with the Secretary of State for NI to discuss a number of issues including Covid-19 and the possibility of more frequent COBR meetings and the need for them to attend. A copy of the meeting note is exhibited at **[Exhibit KP/97 – INQ000279446]**.

## Module 2C – TEO Corporate Statement

279. Correspondence from Cabinet Office and circulated by CCPB in January 2020 [**Exhibit KP/98 - INQ000145794**] shows that departments were being asked to provide updates on where the Pandemic Flu Bill was and a work plan for a 6 month forward look basis.
280. Cabinet Office (CO) on 10 January 2020 sought updates on progress of the Pandemic Flu Preparedness Programme (including legislation) from Devolved Administrations (DAs) [**Exhibit KP/99 - INQ000308892**], [**Exhibit KP/100 - INQ000308894**]. Notably the table illustrates that at that time, CO was working on a 6 month forward look basis. At this stage the emphasis appeared to be on forward planning, rather than response.
281. Work to further develop and refine the Pandemic Flu legislation so that it met the requirements that could deal with the Coronavirus Pandemic as it was then understood began in earnest in mid-February 2020. This work continued, in close liaison with colleagues in CO and the other DAs, at a fast and intense pace until drafting of the composite UK-wide Bill was complete.
282. Given the urgency of the situation, and that the Coronavirus Bill was introduced in Parliament within days of the draft Bill's completion, there was insufficient time for the Health Minister, Robin Swann, to follow the established Legislative Consent Motion processes in NI. To overcome this issue, TEO worked closely with NI Assembly officials in the Assembly's Business Office and Bill Office to develop and agree a novel process which circumvented the usual well-established procedures whereby Assembly Committees would be given a minimum period to consider the legislation and produce a report before Legislative Consent Motions were brought to the House for debate and vote. TEO also facilitated this solution by working closely with DoH colleagues to ensure they were apprised and in a position to provide the requisite advice to the Health Minister to allow him to expedite both the requirement to achieve Executive agreement, and also the usual requirements, time-lines and processes necessary, to table and present the Legislative Consent Motion in the NI Assembly.
283. In matters for which Northern Ireland has competence and responsibility, the UK Government did not have representation at meetings of the Executive nor did UKG seek to have any part in its decisions. UKG has no entitlement to be present at NI Executive meetings in accordance with the Northern Ireland Devolution Settlement. A consensus at the Executive is required on all cross-cutting, controversial matters. There were, however, different views on when Northern Ireland should enter lockdown and close schools. It was therefore necessary to obtain agreement in the Executive on when those measures should

## Module 2C – TEO Corporate Statement

be introduced.

284. The central government's concept of operations (CONOPS) (last published in April 2013) sets out the UK arrangements for responding to and recovering from emergencies. This CONOPS sets out the level of emergencies from significant to serious to catastrophic and advises that the principle of subsidiarity ensures that the majority of incidents are managed at the local level, with little or no involvement from central government nationally.
285. However, the increasingly complex and inter-dependent nature of society means that there are sometimes significant knock-on consequences necessitating central government engagement. This could include, for example, providing guidance, co-ordination, people, expertise, specialised equipment, advice or financial support.
286. These decisions will be taken on a case-by-case basis depending on the nature of the emergency and its impact. In practice, the level of central government engagement may change over time (both up and down) as the demands of the emergency change.
287. The NI Civil Contingencies Framework lists the likely triggers for National co-ordination and includes 'a pandemic or large-scale public health issue' **[Exhibit KP/101 - INQ000086922]**.
288. Whilst the Executive retained autonomy for decisions within its competence, in practice, the direction of certain decisions was set by actions from UKG such as the activation of the NI Hub in response to Covid and the overall UK decision to enter lockdown in March 2020.
289. Given the unprecedented nature of lockdown and the immediate practical and financial implications which flowed from the decision to enter lockdown in March 2020, Northern Ireland was inextricably bound to follow the approach taken by Westminster. The shift to localised decision making and data collection coupled with the fact that England generally remained around two weeks ahead of Northern Ireland in terms of the pandemic epidemiology thereafter led to a divergence on the timing and nature of Non-Pharmaceutical Interventions (NPIs) introduced in Northern Ireland by comparison to Westminster.
290. Many NPIs also required a financial package of support to implement which was beyond the ability of the Northern Ireland Assembly to resource without the assistance of Westminster funding. For example, Northern Ireland had the legal authority to restrict movement under secondary legislation, namely the Public Health NI Act 1967 **[Exhibit KP/102 - INQ000279347]**. However, it was unable to do so until UKG also made that decision, as

## Module 2C – TEO Corporate Statement

the Executive was itself unable to fund a furlough scheme that ultimately required operation by HM Treasury to fiscally sustain such a measure. Whilst the Executive may have the constitutional powers and the desire to fund a furlough scheme, it would be restrained from doing so due to lack of financial resources.

291. Repatriation of citizens was the responsibility of the Foreign and Commonwealth Office (FCO). Junior Ministers and TEO officials were kept informed as to developments in this area throughout the pandemic via regular calls with Nigel Adams, Minister of State, Foreign and Commonwealth Office. **[Exhibit KP/103a - INQ000277428] [Exhibit KP/103b – INQ000277446]**.

### Phase 0 – Engagement with the Irish Government

292. On 29 February 2020, First Minister joined a Ministerial telephone call on 29 February 2020 with the Taoiseach and other Irish Ministers following a discussion on 28 February concerning the notification of the first covid case in NI on 27 February 2020 **[Exhibit KP/104 - INQ000276047]**.

293. In recognition of the shared challenges and the need to work together an early meeting between the Executive and the Irish Government to discuss the emerging COVID-19 crisis was hosted by the NSMC Joint Secretariat premises on Saturday 14 March 2020 **[Exhibit KP/105 – INQ000215032]**. Executive Ministers in attendance included First and deputy First Ministers, the Health Minister and Junior Minister Kearney. The Irish Government was represented by the Taoiseach, Tánaiste and Health Minister. Both CMOs presented and proceedings ended with a well-attended press conference **[Exhibit KP/106 - INQ000279333]** involving the principals. The meeting was arranged by the Irish Government and fell outside of NSMC structures.

## Module 2C – TEO Corporate Statement

### PHASE 1 RESTRICTIONS (18 MARCH 2020 – 30 JUNE 2020) - NI HUB ACTIVATION

#### Phase 1 Overview

294. Phase 1 saw the first wave of Coronavirus cases in Northern Ireland where there was a marked increase in the number of Covid Cases, resulting in the need for restrictions. Early Spring 2020 saw the Executive Committee focus on the immediate responses required. The Committee met on a very regular basis throughout Phase 1, in tandem with the daily meetings of CCG. The immediate response was described internally in a response plan [Exhibit KP/42 - INQ000086933] which covered a wide range of operational and policy interventions. A point in time review of the plan was commissioned in May 2020 by Anthony Harbinson and the advice was for the actions to be mainstreamed. [Exhibit KP/107 - INQ000023201], [Exhibit KP/108 - INQ000023202] and [Exhibit KP/109 - INQ000023203].
295. Whilst the business of the Executive was focused substantially on the response to the COVID-19 pandemic from 19 March 2020, it also took decisions on a range of other legislative and policy issues. This included but was not limited to: EU Exit, Climate Change, Organ Donation, Parental Bereavement Leave, Private Tenancies and the Violence Against Women and Girls Strategy.
296. In response to the evolving Covid-19 landscape, NI civil contingencies arrangements were escalated through delivery of NICCMA.
297. The Civil Contingencies Division (CCD) in TEO worked in partnership with NICS departments, emergency responders, local government partners and Food Standards Agency to provide emergency resilience, response and recovery.
298. There was a special CCG (O) meeting on 20 February 2020 [Exhibit KP/110 - INQ000023220] to provide members with a prognosis for Covid-19 in the form of a presentation [Exhibit KP/111 - INQ000398434] from a DoH representative. Senior Officials from all NICS Departments, and officials from PSNI, Local Government, Food Standards Agency, Northern Ireland Fire Service and Northern Ireland Ambulance Service attended the meeting. Members focused on next steps in terms of preparedness including continuity planning and maintenance of critical services [Exhibit KP/112 - INQ000023221] and [Exhibit KP/113 - INQ000272854].
299. Ministers attended a CCG meeting on 12 March 2020 [Exhibit KP/114 - INQ000259476],



## Module 2C – TEO Corporate Statement

[Exhibit KP/115 - INQ000273004] at which it was agreed there should be regular CCG meetings with the next one planned for 18 March 2020 [Exhibit KP/116 - INQ000207938].

### Phase 1 – Executive Meetings and Non-Pharmaceutical Interventions (NPIs)

300. The table below provides the chronology of Executive meetings held during Phase 1 and details of the NPI decisions that were made.

Date of Executive meeting	TEO number	NPI Decisions
19.03.2020	<b>KP/117</b> INQ000207206	Agreed planning framework with 6 workstreams to deal with Covid-19
26.03.2020	<b>KP/118</b> INQ000147487	No key decisions made
28.03.2020	<b>KP/119</b> INQ000415919	The Health Protection (Coronavirus restrictions) Regulations NI 2020 made to come into operation on 1 <sup>st</sup> April 2020
30.03.2020	<b>KP/120</b> INQ000048450	No key decisions made
03.04.2020	<b>KP/121</b> INQ000048451	Agreed plans to support vulnerable people during Covid-19
06.04.2020	<b>KP/122</b> INQ000048452	No key decisions made
08.04.2020	<b>KP/123</b> INQ000048453	No key decisions made
10.04.2020	<b>KP/124</b> INQ000048454	No key decisions made
15.04.2020	<b>KP/125</b> INQ000048455	Existing restriction regulations maintained
17.04.2020	<b>KP/126</b> INQ000065484	No key decisions made
20.04.2020	<b>KP/127</b> INQ000048457	No key decisions made
22.04.2020	<b>KP/128</b> INQ000048458	No key decisions made
24.04.2020	<b>KP/129</b> INQ000048459	Agreed: <ul style="list-style-type: none"> <li>• access to burial grounds permitted for purposes other than funerals oversight by local councils</li> <li>• Amend Regulation 5 of the Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020 (travel for Exercise) to provide clarity to “reasonable excuse” to travel</li> </ul>
27.04.2020	<b>KP/130</b> INQ000048460	No key decisions made
29.04.2020	<b>KP/131</b> INQ000048461	No key decisions made
01.05.2020	<b>KP/132</b> INQ000048462	No key decisions made
04.05.2020	<b>KP/133</b> INQ000048463	No key decisions made

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
07.05.2020	<b>KP/134</b> INQ000048464	Agreed: <ul style="list-style-type: none"> <li>• existing restriction regulations maintained</li> <li>• to recommend (not require) use of face coverings for short periods in enclosed spaces where social distancing not possible.</li> </ul>
11.05.2020	<b>KP/135</b> INQ000048465	Agreed Executive approach to Covid-19 decision making (to include decisions on NPIs)
14.05.2020	<b>KP/136</b> INQ000048466	Agreed: <ul style="list-style-type: none"> <li>• Garden centres allowed to open from 18.05.2020 and</li> <li>• guidance would be developed to enable marriages to take place on compassionate grounds.</li> </ul>
18.05.2020	<b>KP/137</b> INQ000048467	Restrictions eased to permit: <ul style="list-style-type: none"> <li>• household waste to be taken to recycling centres;</li> <li>• places of worship to open for individual acts of prayer;</li> <li>• outdoor gatherings of up to six people not from the same household;</li> <li>• outdoor activities in general, and</li> <li>• drive-in church services, live performances and cinema</li> </ul>
21.05.2020	<b>KP/138</b> INQ000048468	No key decisions made
28.05.2020	<b>KP/139</b> INQ000048469	Agreed: <ul style="list-style-type: none"> <li>• existing regulations extended with amendments to be implemented from 08.06.2020 to:</li> <li>• Permit hotels to take bookings from date to be identified</li> <li>• Allow indoor visits by one person.</li> <li>• Permit leaving home to attend to the needs or welfare of an animal or animals.</li> <li>• Allow marriages and civil partnership ceremonies conducted outdoors, limited to 10 people attending.</li> <li>• Opening of outdoor sports courts but retaining restrictions on indoor facilities.</li> <li>• Allow conduct of business by outdoor non-food retailers including retailers of new &amp; used cars; light motor vehicles, lorries/trailers; caravans or motorhomes, and agricultural or other large machinery.</li> <li>• Allow opening of non-food retail outlets with low footfall and / or larger store areas, via direct street access or within a retail park only.</li> </ul>
01.06.2020	<b>KP/140</b> INQ000048470	Agreed timeframe of reopening tourist accommodation
04.06.2020	<b>KP/141</b> INQ000048471	Agreed that Regulations be amended to enable tourist accommodation providers to take advance bookings ahead of conditional opening date of 20th July.
08.06.2020	<b>KP/142</b> INQ000048472	No key decisions made

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
11.06.2020	<b>KP/143</b> INQ000048473	Agreed to publish information presented to the Executive in relation to the virus to assist public understanding.
15.06.2020	<b>KP/144</b> INQ000048474	Agreed to a timeframe for re-opening the tourism/hospitality industry: caravan parks, camping sites and self-catering tourist accommodation brought forward to 26 <sup>th</sup> June 2020 and other tourist accommodation permitted to open from 3rd July 2020

301. On 19 March 2020, the Executive considered the main objectives for a planning framework needed to support an integrated and society-wide approach in response to COVID-19 [Exhibit KP/93 - INQ000023228].
302. Subsequently, on 29 March 2020, Minister for Health, Robin Swann wrote to the First and deputy First Ministers emphasising the need for a cross-Executive response to address the impacts felt by all sectors and all levels of society in order to manage the broader societal response to the pandemic [Exhibit KP/146 - INQ000023229]. A further letter issued from Minister Swann on 30 March 2020 [Exhibit KP/147 - INQ000023184] attaching the Department of Health's Emergency Response Strategy to COVID-19 [Exhibit KP/148 – INQ000023185].
303. At the same time as activation of the NI Hub on 18 March 2020, a COVID-19 Executive Strategy and Plan was developed [Exhibit KP/149 - INQ000023187]. A verbal briefing was presented to the Executive on 30 March 2020 [Exhibit KP/150 - INQ000048450] at which time Minister Swann and the Chief Medical Officer also briefed the Executive on the Department of Health's Emergency Response Strategy to COVID-19.
304. In March 2020, the development of a Programme for Government (PfG) was paused, as the Executive prioritised dealing with the pandemic (see note to Outcome Owners outlining the decision to suspend development of the PfG dated 19 March 2020 [Exhibit KP/627 - INQ000279352] and the PfG Team was redeployed to assist in the Covid response.
305. In May 2020, Peter Toogood, the Grade 5 in TEO responsible for the PfG team (working to Chris Stewart, Director of Executive Support and Programme for Government), took up post with an initial focus on how to progress recovery from the pandemic as case numbers started to decrease and Northern Ireland moved out of the first wave. In this role, Toogood initially worked to support Peter May in the development of the Coronavirus Executive Approach to

## Module 2C – TEO Corporate Statement

Decision Making document, which was published on 12 May 2020 and set out the approach the Executive would adopt in its regular reviews of the Coronavirus Regulations.

### Phase 1 – Executive Covid Crisis Management Committee (ECCMC)

306. The first meeting of the Executive Covid Crisis Management Committee (ECCMC) took place on Friday 20 March 2020. At the meeting, ECCMC considered the first draft of the COVID 19 heatmap and agreed priority issues to discuss at future meetings. Daily ECCMC meetings were held commencing Friday 20 March 2020. A submission was provided to Ministers setting out a proposed schedule of ECCMC meetings [Exhibit KP/151 - INQ000279506 ] and daily rhythm in relation to the meetings is exhibited at [Exhibit KP/152 - INQ000305170 ]. Discussion at these meetings covered the sitrep, general updates and events related to Covid-19, including press conferences, as well as a specific priority issue that was covered in detail at each meeting, as follows.

- Friday 20 March – Health surge plan [Exhibit KP/153 - INQ000305170], [Exhibit KP/154 – INQ000305168], [Exhibit KP/155 - INQ000305169], [Exhibit KP/156 - INQ000305176]
- Monday 23 March – Mitigation of economic impact [Exhibit KP/157 – INQ000305177], [Exhibit KP/158 - INQ000305173], [Exhibit KP/159 - INQ000305174], [Exhibit KP/160 - INQ000305180], [Exhibit KP/161 - INQ000305185]
- Tuesday 24 March – Vulnerable people [Exhibit KP/161 – INQ000305185], [Exhibit KP/162 - INQ000305183] [Exhibit KP/163 - INQ000305172] [Exhibit KP/164 - INQ000277791] [Exhibit KP/165 - INQ000305187]
- Wednesday 25 March – Dignity and respect for the deceased and bereaved [Exhibit KP/166 – INQ000305190]
- Thursday 26 March – Education issues [Exhibit KP/167 – INQ000305195]
- Friday 27 March – DAERA issues [Exhibit KP/168 – INQ000305201]

307. ECCMC was originally envisaged as a sub-committee of the Executive that could consider specific issues with relevant Ministers and bring recommendations to the full Executive for decisions to be taken. On one occasion, Tuesday 24 March, the ECCMC meeting went into Executive Committee mode for one agenda item in order to consider an urgent Executive decision on additional measures for social distancing, before reverting to ECCMC mode.

308. This format was intended to ensure efficient use of Ministerial time by not requiring each Minister to attend every daily meeting, where the priority item for discussion was not relevant to their responsibilities. However, it became apparent that this presented challenges in relation to timely decision-making by the Executive Committee and the provision of updates by the Minister of Health, who had an extremely busy diary and was therefore unable to be present for the entirety of all ECCMC meetings.

## Module 2C – TEO Corporate Statement

309. An Executive Committee meeting was held on Monday 30 March, which replaced the daily ECCMC meeting for that day. On Tuesday 31 March, Ministers were notified that there would be no ECCMC meetings until further notice. An Executive meeting was arranged for Friday 3 April and Ministers were notified on Wednesday 1 April that the First Minister and deputy First Minister had agreed to three Executive meetings in week commencing Monday 6 April. No further ECCMC meetings were therefore required.

### Phase 1 – Activation of Central Crisis Management Arrangements

310. From March 2020 to June 2020, during the first wave of the COVID-19 pandemic, the Civil Contingencies Policy Branch (CCPB) activated the Northern Ireland Central Crisis Management Arrangements (NICCMA) (see NICCMA protocol 2010, [Exhibit KP/169 INQ000092739], which included strategic oversight and coordinated decision-making by the Executive and CCG, led by the Head of the Northern Ireland Civil Service. These arrangements were delivered through the NI Hub, which operated as the focal point for Northern Ireland’s emergency response, facilitating engagement and shared situational awareness with the UK Government, Devolved Administrations, Ireland, NICS Departments, and partner agencies.

311. The table below shows the roles and purpose of the various strategic groups put in place to manage the flow of information and ultimately aid Executive decision-making.

### Phase 1 - Roles and Purpose – progressing issues and making decisions

Group	Membership	Purpose	Agenda and Input
Executive / Executive Covid Crisis Management Committee (ECCMC)	First Minister deputy First Minister Ministers	Strategic Oversight, taking decisions escalated by CCG, and representing NI in UKG ministerial meetings	Standing agenda: <ul style="list-style-type: none"> <li>Review of Strategy</li> <li>Issues for decision and escalation</li> <li>Clear actions</li> </ul>
CCG	HOCS Perm Secs NIO Police and partners	To provide coherent operational leadership to the crisis, monitoring and managing risk, and taking collective decisions escalated by departments and working groups. Review of SITREP, progress of thematic work, collective decision making at Official level	Standing agenda: <ul style="list-style-type: none"> <li>SitRep</li> <li>Working Group updates</li> <li>Emerging issues</li> <li>Clear actions</li> </ul>
Working Groups	Nominated Perm Sec Departmental reps as required. Ministerial decision taken between relevant ministers as required.	Progression of cross cutting issues. Resolution of issues ad escalation to CCG(NI) if required. These are time limited groups which exist for only as long as necessary.	As required – clear agenda, outcomes, deadlines. Regular updates provided back to the Hub for including in the SitRep.
Departmental decision making	Perm Sec led. Ministerial decisions within departmental boundaries	Management of routine Business as Usual (BAU) matters, and all matters that have no material impact on another department	BAU, but with clear links into the SitRep. A requirement to share information and data, creating linkages on cross-cutting issues, and flagging high

## Module 2C – TEO Corporate Statement

			profile or potentially contentious decisions and issues.
Strategic Coordination Group (SCG)	When stood up, chaired by lead Agency GOLD, with representation from key response partners.	To manage immediate threat to life and similarly urgent operational matters where a coordinated approach between partners is required.	As required, depending on the nature of the critical incident.

\* In all cases, decisions are taken at the lowest possible level, taking account of departmental responsibilities and capability. All decisions must be made take account of the overall strategy and cannot be taken in isolation.

### Phase 1 – Civil Contingency Group (CCG) Meetings

312. Daily CCG meetings, chaired by (HOCS), were convened, starting on 18 March 2020.
313. Daily CCG meetings, chaired by the Head of the Civil Servant (HOCS), were convened, starting on 18 March 2020 [**Exhibit KP/170a - INQ000273028**], [**Exhibit KP/170b – INQ000273029**] to bring together Permanent Secretaries, leaders of the emergency services and district councils to discuss key issues and agree appropriate actions. Members were encouraged to join the meetings remotely via teleconference facilities to help reduce the risk of spreading the virus.
314. The operational design did not provide for politicians to attend the daily CCG meetings. There was a daily meeting of the Executive following the CCG meetings at which HOCS and Harbinson would update Ministers on all developments and take them through the daily Situation Report (SitRep). However, the First Minister, deputy First Minister and the Junior Ministers did initially attend to hear first-hand accounts from all the key stakeholders as they found this valuable ahead of the daily 5pm media briefings. After the first few weeks, only the Junior Ministers attended.
315. On 18 March 2020, Anthony Harbinson, Grade 3 from Department of Justice, took up a temporary secondment to TEO as Chief of Staff to run the NI Hub and its associated support structures, including the Departmental Operational Centres (DOCs). Anthony Harbinson was seconded from another department by HOCS because Chris Stewart, the Grade 3 with responsibility for Civil Contingencies in TEO had a medical condition in respect of which the advice was to work from home. It was recognised that this would not be compatible with the need for on-site leadership within the hub. The NI Hub was operational in full active status from 18 March 2020 until 12 June 2020, when the last situation report issued to CCG.
316. As Chief of Staff to the NI Hub, Anthony Harbinson supported HOCS in the CCG and Executive meetings at which he delivered the situation report and reported any new developments, as frequently as required. He also regularly briefed the First Minister and

## Module 2C – TEO Corporate Statement

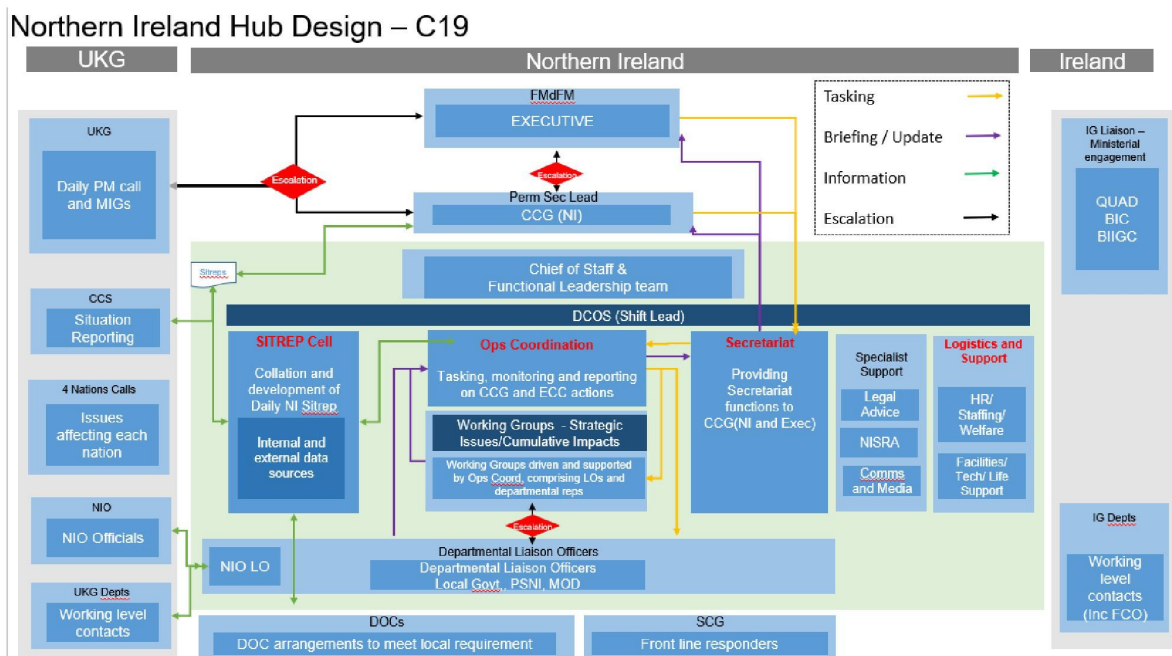
deputy First Minister as well as joining them at COBR meetings and on calls with the UK Prime Minister and the other First Ministers from the Devolved Administrations.

317. The UK Joint Biosecurity Centre (JBC) was established to provide evidence-based, objective analysis to inform local and national decision-making in response to Covid-19 outbreaks. As well as being Chief of Staff for the NI Hub, Anthony Harbinson was also the lead NI official for discussions and negotiations surrounding the establishment of the JBC. UKG led on the design and put proposals to DAs for views and to ensure sufficient ownership and appropriate input from Ministers across all four nations. Once the design and participation in the JBC was agreed, responsibility transferred the Department of Health for implementation.

### Phase 1 - NI Hub Activation

318. The NI Hub was essential for NICS at that time to ensure timely and quality information on the developing situation was available to Ministers to inform their planning and decisions. The NI Hub activated on 18 March 2020 and, by the time it was stood down on 12 June 2020, it had produced 66 Situational Reports (SitReps).

319. The diagram below shows the design of the NI Hub that was implemented during the first wave of Covid-19.



320. Activation of the NI Hub was challenging for the following reasons:

## Module 2C – TEO Corporate Statement

- While the Command, Control and Coordination (C3) arrangements had been designed to prepare for EU Exit (Operation Yellowhammer), the team managing and staffing the NI Hub in response to the pandemic consisted of many who had not been trained in the specific arrangements.
- There were immediate and multiple demands for information from a range of sources, including the UK Government, Departments, stakeholders, politicians, the media and the public. There were also multiple information reports coming in. All of this initially created a confused information space;
- There was not a sufficient hand over in the earliest stages of the NI Hub activation due to longstanding CCPB capacity issues which became particularly apparent due to the demands of Operation Yellowhammer.

321. These issues were quickly addressed and mitigated by: the high number of volunteers coming into the NI Hub; the already established C3 structures which remained in place across Departments; and the oversight by CCG and Permanent Secretaries who were familiar with the C3 arrangements essential in preparation for EU Exit.

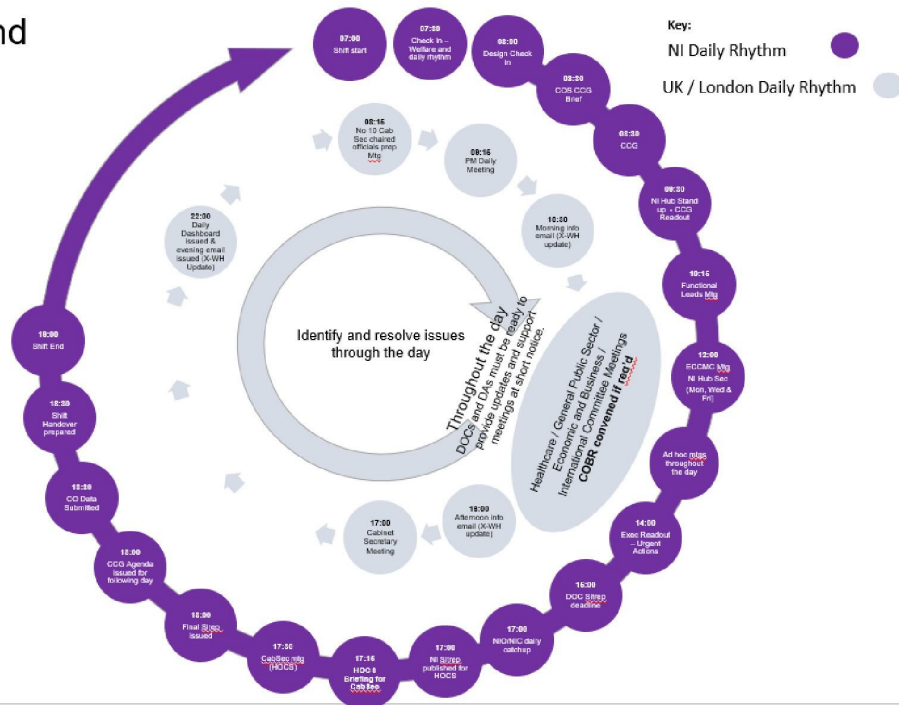
322. Key actions were as follows:

323. A daily rhythm identifying core activities across a range of groups and decision makers was established within the NI Hub to meet CCG and Cabinet Office requirements.



## Module 2C – TEO Corporate Statement

### Northern Ireland Daily Rhythm



324. The NI Hub operated seven days a week for the first four weeks from 18 March 2020 ensuring the Command, Control and Coordination aspects of the Executive's response to the -19 crisis were established and properly functioning. The NI Hub was staffed by a combination of Civil Servants and consultants to ensure there was the appropriate level of resources with the right skills and experience. The NI Hub also had Liaison Officers (LOs) from each of the eight Northern Ireland Departmental Operations Centres (DOCs), the Police Service for Northern Ireland, Ministry of Defence and a representative on behalf of local district councils.

325. Due to a combination of resourcing issues and staff self-isolating due to health problems there were no CCPB staff members physically present in the Hub although staff from CCPB continued to provide support and assistance remotely.

326. NI Hub Chief of Staff, Anthony Harbinson engaged with the NICS Central Human Resources team who were setting up a clearing process to urgently match those staff who were willing to work in the NI Hub with those areas of the service that needed them most. This saw a significant increase in the numbers of staff willing to work in the NI Hub although many of them had had no previous experience of this type of work.

327. On 18 March 2020, Anthony Harbinson contacted each of the main consultancy firms in NI and invited them to collectively meet with him and HOCS on the following Monday. He also

## Module 2C – TEO Corporate Statement

invited colleagues from the Department of Finance's Procurement Directorate (CPD) **[Exhibit KP/171 – INQ000279354]** and from the Strategic Investment Board (SIB). Three consultancy firms – Ernst and Young (EY), Price Waterhouse Coopers (PwC) and Deloitte - attended the meeting. At this meeting, the difficulties the NICS was facing were outlined in terms of skills and experience due to many staff opting to self-isolate for medical or family reasons. All firms advised that they would identify staff with the approach skills and experience for our consideration.

328. Through CPD and colleagues, standard procurement rules and regulations were followed. The consultancy firms were asked to provide details of their proposed team and the daily rates which were submitted and evaluated – this process was to provide evidence of value for money, but the award of contract was on the basis of a Direct Award Contract (DAC) as no competitive process had been followed. At that time a DAC was justified as the European Commission had issued guidance to advise that the 'emergency' procedures within the Procurement Directives could be relied upon due to the impact of the pandemic.
329. On 30 March 2020, Anthony Harbinson wrote to PwC, EY, Deloitte and SIB advising that a recently retired Senior Civil Servant, Eugene Rooney, had agreed to ensure that all necessary procurement and governance arrangements were in place for the workstreams **[Exhibit KP/172 - INQ000301369]**, **[Exhibit KP/173 - INQ000279498]**, **[Exhibit KP/174 - INQ000279499]**. By this time, the services of Sir George Hamilton (a former Chief Constable of the Police Service of Northern Ireland) had also been secured to act as a strategic adviser to Anthony Harbinson in his role as C3 NI Hub Chief of Staff.
330. Direct Award Contracts (DACs) were used as the suppliers identified had the necessary skills and experience which were not currently available to TEO, to assist in the urgent establishment of a fully functioning and resilient NI Hub. The contracts awarded were therefore very strongly in the public interest and in accordance with Regulation 32(2)(c) of the Public Contracts Regulations 2015 (as amended); that is 'insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with'.
331. External consultancy staff were mainly sourced from PwC and EY as they had been involved in establishing the NI Hub, designing the workflow models, and training the NICS under the Yellowhammer programme. The Covid-19 Pandemic required a different form of response than the original Yellowhammer plans and consultancy services were employed to amend

## Module 2C – TEO Corporate Statement

and modify the Standard Operations Procedures (SOPs) [Exhibit KP/175 – INQ000255364] to document the new approaches, to train the staff who volunteered to work in the NI Hub and to help design the daily Situation Report (SitRep) that issued to CCG.

332. EY delivered support to the NI Hub across multiple workstreams from 23 March 2020. EY were already involved in undertaking similar situation reporting and data analytics required having completed work for two NI Departments working with the SIB. It meant that the essential analytics work was implemented quickly for the NI Hub covering all departments on a consistent basis. The EY team also had very recent experience of training NI civil servants in contingency planning which was necessary for the NI Hub.
333. EY developed a data driven SitRep [Exhibit KP/176 - INQ000279236] and provided intensive cross functional training to all departments and NI Hub volunteers [Exhibit KP/177 - INQ000279237].
334. PricewaterhouseCoopers (PwC) was involved previously in the establishment of Northern Ireland C3 Hub operations room for EU Exit preparations as part of wider UK Government planning. The contract with PwC for EU Exit work was put in place and paid for by the UK Government. The March 2020 contract related to the Coronavirus pandemic although it was able to build upon earlier the contingency planning work for Yellowhammer, but on a greater scale and urgency.
335. The Strategic Investment Board (SIB) (a company whose sole shareholder is TEO and exists to assist government to plan infrastructure, deliver major projects and manage assets) put forward staff to assist in the operation of the NI Hub. SIB also offered the use of its offices as a contingency site for the NI Hub.
336. Within three weeks, sufficient staff had been secured to run three rotational shift teams in the NI Hub. Three additional venues were secured to enable the shift teams to operate from different locations to reduce the risk of Covid-19 spreading between the teams, thereby increasing the resilience of the NI Hub's staff.
337. The ability to operate remotely, if required, was also tested. On average, for the first four to five weeks, the NI Hub operated seven days per week. A further two rotational stand-by teams were also subsequently established to provide a more sustainable structure should any of the three main teams become unavailable due to Covid-19.

## Module 2C – TEO Corporate Statement

338. During May 2020, the NI Hub operated six days a week and by the beginning of June 2020 it moved to operating and reporting five days a week. The number of reports were reduced further and by mid-June the CCG meetings ceased, and situation reports were no longer provided, as the focus of the work moved to the recovery phase **[Exhibit KP/178 - INQ000279225], [KP/179 - INQ000272088]**.
339. Before moving back to his substantive position in the Department of Justice at the start of August 2020, Anthony Harbinson submitted proposals to HOCS **[Exhibit 180a - INQ000023222] [Exhibit KP/180b - INQ000259540] [Exhibit KP/180c - INQ000278514]** on how best to restructure the NI Civil Contingencies Unit in TEO, which included a dedicated full time Grade 5 position to oversee the ongoing challenges presented by Covid-19 and any other serious civil contingency threat.

### Phase 1 - Concurrent and Post-NI Hub Arrangements

340. The Covid-19 Executive Strategy and Plan was regularly reviewed by the Executive, with the first review taking place on 3 April 2020 (INQ000023187 and INQ000065654). The purpose of the Covid-19 Executive Strategy and Plan was to assist the Executive's decision-making process by outlining practical steps that were needed in the early phase of the response to the pandemic, for example, practical support to citizens and food security.
341. On 12 May 2020, the Executive Approach to Decision-Making was published **[Exhibit KP/182 – INQ000287354]**. Alongside this, a point in time review of the Executive's Strategy to Covid-19, commissioned by Anthony Harbinson, was carried out and a report dated 28 May 2020 **[Exhibit KP/183 - INQ000023203], [Exhibit KP/184 - INQ000023202]** and **[Exhibit KP/185 - INQ000023201]** was discussed by the Executive on 4 June 2020 **[Exhibit KP/141 - INQ000048471]**. This resulted in the operation of the Covid-19 Executive Strategy and Plan being deactivated and the ongoing policy response to Covid-19 being taken forward through business-as-usual procedures. Advice on the pandemic, therefore, reverted to being provided via submissions and executive papers from officials to Ministers using the same process for other matters requiring Ministerial and Executive consideration.

### Phase 1 - Development of Data Analytics

342. Data analytics in the NI Hub was managed by EY under the direction of the NI Hub Chief of Staff. The EY Data Analytics team designed and populated the daily SitRep that provided the required data on local issues to CCG to aid decision making. EY and the SitRep Cell in the NI Hub collated the data from each NICS Department into an NI-wide SitRep that issued to CCG. An example dated 11 April 2020 is provided at **[Exhibit KP/186 - INQ000065907]**.

## Module 2C – TEO Corporate Statement

343. A separate report in the form of an excel spreadsheet template provided by the Cabinet Office (on data such as staff absences due to Covid-19 and PPE) was issued to Whitehall colleagues for use in the daily press briefings by the Prime Minister (an example is exhibited at **[Exhibit KP/187– INQ000279500]**).
344. Between the period of April to June 2020 the EY data analytics team were supported by four statisticians from the Northern Ireland Statistics and Research Agency (NISRA) (drawn from TEO and DoF). This arrangement was established to: provide research support regarding ad hoc research questions of interest relating to emerging issues or international trends; identify relevant and available official statistics; facilitate contact with producing statisticians from across NISRA for timely access to the requested data to answer specific questions; contribute to daily sit rep and other briefings; provide support on data visualization; advise on accurate representation and interpretation of the official data in Ministerial advice; and communicate emerging data needs.
345. In addition, NISRA statisticians provided operational support in compiling, cleansing and summarising data for the aforementioned daily Cabinet Office return. Specifically, this process involved gathering and reformatting data from a range of sources (Department of Health, Department of Education, individual Hospital trusts, PSNI, NI Prisons).
346. Whilst the template commissioned by Cabinet Office remained relatively stable, there were some changes throughout the process to relevant data relating to emerging areas of UKG concern at key points. Following this period, the focus was specifically on the health data and the statisticians in DoH were producing the daily Health Dashboard so there was no requirement for coordination from TEO statisticians.
347. There were initial issues with information flow and data in the Hub. These consisted of the following:
- Information from DOCs was slow and DOCs appeared reluctant to share data with the HUB to start;
  - The Sitreps were initially unwieldy and the first SitRep was discarded entirely;
  - NI daily death and hospital data was out of sync with that of the UK, reporting times differed (8am-8pm in NI) and there was no provision for data over the weekend (in NI) and data on case numbers in health settings took time to filter through as NI was relying

## Module 2C – TEO Corporate Statement

largely on paper-based records system;

348. The chief of staff in the NI Hub, Anthony Harbinson established a data analytics team and commissioned PwC and EY to deliver support to the Hub. EY were already involved in undertaking similar situation reporting and required data analytics having worked for two other NI Departments working with the SIB. It meant that the essential analytics work was implemented quickly for the NI Hub covering all departments on a consistent basis. The EY team also had very recent experience of training NI civil servants in contingency planning which was again necessary for the NI Hub.
349. A review of the functioning of the DOCs was undertaken on 3 April 2020 by PwC which provided guidance and recommendations to improve the lines of communication between the DOCs, the Hub and Departmental Liaison Officers. EY assisted in developing a new format for the Sitrep which was more user friendly and provided the requisite information in a more concise and accessible way.
350. Despite this, there were ongoing issues with information sharing, throughout Phase 1. The NI data was out of sync with UK data and the data team in the Cabinet office often approached NIO or other NI departments directly for information rather than the data analytics team in the Hub which caused confusion. Sometimes the Hub had to direct CO to Departments directly, as that meant information could be obtained by CO promptly.
351. Since then, and in order to complement the C3 leads working group, TEO has recently created a formal Data Liaison Officer (DLO) Network, to provide analytical/statistical support to CCG (NI) and the NI Hub as required.
352. The DLO will act as a partner to their corresponding C3 lead to provide an essential single point of contact for providing data from the Department (and relevant partner organisations), and to ensure data requests can be more effectively streamlined during both PREPARE and RESPOND phases.

### Phase 1 - Review of Regulations

353. The first review of the Regulations was considered by the Executive on 15 April 2020 [Exhibit KP/125 - INQ000048455]. The Executive concluded that restrictions should not be lifted at that time.
354. The Executive subsequently decided that it would be appropriate to relax restrictions in relation to closure of cemeteries at its meeting on 24 April 2020 [Exhibit KP/129 -

## Module 2C – TEO Corporate Statement

INQ000048459].

355. At its meeting on 7 May 2020 [Exhibit KP/134 - INQ000048464] the Executive agreed to keep in place the Coronavirus Regulations following its second statutory review.

356. On 18 May 2020, garden centres and recycling facilities reopened [Exhibit KP/136 - INQ000048466] [Exhibit KP/188 – INQ000279541].

### Phase–1 - C3 Covid-19 Response – Lessons Learned Review and Future Roadmap

357. In May 2020, Andrew McCormick (now a retired senior civil servant) was asked by the NI Hub Chief of Staff, Anthony Harbinson to oversee the work to review the lessons learned from the deployment of the C3 structures to manage the Northern Ireland response to the Covid-19 pandemic, and how the lessons learned would shape the future roadmap for NICS Civil Contingency Capability. Andrew McCormick reported his findings to Permanent Secretary on 20 July 2020 [Exhibit KP/189 - INQ000305342].

358. The review was undertaken by EY and specifically considered the internal operation of the NI Hub and the relationship between these central operations structures, the eight DOCs and CCG. The review also considered the operational relationship between the NI Executive, central UK Government Departments and the Republic of Ireland Government. EY took evidence from DOCs, NI Hub staff and CCG members. In addition, a number of senior stakeholders were selected for more detailed one to one interviews, which included Executive Ministers, Permanent Secretaries, PSNI, and a number of senior civil servants.

### Phase 1 - Publication of the Executive's Approach to Response

359. Throughout the course of the pandemic, the Executive published several strategic documents outlining its approach to responding to the pandemic as it evolved and in recognition of progress made in programmes such as the vaccination programme and testing regime.

360. On 12 May 2020, the Executive published the document Coronavirus: Executive Approach to Decision-making. The document described the approach the Executive would take to the regular reviews of the Coronavirus Regulations when easing restrictions set out in regulations to ensure a system wide approach was taken. This built on earlier sectoral specific meetings and from the benefits of a collective, NICS-wide discussion about restrictions and relaxations.

## Module 2C – TEO Corporate Statement

361. A number of key guiding principles were established:

- Controlling transmission. A restriction or requirement should only be relaxed when there is a reasonable prospect of maintaining R at or below 1.
- Protecting healthcare capacity. The healthcare system should not be allowed to be overwhelmed by a second or subsequent wave of the pandemic.
- Necessity. In accordance with the terms of the Regulations, a specific restriction or requirement should be retained only as long as it is considered necessary to prevent, protect against, control, or provide a public health response to the incidence or spread of Coronavirus.
- Proportionality. The detrimental impacts on health, society and the economy that can reasonably be attributed to the restriction or requirement should be tolerated only as long as the risks associated with withdrawal or modification are assessed to be more severe.
- Reliance on evidence. Proposals for change or for the retention of a restriction or requirement should be informed by the best available evidence and analysis.

362. These principles were maintained throughout the course of the pandemic.

### Phase 1 - Sectoral Engagement

363. Sectoral engagement was vital during the early stages of the pandemic and provided opportunities for Ministers and officials to explain what restrictions were in place and why. It also gave the representatives for each sector opportunities to explain first-hand the impact lockdown was having on them. This feedback from the sectors was used to help Ministerial decision-making at the Executive.

#### Phase-1 - Engagement with Businesses

364. Junior Ministers met with representative from Retail NI, Musgrave and Henderson's Group on 18 March 2020 [**Exhibit KP/190 – INQ000279256**] to discuss the support required by the sector.

365. First Minister and deputy First Minister also met with the Confederation of British Industry



## Module 2C – TEO Corporate Statement

on 27 March 2020 [**Exhibit KP/191 – INQ000279380**] to discuss the importance of protecting essential supply chains whilst ensuring employee safety and recognising the challenges on the ground.

366. At a meeting with UNISON on 2 April 2020 [**Exhibit KP/192 – INQ000279381**] chaired by Junior Ministers, issues affecting workers, such as PPE provision, testing and communications were discussed.
367. Ministers chaired a meeting with Business Alliance on 16 April 2020 [**Exhibit KP/193 – INQ000279382**] to discuss the essential worker list and communications.
368. On 23 April 2020, First Minister and deputy First Minister chaired a meeting that was attended by representatives from Hospitality Ulster, Belfast Chamber and Retail NI [**Exhibit KP/194 – INQ000279383**]. The key issues discussed were ongoing support for businesses to help preserve jobs, look after people and the ongoing impact of social distancing on businesses.
369. First Minister and deputy First Minister met with the Northern Ireland Committee of the Irish Congress of Trade Unions on 10 June 2020 [**Exhibit KP/195 – INQ000279384**]. At this meeting, the ICTU outlined three issues in relation to engagement with Ministers, the Engagement Forum and New Decade New Approach (NDNA) commitments on employment and worker's rights.

### Phase–1 - Engagement with Faiths Leaders

370. There was targeted engagement with a newly formed Faiths Leaders Forum, which focused on the impact of restrictions on people of differing faiths. The Forum was facilitated through the NI Council for Voluntary Action (NICVA). The meetings were either chaired by First Minister and deputy First Minister, Junior Ministers or senior officials.
371. First Minister and deputy First Minister chaired a meeting with Faiths Leaders on 23 April 2020 [**Exhibit KP/196 – INQ000279257**] during which the impact of lockdown was discussed, particularly the distress caused because families and friends could not attend the funeral of a loved one.
372. Further meetings, also chaired by First Minister and deputy First Minister, for example on 15 May 2020 [**Exhibit KP/197 – INQ000279385**] and 17 June 2020 [**Exhibit KP/198 - INQ000279386**], [**Exhibit KP/199 – INQ000308897**], provided opportunities for faiths leaders

## Module 2C – TEO Corporate Statement

to be updated on likely changes to regulations and for their views to be heard on what guidance and support was required.

373. Following a further meeting with Faiths Leaders on 24 June 2020 to discuss the safe reopening of places of worship for services, First Minister and deputy First Minister wrote to the forum **[Exhibit KP/201 – INQ000279387]** setting out the advice that had been provided at the meeting by the Chief Medical Officer (CMO) and the Chief Scientific Adviser (CSA).

374. Following a decision by the Executive on 9 July 2020, Junior Minister Lyons and Junior Minister Kearney wrote to the Faiths Leaders on 10 July 2020 **[Exhibit KP/202 – INQ000277857]** to advise them that indoor marriage ceremonies and related celebratory events could resume, as could baptisms and christenings, with immediate effect. The correspondence also provided a link to updated guidance.

### Phase 1 – Engagement with the Police Service for Northern Ireland

375. First Minister and deputy First Minister met with the Chief Constable for the Police Service of Northern Ireland (PSNI) on 20 March 2020 **[Exhibit KP/203 – INQ000291261]** to discuss the Command, Control and Coordination structures that were in place.

376. At a further meeting on 23 March 2020, First Minister and deputy First Minister updated the Chief Constable about the expected content of Prime Ministers statement that was to be made that evening of 23 March in relation to increasing restrictions related to COVID **[Exhibit KP/42 – INQ000086933]**. There were discussions regarding police presence on the ground to address concerns about panic buying and PSNI's initial focus being on engagement rather than using Fixed Penalties.

377. Ministers subsequently met with the PSNI Chief Constable again on 21 April 2020 **[Exhibit KP/204 – INQ000279390]** to discuss the issue of travelling for the purpose of exercising.

### Phase 1 – Engagement with Equality Groups

378. Ministers led a variety of engagement meetings with a range of equality groups:

- 27 March 2020 – Commissioner for Older People NI **[Exhibit KP/205 – INQ000279391]** to discuss support for older people.

## Module 2C – TEO Corporate Statement

- 2 April 2020 - Professor O'Neill, Mental Health Champion **[Exhibit KP/206 – INQ000279259]** to secure briefing for Ministers on mental wellbeing and suicide prevention. At the meeting Professor O'Neill outlined a list of issues that impact on mental health arising from the pandemic.
- 2 April 2020 – Mental Health Policy Group to seek views on mental health resilience **[Exhibit KP/207 - INQ000279501]**.
- 8 April 2020 – Women's Aid Federation to discuss the impact of the pandemic on victims of domestic abuse and highlighting that refuges are full and PSNI have introduced facilities in three locations to be used when victims are removed from abusive home immediately after an incident but cannot yet go to a refuge **[Exhibit KP/208 – INQ000291166]**.
- 3 June 2020 – the Equality Coalition **[Exhibit KP/209 – INQ000291234]** raised a number of issues with Junior Ministers in relation to PPE, Coroner's courts, common travel area and self-isolation requirements, difficult to access the emergency regulations since they are not consolidated, gaps in social protection for migrant workers, domestic violence and NDNA Bills.

### Other Engagement

379. First Minister met with the Chief Executive of the NI Hospice on 3 April 2020 **[Exhibit KP/210 – INQ000279394]** who highlighted pressures being placed on the hospice because of an increase in community referrals. Funding for the Hospice, which was a challenge before the pandemic, has become critical with a possibility of the organisation going insolvent before the end of May 2020. It was agreed that urgent consideration would be given to the provision of funding by DoH and TEO.

### **Phase 1 - UK Government and Devolved Administrations Engagement**

380. This section illustrates Engagement between UK Government and Devolved Administrations that took place from 18 March to 30 June 2020.

### **Phase 1 - Ministerial Implementation Groups**

381. Ministerial Implementation Groups (MIGs) were established by the UK Government in March 2020 to oversee the planning for the impact of the Covid-19 pandemic across the UK. These were as follows with example notes of meetings exhibited for each -

## Module 2C – TEO Corporate Statement

- Healthcare: chaired by the Health Secretary to focus on the preparedness of the NHS, notably ensuring capacity in the critical care system for those worst affected, the medical and social package of support for those to whom we will be providing the new shielding regime [Exhibit KP/211 – INQ000272963] and [Exhibit KP/212 – INQ000308870].
- General Public Sector: chaired by the Chancellor of the Duchy of Lancaster to look at preparedness across the rest of the public and critical national infrastructure, excluding the NHS [Exhibit KP/213 – INQ000308874] and [Exhibit KP/214 – INQ000272120].
- Economic and Business: chaired by the Chancellor, with the Business Secretary as deputy chair, to consider economic and business impact and response, including supply chain resilience. It also coordinated roundtables with key sectors to be chaired by relevant Secretaries of State [Exhibit KP/215 – INQ000308876] and [Exhibit KP/216 – INQ000308877].
- International: chaired by the Foreign Secretary, to consider international response to the crisis through the G7, G20 and other mechanisms, including like-minded groups, and the UK five-point plan [Exhibit KP/217 – INQ000306388] and [Exhibit KP/218 – INQ000306475].

382. During the period of 24 March to 26 May 2020, NI Ministers and TEO officials attended over 40 MIG Meetings. Executive Ministers, accompanied by officials, attended meetings relevant to their portfolio/department. Attendance by NI Ministers varied according to which MIG was taking place.

383. In response to a letter from Sir Mark Sedwell on 28 May advising that the MIG structure had been stood down and setting out arrangements for two new Cabinet committees to oversee the next phase of the Covid response, a joint letter from Leslie Evans, David Sterling and Shan Morgan to Mark Sewell on 12 June 2020 [Exhibit KP/219 – INQ000308878]. In this, the benefits of the four nations approach to tackling Covid -19 to date were acknowledged and clarity was sought on arrangements for Ministerial four nations engagement going forward.

384. COBR(M) meetings took place on 20 and 23 March, 16 April and 10 May 2020. The meeting on 20 March 2020 [Exhibit KP/220 - INQ000258616], focused on social distancing. The

## Module 2C – TEO Corporate Statement

meeting was Chaired by the Chancellor of the Duchy of Lancaster (CDL) with representatives from Whitehall and the DA's dialing in. NI representation included the First Minister and deputy First Minister, the Health Minister and the CMO. CDL advised that it was clear the current policy of social distancing was having a positive effect, but it was too slow and more needed to be done to encourage even greater non-work-related social distancing. Views were sought on the use of legislation to ban venues or businesses with a core purpose of encouraging social interactions in the knowledge that it would take two weeks for such a move to have an impact. Enforcement legislation was discussed, particularly regarding the need to enable a UK-wide approach. Views were sought from each DA during which a desire for clear messaging and evidence to support such a move. It was agreed that details of an economic package or support programme for the effected businesses and staff would also need to be published at the same time an announcement prohibiting the operation of certain businesses was made.

385. At the COBR meeting on 23 March 2020 [**Exhibit KP/221 - INQ000279449**] it was expressed that social distancing measures were not having the necessary impact with the PM informing the group that due to rising cases and health service pressures that a nationwide 'stay at home' order was to be announced. First Ministers agreed with this proposal.
386. On 4 April 2020, the First Ministers for Northern Ireland, Scotland and Wales wrote to the Prime Minister requesting that a COBR(M) meeting be scheduled for the following week to "to allow for proper individual and joint analysis *of the options at head of government level.*" [**Exhibit KP/222 – INQ000279542**], [**Exhibit KP/223 - INQ000251024**], [**Exhibit KP/224 - INQ000279548**]. The DA First Ministers advised that whilst it was understandable that COBR(M) meetings up to this point had been hurriedly convened, there was nothing to prevent them now being arranged in a more structured manner. In addition, DA First Ministers advised "*we would also urge a transparent and collaborative approach to sharing and producing analysis, options appraisal, and papers for any COBR meeting next week.*".
387. At the COBR meeting on 16 April 2020, chaired by the Foreign Secretary and attended by First Ministers from all DAS, the discussion focused on SAGE advice that social distancing measures should remain in place to help avoid a second peak in case numbers [**Exhibit KP/225 – INQ000255030**].
388. At the COBR meeting on 10 May [**Exhibit KP/226 - INQ000250991**], the Prime Minister

## Module 2C – TEO Corporate Statement

announced changes to the stay at home message to “Stay at Home if you can”, which, while nuanced in its application, created concern for the devolved administrations.

389. From 8 May to 25 June 2020 there were six meetings with the devolved administrations chaired by Michael Gove (The Chancellor for the Duchy of Lancaster). The key discussions from the meetings surrounded possible relaxations with nations following the same principles even though they may move at a different rate based on local data. At the meetings on 8 May 2020 **[Exhibit KP/227 – INQ000279451]** and 17 May 2020 **[Exhibit KP/228 – INQ000279452]**, the importance of engagement with ROI was expressed in relation to quarantine arrangements and CTA travel.
390. The 19 and 23 June discussions **[Exhibit KP/229 – INQ000279453]** and **[Exhibit KP/230 – INQ000279454]** focused on changes to social distancing and the need to evidence in order to inform any changes. The importance of the furlough scheme was also noted and that there should be continued engagement on its extension for NI.
391. NI Ministers met with the Secretary of State nine times during phase 1 to share updates on current Covid-19 issues. Across the meetings, the topics covered ranged from providing reassurance to the public following the first reported death in NI, the local need for Trace, Track and PPE as well as looking forward to Covid-19 recovery, the need for sectoral engagement and the positive response to the announcements on the relaxation of restrictions **[Exhibit KP/231 – INQ000308859]** to **[Exhibit KP/232 – INQ000308866]**.
392. Meetings were also held with the Prime Minister during this time, looking ahead to relaxations announcements and providing assurance that all nations should move forward together in a coordinated approach, but allowing for differences in timelines based on conditions in each region **[Exhibit KP/233 – INQ000308867]** to **[Exhibit KP/234 – INQ000308868]**.
393. NI Ministers were also able to avail of updates provided by the FCO Minister of State on repatriation of citizens and response to Covid in other countries **[Exhibit KP/235 – INQ000308852]** to **[Exhibit KP/236 – INQ000308857]**.

### UKG and DA Official Engagement

394. Weekly engagement took place with the UK Government’s COVID-19 Taskforce and the Scottish and Welsh governments to support the Executive’s COVID-19 response, to build

## Module 2C – TEO Corporate Statement

best practice and ensure alignment, where practicable, across the four nations on key. One of the key issues that arose during Phase 1 was the provision of support for various sectors. A senior official from TEO attended these meetings.

### Phase 1 - Engagement with the Irish Government

395. Discussions at the NSMC made clear that coordination and cooperation between both jurisdictions was a key factor in tackling Covid-19, for example see exhibit **[Exhibit KP/237 - INQ000290986]**, **[Exhibit KP/238 - INQ000290974]**, TEO. This was reaffirmed on numerous occasions through the Council. The Council also received joint briefings from CMOs from both jurisdictions as well as being kept updated on the North/South working that was taking place.
396. NSMC papers show clear evidence of close working across both jurisdictions to tackle Covid-19. There was regular and ongoing contact between Ministers for Health and CMOs from NI and Ireland throughout the pandemic.
397. A Memorandum of Understanding (MOU) was agreed between the Departments of Health North and South in April 2020 **[Exhibit KP/239 - INQ000279268]**, **[Exhibit KP/240 – INQ000279269]**, to underpin and strengthen co-operation on the public health response to the pandemic.
398. The MOU focused on facilitating co-operation in areas such as public health messaging, research and evidence base/modelling. Detail of the MOU and its operation was reported to NSMC at Plenary and Health meetings.
399. Ad-hoc engagement also took place with the Irish Government at ministerial level outside of the formal NSMC structures. For example, with ROI involving the Secretary of State for Northern Ireland took place as well as bi-lateral engagement directly with the Taoiseach and/or the Department of Foreign Affairs.
400. At a meeting on 31 March 2020 **[Exhibit KP/241 - INQ000279440]**, attended by First Minister, deputy First Minister, NI Health Minister, ROI Health Minister, Tánaiste, the Secretary of State for NI (SoSNI) and Junior Minister Lyons, the Ministers discussed the Memorandum of Understanding that was being drawn up between Ni and the Republic of Ireland (RoI). Ministers from both jurisdictions provided an update on the current position. It was noted that whilst both jurisdictions were taking increasingly similar approaches, the different approach to community testing being deployed may lead to restrictions being lifted

## Module 2C – TEO Corporate Statement

at different times. It was noted that challenges with supply chains from Great Britain to NI should be brought to the attention of a COBR meeting.

401. A call involving Ministers from the Northern Ireland Executive, UK Government and the Irish Government took place on 9 April 2020 [Exhibit KP/242 – INQ000279441]. A number of issues in relation to the forthcoming Easter weekend were discussed. A draft statement on the call was developed providing a summary of the points discussed and issuing a joint appeal ahead of the forthcoming Easter weekend.
402. Ministers from the Northern Ireland Executive, UK Government and the Irish Government took place on 30 April 2020 [Exhibit KP/243 - INQ000277102]. Overviews of how the outbreak was being managed were provided as well as discussions on international and cross border travel, plans for easing restrictions, advice on wearing face coverings, public services, and support for airports and hauliers. It was noted at the meeting that Justice Ministers from both jurisdictions were due to meet to discuss cross border travel and that PSNI and AGS were working together on this matter bearing in mind that enforcing the border between NI and RoI is not a devolved matter.
403. On 1 May 2020, a meeting with Irish Government, UK Government and Northern Ireland Executive Officials was held. [Exhibit KP/244 - INQ000277104].
404. First Minister, deputy First Minister and An Taoiseach met by Teleconference on 15 May 2020 [Exhibit KP/245 - INQ000277105]. At this meeting the Taoiseach outlined the decision of the Irish cabinet earlier that day to move to phase 1 of the Irish recovery plan, which he felt would place Ireland and Northern Ireland on a broadly similar footing. The close co-operation between the PSNI and an Garda Síochána was welcomed. There was a discussion on potential areas of cooperation. Deputy First Minister outlined the Executive's decisions and announcements from the day before as well as the planned announcement for 18 May on moving to stage 1 of the Executive's recovery strategy. First Minister suggested that border controls should be discussed at the 'quadrilateral' meeting scheduled for 19 May 2020 [Exhibit KP/246 - INQ000279492] since they are a reserved matter for the UK. She also referred to a discussion with church leaders scheduled for later that day.
405. Following a telephone call on 5 June 2020 involving First Minister, deputy First Minister and Taoiseach at which no officials were present, First Minister briefed Mark Goodfellow, her Principle Private Secretary that Taoiseach had provided a briefing on imminent announcements planned for the RoI in relation to re-opening domestic tourism, religious



## Module 2C – TEO Corporate Statement

services and retail **[Exhibit KP/247 - INQ000279444]**.

406. NIE, UKG and RoI Ministers met on 9 June 2020 to discuss the following: travel regulations / quarantine; Health updates; opening of the tourism sector; and the Contact Tracing App **[Exhibit KP/248 - INQ000276056]**.

### Procurement of PPE

407. In April 2020, the Executive authorised the purchase of additional PPE equipment alongside that being supplied from the NHS and supplies procured through the British Embassy in Beijing. The requirement for PPE across all countries created supply problems in many areas. The UK government had successfully procured supplies from several sources in China. However, the requirement across the UK and Ireland was such, that the Devolved Administrations sought other sources of supply **[Exhibit KP/249 – INQ000251768]**, **[Exhibit KP/250 – INQ000251732]**.

408. The Northern Ireland Bureau in China, The Department of Finance and Department of Health identified a company in China with the international capability to supply sufficient quantities of PPE. The company was also on the Chinese governments list of approved exporters for PPE and able to supply products that meet EU and international standards. Tim Losty Grade 5 then Head of Northern Ireland Bureau in China engaged with Madam Zhang Meifang, Consul General of the People's Republic of China in Belfast on this issue **[Exhibit KP/251 – INQ000279504]**. Consul General Zhang and our partner regions in China were extremely helpful to the Executive, councils and medical teams here providing video conferencing with Covid-19 teams from Jilin and Wuhan, donating PPE supplies and help with PPE sourcing.

409. Chinese Consul General Zhang met with David Sterling on Monday 29th June 2020 and made a further donation of face masks. By July 2020 TEO had received 20,000 donated masks from the Consulate, 3,000 masks donated from the Confucius Institute and 2,000 pairs of gloves. Whilst the masks were not of a clinical grade protective mask, the donated PPE was distributed with sporting codes and other voluntary organisations **[Exhibit KP/252 - INQ000279505]**.

## Module 2C – TEO Corporate Statement

### PHASE 2 - RELAXATIONS (1 JULY 2020 – 16 SEPTEMBER 2020)

#### Phase 2 - Overview

410. As case numbers began to reduce, a Special Executive Meeting was convened on Thursday 11 June 2020 to agree a strategic approach to decisions aimed at easing Coronavirus-related restrictions [Exhibit KP/143 - INQ000048473] Work also began on the development of the Executive's Strategic Recovery Plan with a paper brought to the Executive for consideration on 17 September 2020 [Exhibit KP/253 - INQ000023205] The subsequent rise in case numbers in Autumn 2020 meant that the recovery work was not completed until 2021.

#### Phase 2 - Executive Meetings and Non-Pharmaceutical Interventions (NPIs)

411. The table below provides the chronology of Executive meetings held during Phase 2 and detail of the NPI decisions that were made, mostly in relation to relaxing the restrictions put in place during Phase 1.

Date of Executive meeting	TEO number	NPI Decisions
18.06.2020	<b>KP/254</b> INQ000048475	Agreed: <ul style="list-style-type: none"> <li>· to communicate an indicative date of 29.06.2020 for reopening of places of worship and the 06.07.2020 for the reopening of beauty, nail, hair salons.</li> <li>· the pausing of shielding advice from 31.07.2020.</li> <li>· to permit limited resumption of youth service summer programme.</li> <li>· free school meals, eat well live well and support for learning over summer.</li> </ul>
22.06.2020	<b>KP/255</b> INQ000048476	Agreed: <ul style="list-style-type: none"> <li>· easement to enable a person to leave their home for the purpose of an indoor visit of up to six people (to come into effect on 23.06.2020).</li> </ul>
25.06.2020	<b>KP/256</b> INQ000048477	Agreed: <ul style="list-style-type: none"> <li>· to ratify previously indicated dates for relaxations:                             <ol style="list-style-type: none"> <li>a. Holiday and tourist accommodation (26.06.20)</li> <li>b. Opening of places of worship (29.06.20)</li> <li>c. Re-opening of hospitality, excluding some hotel offerings such as spas (03.07.20)</li> <li>d. Phased re-opening of visitor attractions (03.07.20)</li> <li>e. Re-opening of close contact services (06.07.20)</li> </ol> </li> <li>· to permit indoor training for elite sport.</li> </ul>
29.06.2020	<b>KP/257</b> INQ000048478	Agreed: <ul style="list-style-type: none"> <li>· to increase the number of people permitted to gather from 10-30 outside only.</li> <li>· International Travel Regulations (NI) still required.</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
02.07.2020	<b>KP/258</b> INQ000048479	Agreed: <ul style="list-style-type: none"> <li>· to implement mandatory face coverings on public transport from 10.07.20.</li> <li>· indicative dates for museums, galleries, private clubs &amp; bookmakers to reopen.</li> </ul>
06.07.2020	<b>KP/259</b> INQ000048480	Agreed: <ul style="list-style-type: none"> <li>· resuming indoor marriages and baptisms from 10.07.20 (subject to venue risk assessment to decide numbers).</li> </ul>
09.07.2020	<b>KP/260</b> INQ000048481	Agreed: <ul style="list-style-type: none"> <li>· Removal of Regulations 4a (burial grounds) 5 (remaining where one lives).</li> <li>· to introduce new regulations by 23/07/20 to permit up to 30 people to gather in a private dwelling and overnight stays.</li> <li>· travel regulations still required.</li> <li>· mandate face coverings on public transport (from 11.07.20).</li> <li>· indicative dates for relaxations: <ul style="list-style-type: none"> <li>a. 10.07.20 (indoor marriages, baptisms and related celebratory events; indoor fitness studios and gyms; outdoor leisure playgrounds, courts and gyms; cinemas; bingo halls; and amusement arcades.</li> <li>b. 11.07.20 (horse racing events and equestrian competitions; competitive games and sporting events with increased numbers able to participate).</li> <li>c. 16.07.20 (libraries).</li> <li>d. 17.07.20 (indoor sport and leisure facilities including rinks and leisure centres).</li> </ul> </li> </ul>
23.07.2020	<b>KP/261</b> INQ000048482	Agreed: <ul style="list-style-type: none"> <li>· increase the number of people allowed to meet indoors in private dwellings to 10 from 4 different households ( from 24.07.20). Restriction of 30 outdoors retained.</li> <li>· to amend legislation to provide for the mandatory use of face covering in enclosed public settings where social distancing unable to be maintained, such as retail environments (from 01.08.20).</li> <li>· Agreed indicative dates for reopenings: pubs (10.08.20); outdoor sports spectators, swimming pools, spa wet treatments, bowling alleys, funfairs indoors and outdoors, community centres (24 July)</li> </ul>
27.07.2020	<b>KP/262</b> INQ000065457	Agreed: <ul style="list-style-type: none"> <li>· to remove Spain as exempt country from International Travel Regulations (NI).</li> </ul>
30.07.2020	<b>KP/263</b>	No key decisions made.

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
	INQ000048483	
06.08.2020	<b>KP/264</b> INQ000048484	Agreed: <ul style="list-style-type: none"> <li>· to defer indicative opening of wet pubs from 10.07.20 (review in 3 weeks).</li> <li>· Reopening of theatres and concert halls for the purposes of rehearsals and live recordings without audiences from 08.08.20 and audiences (from 01.09.20).</li> <li>· soft play should not reopen on 07.08.20.</li> <li>· mandatory use of face coverings in certain indoor settings, including shops (from 10.08.20).</li> </ul>
13.08.2020	<b>KP/265</b> INQ000048485	No key decisions made.
20.08.2020	<b>KP/266</b> INQ000048486	Agreed: <ul style="list-style-type: none"> <li>· removal from of Andorra, Belgium and the Bahamas for travel regulations exemption list (and addition of Brunei and Malaysia).</li> </ul>
03.09.2020	<b>KP/267</b> INQ000048487	Agreed: <ul style="list-style-type: none"> <li>· indicative date of 14.09.20 for reopening soft play.</li> </ul>
10.09.2020	<b>KP/268</b> INQ000048488	Agreed: <ul style="list-style-type: none"> <li>· Localised restrictions for specific postcodes: Belfast City Council area plus BT28 and BT29, BT28 and the City of Lisburn, the town of Ballymena and BT43, BT10, BT11, BT12, BT17, BT9. In those areas advised: to only travel outside their area for essential purposes, including work or education; care home and hospital visiting should be minimised; and elderly and those previously shielding advised to minimise their interactions with other people.</li> <li>· to ratify indicative dates for reopening of wet pubs (21.09.20) and soft play (14.09.20).</li> </ul>

### Phase 2 - Cross Departmental Group

412. On deactivation of the Hub, the source of advice for Ministers reverted to being provided via the normal routes from policy areas. The process involves officials preparing a submission to their Minister on a particular policy area containing advice and recommendations. If the topic is cross cutting, controversial or sensitive, it requires Executive decision, the submission to their Minister will have a draft Executive paper attached as set out in para 59

413. From summer 2020, a cross-departmental group provided the basis for official level discussions on the removal of restrictions from regulations in line with the Executive's public strategy. The meeting took place weekly and was chaired by me. It was established at the

## Module 2C – TEO Corporate Statement

request of the Department of Health to coordinate requests for advice from CMO and CSA on proposed relaxations of restrictions as Northern Ireland moved out of lockdown.

414. The meeting enabled officials to discuss proposed relaxations with officials from the Department of Health. Officials then advanced requests directly to DoH using a template to describe the nature of the request for consideration by CMO and CSA. CMO and CSA would provide advice to the relevant department who would prepare a paper for the Executive on behalf of their Minister **[Exhibit KP/269 - INQ000279355]**

### Phase 2 – Early Consideration of Recovery

415. Over this period, the issue of how recovery interlinked with the PfG was a key consideration. As such, the need to reconsider the approach to the PfG became relevant again. A submission **[Exhibit KP/270 - INQ000279227]** entitled Programme for Government and Approach to COVID-19 Recovery dated July 2020 contained an Executive Paper which proposed that:

- The plan should remain to deliver a revised, strategic PfG (aligned, if possible, to a multi-year budget and legislative programme) to commence from April 2021; and
- For 2020/21, an activity-based Recovery Framework/Plan to be developed, which incorporates those NDNA commitments that need to be taken forward in 2020/21, and which would act as the de facto PfG for 2020/21.

416. On 22 June 2020, a paper was sent to HOCS and then onwards to the Executive on 23 June laying out options for taking forward Recovery and PfG and recommending option 3 **[Exhibit KP/271 – INQ000279223]**. The deputy First Minister's view was that it was 'best left until the Executive addresses recovery as a substantive issue...' **[Exhibit KP/272 – INQ000279356]**

417. The Executive Paper was considered at an Executive Meeting on Covid-19 Recovery on 22 July 2020, the objectives of which were to:

- (i) agree the high-level approach to recovery;
- (ii) discuss the way the Executive will operate in the recovery phase; and
- (iii) propose governance arrangements for recovery.

## Module 2C – TEO Corporate Statement

418. At that meeting, the Executive agreed the proposed twin-track approach to the PfG, i.e., one that comprised a short-term activity-based recovery programme as the basis for driving economic, health and societal recovery, which was to continue for the remainder of 2021; and secondly, a new outcomes-based PfG was to be developed for commencement from April 2021). The Executive also endorsed the approach to recovery in 2021 as outlined in **[Exhibit KP/273 - INQ00022450]** and **[Exhibit KP/274 - INQ000279224]**.
419. A five-stage plan for moving out of lockdown provided a pathway for easing the restrictions, based on three key criteria: the most up-to-date scientific evidence; the ability of the health service to cope; and the wider impacts on health, society and the economy.
420. The Executive's approach was to take informed, responsive decisions at the earliest opportunity in respect of the restrictions, with a series of Amendment Regulations having been brought forward in quick succession for Assembly scrutiny, including by the TEO Committee. This is an unfortunate but necessary consequence of the extraordinary nature of the crisis and the need to move at pace to ease the restrictions on people and businesses.
421. In light of the improving overall situation, as supported by scientific evidence, it was possible for The Executive to agree a number of significant amendments to the Regulations. Annex A provided detail of the amendments made on 29 June 2020 **[Exhibit KP/275 - INQ000279350]**.
422. The First Minister and deputy First Minister attended TEO Committee on 1 July 2020 **[Exhibit KP/276 - INQ000279318]** and provided an update on COVID-19. The Executive continued to meet regularly throughout the crisis – twice per week, with the majority of business relating to the response to COVID-19. There was a particular focus on easing restrictions and progressing towards a return to more normal ways of life to the maximum extent possible based on the latest evidence.
423. In or around this time, the PfG team moved back full time to developing the outcomes-based PfG for April 2021. Throughout August 2020, Peter Toogood, a Grade 5 official, oversaw the work to develop the approach required to deliver this. A submission dated 10 September 2020 from me contained an Executive Paper on the draft Recovery Framework **[Exhibit KP/277 - INQ000207280]** which set out a timetable of key activities until April 2021. At its meeting on 17 September 2020, the Executive agreed the Recovery Framework **[Exhibit KP/278 - INQ000048489]** Throughout September 2020, and in accordance with the approved timetable, Peter Toogood conducted a series of initial consultation meetings with

## Module 2C – TEO Corporate Statement

Permanent Secretaries to discuss issues such as PfG outcomes and indicators.

424. Throughout August 2020, and following the decision of the Executive on 22 July 2020 [Exhibit KP/273 – INQ000022450] Peter Toogood was also involved in the development of a Recovery Framework, which included participating in:

- A Recovery Group meeting on 29 July 2020 chaired by HOCS [Exhibit KP/279 - INQ000279357], [Exhibit KP/280 - INQ000259547], [Exhibit KP/281 - INQ000259546] which considered the feedback from the Executive meeting on 22 July and outlined at a strategic level how recovery would be taken forward.
- A cross-Departmental officials Working Group meeting on 7 August 2020, which discussed the values and vision of recovery and the workstreams that would be required to take forward the work. Work to support EY in exploring the available data sources that could be used to measure recovery.

425. Peter Toogood was also involved in developing recovery team structures, seeking resources for the proposed team and working with CPD on the procurement to retain and repurpose the EY data analytics team from response to recovery.

426. Over this period, Peter Toogood was involved in Coronavirus regulations amendment debates in the Assembly and was part of the team that provided briefing and advice to Ministers on the relaxation of restrictions throughout the course of summer 2020.

427. A submission from me on 9 September 2020 entitled “Draft Recovery Framework” [Exhibit KP/283 - INQ000279360] asked the First Minister and deputy First Minister to note the progress update in relation to recovery and approve an Executive Paper for discussion at its meeting on 10 September 2020. This submission provided an update on the recovery work completed since 22 July 2020 and shared a draft of a proposed Recovery Framework for consideration by the Executive.

428. This submission was approved and an Executive Paper dated 10 September 2020 [Exhibit KP/284 - INQ000207280] issued.

429. Executive Ministers were invited to provide feedback by 14 September 2020. Written responses were largely positive and endorsed the proposed approach.

430. By early October 2020, Peter Toogood transitioned to working full time on Covid Recovery

## Module 2C – TEO Corporate Statement

and moved across to work with me. Just before then in mid-September 2020, a Grade 7 who had worked in the NI Hub was brought into TEO from the Department of Justice to deal with the residual Ministerial casework after the first wave of the pandemic **[Exhibit KP/285 – INQ000279348]**. It was at that time that the focus shifted away from recovery to responding to the pandemic as case numbers started to increase. The First Minister made an oral statement to the Assembly on 14 October 2020 **[Exhibit KP/286 – INQ000237647]**.

431. In Autumn 2020, the Covid Strategy and Recovery Division (CSRD), was established in TEO comprising one Grade 5 and two Grade 7s with staff deployed over two branches. The work of this team was dedicated to leading on the delivery of the key functions to underpin, support and coordinate the Executive's response to, and recovery from, the COVID-19 pandemic. Further details on the work of CSRD is discussed under Phase 3.

### Phase–2 - NI Hub – Deactivation

432. There were a number of reviews completed during the initial activation of the NI Hub including:

- The November 2019 PwC report following Operation Yellowhammer **[Exhibit KP/287 – INQ000092725]**.
- A Capability Review of the NI Hub in April 2020 **[Exhibit KP/288 - INQ000279310]** to assess its readiness at Initial Operating Capability and its readiness to move to Full Operating Capability.
- A DOCs Effectiveness Review in April 2020 **[Exhibit KP/289 - INQ000279311]** to assess the effectiveness of the nine Departmental Operation Centres within the C3 structure.
- A “point in time” review in May 2020 **[Exhibit KP/290 - INQ000279312]** of the CCG arrangements, providing a rapid assessment of the working arrangements and effectiveness of the group over the seven-week period it had convened to oversee the initial response.
- In June 2020, a full lessons learned review **[Exhibit KP/180a - INQ000023222]** from the deployment of the C3 structures to manage the NI response and how those lessons could shape the future roadmap for our civil contingency capability.



## Module 2C – TEO Corporate Statement

433. Following the deactivation of NICCMA in June 2020, the recommendations from the various reviews above were pulled together to shape a readiness programme of work [Exhibit KP/180a - INQ000023222]. The key objective of this was to prepare the emergency response posture for possible disruption from the concurrency of a second wave of Covid-19, EU transition and normal winter emergencies. Further information on this is provided in the statement under Phase 3.

### Phase 2 – Civil Contingencies Policy Branch - Programme of Work

434. In June 2020, a programme of work commenced to address a series of short-term improvements driven from the recommendations outlined in the various reviews; these were structured across 13 workstreams [Exhibit KP/291 - INQ000279314], [Exhibit KP/292 - INQ000279315] such as HR/staffing, NI Hub design, IT and estates and training & exercising.

435. This programme was managed with assigned project leads, daily and weekly team meetings through a Programme Manager and Senior Responsible Owner (SRO), with documented decision and action logs. The work was resourced by core CCPB staff, and a number of residual staff retained from the NI Hub activation and concluded around September 2020.

436. Proposals were submitted to HOCS on how best to restructure the NI Civil Contingencies Unit within TEO to oversee the ongoing challenges presented by Covid-19 and any other emergent, significant civil contingency [Exhibit KP/293 – INQ000279228], [Exhibit KP/294 - INQ000279230].

437. This complemented several pieces of work previously completed of which recommendations remained outstanding, namely the Business Consultancy Service review of civil contingencies in 2015 [Exhibit KP/295 - INQ000201707] and the PwC Futures Report in November 2019 [Exhibit KP/287 - INQ000092725].

438. Correspondence about the lessons learned to Ministers in August 2020 [Exhibit KP/296 - INQ000279313] identified the following requirements:

- To build a strategic civil contingency capability that is not reactive and event focused but instead, is an agile professional function that can support the C3 network across NI Government;

## Module 2C – TEO Corporate Statement

- To develop and refine in the short term, the tools that will help us deliver a professional service such as risk registers, contingency plans, horizon scanning and situation reports; and
- To start preparing for the inevitability of needing to activate the structures again and build on the momentum that has been created from the current deployment.

439. The Work programme encompassed 86 high level actions and addressed many of the practical issues identified in the initial activation on how the NI Hub should be resourced, training, Concept of Operations (CONOPS) which is a high-level description of how systems will operate to achieve defined objectives [Exhibit KP/297 - INQ000255362] and Standard Operating Procedures (SOPS) [Exhibit KP/175 - INQ000255364], which provide policies, procedures and standards to ensure efficiency, consistency, a healthy and safe environment. The CONOPs provides a roadmap for how to resolve general issues and queries, how the IT could be streamlined, the communication flow between NI Hub and departments and partners through C3 structures and DOCs. There were a number of other key early decisions that would place Northern Ireland well for responding to future phases of the pandemic.

440. NICS Board in August 2020 [Exhibit KP/276 - INQ000276196] agreed to revised principles for a graduated emergency response across 5 stages, rather than full switch on or off, which had been the case previously for Operation Yellowhammer (YH) and in the first wave of COVID. This addressed a number of other areas of concern around resourcing of CCG arrangements. Operation Yellowhammer was the UK Government's contingency planning for its response to the most severe anticipated short-term disruption under a no-deal Brexit.

441. A dedicated Grade 5, Andy Cole, was brought into CCD in August 2020, to build upon the NI Hub experience and shape the future roadmap for Civil Contingency capability. Andy Cole had worked with Anthony Harbinson in the NI Hub from March to July 2020 as part of the multi-disciplinary team that coordinated the NI response to the pandemic under the NICCMA emergency response arrangements from March 2020 through to July 2020 at which point the C3 arrangements had been scaled down.

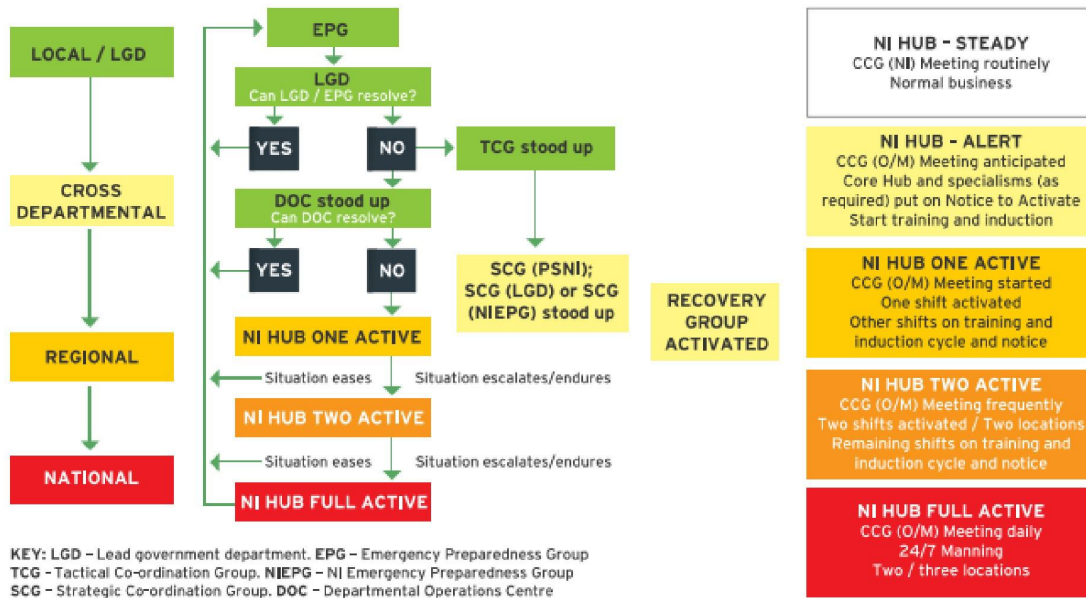
442. Andy Cole's role was:

- to consider lessons learned from the first wave,
- to ensure readiness for a future activation of the NI Hub during autumn or winter, and

## Module 2C – TEO Corporate Statement

- in the medium term, to restructure and reset the civil contingencies arrangements across NI.

443. The August 2020 NICS Board Paper details the revised escalation model for future activation of the NI Hub. [Exhibit KP/298a - INQ000302739], [Exhibit KP/298b - INQ000302740]. The diagram below shows the NI crisis response architecture and mirrors the UKG model. This model recognises that CCG, as the link to the Executive, is the central point for the dissemination of crisis management information.



444. In September 2020 the status of NI Hub was “Alert” with CCG meeting routinely. Volunteers were put on notice to activate and commence refresher training in the event that the NI Hub was needed to deal with multiple concurrent events such as COVID-19 and EU Exit alongside normal winter pressures during the November/December period.

### Phase 2 - Sectoral Engagement

445. This section illustrates sectoral engagement that took place from June – September 2020. The focus of engagement during Phase 2 was on how and when easements to the restrictions in place would be implemented.

### Phase 2 – Engagement with Businesses

446. At a meeting on 20 July 2020 [Exhibit KP/299 - INQ000279395] with the Belfast Chamber

## Module 2C – TEO Corporate Statement

of Commerce and Retail NI, First Minister and deputy First Minister discussed the industry's concerns regarding a mandatory approach to face coverings.

447. A further meeting with the Belfast Chamber of Commerce on 6 August 2020 **[Exhibit KP/300 – INQ000279396]** saw First Minister and deputy First Minister discuss the impact of the drop in footfall in city and town centres as a result of Covid-19 and more people working from home.

448. On 11 August 2020, First Minister and Junior Minister Kearney met with representatives from Hospitality Ulster, The Horatio Group and The Front Page Bar on behalf of the Hospitality sector **[Exhibit KP/301 – INQ000291181]**. At that meeting the First Minister advised that the Executive had received clear advice that, in the interest of opening schools in September, it would be prudent to pause further relaxations for now so that a clear picture of the current spread of Covid-19 could be established in 3 weeks' time.

449. The Junior Ministers further engaged with the hospitality sector on 7 September 2020 **[Exhibit KP/302 – INQ000279397]**. This meeting was attended by CMO and CSA who outlined the situation regarding infection rate. They advised that wet pubs could re-open but there would be a significant risk factor as always with restrictions being eased.

### Phase 2 – Engagement with Faiths Leaders

450. The Junior Ministers chaired a meeting of the Faiths Leaders on 8 September 2020 that was also attended by CMO and CSA **[Exhibit KP/303a – INQ000306213]**, **[Exhibit KP/303b - INQ000279278]**. The Faiths Leaders were invited to outline their experiences since the previous meeting and to ask CMO and CSA questions.

### Phase 2 – Engagement with Equality Groups

451. On 1 July 2020, the Junior Ministers chaired a meeting with the Mental Health Policy Group **[Exhibit KP/304 – INQ000291183]**. A number of issues were raised in relation to the pandemic, for example the mental health consequences of Covid-19 and the exacerbation of already existing social inequalities. The group also discussed the Covid-19 Mental Health Plan.

452. The Junior Ministers also met with the NI Commissioner for Children and Young People on 1 July 2020 **[Exhibit KP/305 – INQ000279399]**. Issues discussed included free school meals, whole society and whole government approach to the Covid-19, long term impacts

## Module 2C – TEO Corporate Statement

of the pandemic on children and young people and mental health issues for children and young people prior to Covid-19.

453. On 15 July 2020, First Minister and deputy First Minister met with local charities to discuss shielding of vulnerable people **[Exhibit KP/306 – INQ000279400]**..

### Phase 2 - UK Government and Devolved Administrations Engagement

454. This section illustrates Engagement between UK Government and Devolved Administrations that took place as the UK moved out of lockdown.

455. At a meeting chaired by the Chancellor of the Duchy of Lancaster (CDL), Michael Gove noted that the UK Government and the devolved administrations had adopted broadly similar strategies, with differences reflecting differing social and economic circumstances, and differences in the incidence and prevalence of the disease. He also acknowledged that there had been some disagreements, and that the approach of the UK Government had not been without error **[Exhibit KP/307 - INQ000279455]**.

456. A meeting on 24 July 2020 chaired by CDL and attended by DAs **[Exhibit KP/308 - INQ000279456]** initially focused on international and CTA travel. Northern Ireland ministers announced that a mandatory power had been taken in relation to the wearing of face coverings with an initial focus on voluntary compliance using an information campaign and a review on 20 August on whether enforcement was required. At that stage there was a low number of localised outbreaks with good tracing in place. The disproportionate impact of the pandemic on the BAME demography in the UK was discussed as well as a need for autumn / winter planning.

457. From July to September, further engagement took place in the form of meetings with the Chancellor of the Duchy of Lancaster, Secretary of State for NI and the Secretary of State for Health.

458. Across the meetings with the Chancellor of the Duchy of Lancaster, DAs were able to provide progress on their current restrictions and areas of concern, whilst note was made that despite some disagreement on the best direction of travel that agreements had broadly been in line across all nations.

459. For NI, Ministers wished to ensure that the end of the furlough scheme was not a cliff edge and could be tailored to sectors. They expressed concern about confusing CTA travel

## Module 2C – TEO Corporate Statement

guidance, especially in relation to those travelling through ROI to NI. Request was also made for a BIC meeting to be brought forward to discuss the policy for CTA travel. Meeting note of 7 July is exhibited at [Exhibit KP/307 - INQ000279455].

460. Further detail on upcoming announcements by the Chancellor on support packages and additional support for NHS in NI were presented.
461. For a four-week period up to 31 August 2020, the UK-wide “Eat Out to Help Out” scheme was established to offer a discount to diners and encourage them to eat out. Businesses across the UK could register to participate and claim money back through the Claims Service that had been set up by HM Revenue and Customs
462. The Eat Out to Help Out Scheme was one of the UK Government’s policy measures aimed to support businesses reopening after the first Covid-19 lockdown period. It formed part of the Chancellor’s summer economic update on 8 July 2020 (the Plan for Jobs). There is no record of this being discussed in advance of implementation at Ministerial level.
463. Looking ahead at relaxations, DAs were informed of talks commencing on the relaxation of quarantine rules in UKG as well as future relaxations for schools, stadia and a review of social distancing.
464. The Chancellor of the Duchy of Lancaster also requested DAs to look ahead to the Autumn / Winter period in order to ensure an adequate supply of PPE as well as plans for the vaccine rollout. Meeting note of 24 July 2020 is exhibited at [Exhibit KP/306 - INQ000279456].
465. Meeting with the Secretary of State and separately with the PM were able to reflect on the current situation in NI, the current level of engagement and the willingness for East-West and North-South discussions.

### Phase 2 - Engagement with Irish Government

466. First Minister and deputy First Minister met with the Taoiseach and senior officials from the Republic of Ireland on 16 July 2020 [Exhibit KP/309 - INQ000279490] to discuss the evolving Covid-19 situation and the benefit of CMOs from each jurisdiction continuing to work together. Face coverings, return of schools and public transport were also discussed as well as the forthcoming visit by the US Special Envoy.

## Module 2C – TEO Corporate Statement

### PHASE 3 – RESTRICTIONS (17 SEPTEMBER 2020 – 25 DECEMBER 2020)

#### Phase 3 - Overview

467. In Autumn 2020, a severe second wave of Covid-19 emerged and further restrictions and regulations evolved responsively over a period of time. It was therefore necessary for the cross-departmental group to plan again for the eventual removal of restrictions and the opportunity was taken to review the process based on experience gained during 2020. This took the form of a series of workshops with the cross-departmental group facilitated by EY at the instruction of TEO [Exhibit KP/310 – INQ000258400], [Exhibit KP/311 - INQ000308891], [Exhibit KP/312 - INQ000279319]. A key principle for this exercise was to streamline further the format of advice and requests to CMO and CSA.

468. This phase saw the establishment of the Covid Strategy and Recovery Division and the Executive's Covid-19 Taskforce. More information is available below.

469. At its meeting on 8 October 2020 [Exhibit KP/313 – INQ000048492] the Executive agreed the approach to the development of a new Strategic Programme for Government [Exhibit KP/314 - INQ000279361], [Exhibit KP/315 – INQ000308896]. The NICCMA were activated [Exhibit KP/316 - INQ000289778], [Exhibit KP/317 – INQ000308887] on 26 October 2020 and the NI Hub again coordinated the response for the second wave of COVID-19. The measures were different in nature from the initial wave of the virus, reflecting experience and knowledge gained.

470. The Executive approved the draft Framework and consultation arrangements at its meeting on 22 December 2020 [Exhibit KP/318 – INQ000207209] and [Exhibit KP/319 - INQ000279362] [Exhibit KP/320 - INQ000279363], [Exhibit KP/321 - INQ000279364].

471. The consultation on the draft PfG Framework was launched on 25 January 2021 and ran for a period of 8 weeks – closing on 22 March 2021. An Equality Impact Assessment (EQIA) consultation launched on 5 February for a period of 12 weeks – closing on 30 March 2021. The EQIA consultation originally launched alongside the Framework consultation on 25 January but in light of advice received from the Committee on the Administration of Justice (CAJNI) [Exhibit KP/322 – INQ000279365] it was removed from the website, revised and relaunched on 5 February 2021.

## Module 2C – TEO Corporate Statement

### Phase 3 - Executive Meetings and NPIs

Date of Executive meeting	TEO number	NPI Decisions
17.09.20	KP/278 INQ000048489	Agreed: <ul style="list-style-type: none"> <li>• to defer reopening of wet pubs to 23.09.20, to limit six people per table (under'12's discounted)</li> <li>• that regulations should prohibit the operation of beer bikes.</li> <li>• to require the use of face coverings in hospitality environments.</li> </ul>
24.09.20	<b>KP/323</b> INQ000048490	Agreed: <ul style="list-style-type: none"> <li>• 11pm closing time for all pubs, bars, hotel bars and restaurants that serve alcohol.</li> </ul>
01.10.20	<b>KP/324</b> INQ000048491	Agreed: <ul style="list-style-type: none"> <li>• Additional local restrictions for Londonderry City and Strabane Local Government area to include: no indoor gatherings (with exemptions such as weddings, funerals, worship, education, working where work from home not available &amp; indoor individual exercise); hospitality venues outdoor or take-away only; museums and galleries remain closed; outdoor gatherings permitted up to maximum of 15 people. To be imposed for initial two-week period and reviewed weekly.</li> </ul>
08.10.20	KP/313 INQ000048492	No key decisions made.
15.10.20	<b>KP/325</b>  INQ000065445	Agreed: <ul style="list-style-type: none"> <li>• to amend legislation to clarify restrictions in respect of bubbling and household sizes and create new offence organising or participating in large gatherings.</li> <li>• Driving instructors to be included in close contact list</li> </ul>
22.10.20	<b>KP/326</b> INQ000048494	No key decisions made.
29.10.20	<b>KP/327</b> INQ000048495	Agreed: face coverings mandatory for all post primary school aged children on all public transport.
05.11.20	<b>KP/328</b> INQ000048496	No key decisions made.
09.11.20 - meeting continued on the 10th, 11th and 12th	<b>KP/329</b> INQ000048497	Agreed: <ul style="list-style-type: none"> <li>• close contact services to reopen by appointment (from 20.11.20)</li> <li>• phases reopening of hospitality with unlicensed premises reopening on 20.11.20 with restricted opening hours, pubs permitted to sell sealed off sales from 20.11.20, remaining extensions which came into being on 16.10.20 were extended to end at midnight on 26.11.20.</li> <li>• Vaccination programme roll out from as early as possible in December in line with England, first prioritising health care staff, care homes and those with underlying vulnerabilities.</li> </ul>



## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
19.11.20	<b>KP/330</b> INQ000048498	<p>Agreed, two week “circuit breaker” involving:</p> <ul style="list-style-type: none"> <li>• closure of all retail (except essential retail, off licenses); close contact services; hospitality; leisure and entertainment (only elite sports permitted); closure of places of worship (except for weddings and funerals).</li> <li>• no household gatherings of more than one household</li> <li>• work from home if possible</li> <li>• schools, childcare and public parks remain open</li> <li>• Further Education to provide learning at distance with effect from for two weeks (from 27.11.20).</li> </ul>
24.11.20	<b>KP/331</b> INQ000048499	<p>Agreed:</p> <ul style="list-style-type: none"> <li>• toy stores, mobile phone repair and school suppliers should not be designated as essential that for a two-week period (from 27.11.20)</li> <li>• non-essential retail outlets would be permitted to operate a strictly click and collect appointment basis.</li> <li>• closure of self-catering accommodation and visitor attractions.</li> </ul>
26.11.20	<b>KP/332</b> INQ000048500	<p>Agreed:</p> <ul style="list-style-type: none"> <li>• National Trust properties exempt from new regulations</li> <li>• Restrictions apply to golf clubs and dog groomers.</li> </ul>
03.12.20	<b>KP/333</b> INQ000048501	<p>Agreed:</p> <ul style="list-style-type: none"> <li>• Bubble households. Current arrangements for gatherings in domestic and private dwellings remain unchanged, apart from the temporary arrangements over the Christmas period.</li> <li>• to permit outdoor events (including sports events) and gatherings up to 500 participants/spectators, subject to a risk assessment if more than 15 attending and measures in place to limit risk of virus transmission. Inter-school competitive sporting events not permitted.</li> <li>• to permit outdoor exercise in groups up to 15 max.</li> <li>• reopening of non-essential businesses, including retail and close contact services to include driving instructors.</li> <li>• reopening of places of worship.</li> <li>• reopening of outdoor and indoor visitor attractions, museums, galleries and libraries.</li> <li>• reopening of pubs and private members’ clubs serving a main or substantive meal that has been prepared in their own premises (previous mitigations maintained; contact details must be taken; food &amp; drink can be purchased until 10.30pm but not consumed on the premises after 11.00pm; all persons must vacate the venue by 11.00pm). The following to remain closed: wet pubs and private members’ clubs not serving a main or substantial meal; concert halls</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<p>and theatres, except for rehearsals and recordings; nightclubs.</p> <ul style="list-style-type: none"> <li>• to permit off sales up to 10.30pm, including supermarkets and hospitality venues selling alcohol.</li> <li>• reopening of hotels and guesthouses (previous mitigations maintained).</li> <li>• reopening of gyms, swimming and diving pools for individual training, training with a personal trainer and non-aerobic classes of up to 15 (contact details must be taken).</li> <li>• to permit receptions for marriages and civil partnerships, with numbers subject to risk assessment by venue (previous mitigations retained). Ceremonies unchanged.</li> <li>• attendees and the organiser/operator of funerals must comply with funeral guidance issued by the Department of Health.</li> <li>• holidaying in groups not permitted outside of the domestic settings rules.</li> </ul>
08.12.20	<b>KP/334</b> INQ000048502	No key decisions
10.12.20	<b>KP/335</b> INQ000048503	Agreed to permit the sale of alcoholic drinks at any till in a licensed supermarket from the date the regulations are made until close of business 31.12.20.
17.12.20	<b>KP/336</b> INQ000048504	<p>Lockdown agreed - from 00:01 on the 26 December to run for six weeks, with a review after four weeks.</p> <ul style="list-style-type: none"> <li>• Closure of all retail, except essential retail. Homeware stores/garden centres no longer classified as essential; dog groomers and fuel suppliers added to the essential listing. Click and Collect not permitted for non-essential businesses. Expanded use of Covid Marshals in the retail sector. Off licences will remain open, with an 8pm closing/ cut off for all sales of alcohol;</li> <li>• Closure of close contact services, and driving instruction (not motorcycles), except: Film and TV production; ancillary medical, health and social care services; and sports massage therapy. Appointments only system and contact details of all customers must be recorded. Face coverings must be worn when permitted to open.</li> <li>• Closure of all nightclubs; conference halls and conference facilities, including those in hotels; theatres and Concert Halls, except for the purposes of rehearsals; visitor attractions including funfairs, inflatable parks, amusements arcades, skating rinks, bingo halls, museums and galleries, cinemas; campsites and caravan parks for touring caravans including motorhomes, except in an emergency; swimming and diving pools; indoor sports and exercise facilities, including soft play areas, leisure</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<p>centres, gyms, equestrian centres, venues relating to motor sport and activity centres; outdoor sports and exercise facilities including activity centres, equestrian centres, marinas and venues relating to motor sport and water sport. The following outdoor attractions remain open: play areas, public parks, forest and country parks, and outdoor areas of stately homes, historic homes, castles and properties operated by the National Trust.</p> <ul style="list-style-type: none"> <li>• Closure of all hospitality (except for accommodation for essential travel). Takeaway and delivery (5am-11pm), and food and drink in motorway services, airports and harbour terminals will remain open. Use of outdoor seating is not permitted, either on the premises or adjacent to them.</li> <li>• Sectors such as manufacturing and construction continue to operate.</li> <li>• Indoor sport only permitted for elite athletes or for Physical Education. in, or for, schools. Spectators are not permitted.</li> <li>• Outdoor gatherings restricted to 15 people. Gatherings for the purposes of exercise or sport only permitted for elite athletes, physical education in, or for, schools, or if participants are members of the same household.</li> <li>• Indoor gatherings are limited to a maximum of 15 people.</li> <li>• All educational activities, beyond school or higher/further education, must be delivered by distance learning unless face to face delivery is essential</li> <li>• No household gatherings of more than one household, other than linked households (bubbles), with exceptions for caring, maintenance, house moves, etc. and a transition period to cover the Christmas bubbling arrangements until the 27 December; garden/outdoor gatherings remain at six people from two households;</li> <li>• Places of worship permitted to open for communal services (up to risk assessment numbers), individual worship, weddings, civil partnerships and funerals. Up to eight people permitted to make a recording of a service for transmission. Masks are mandatory and attendees should not mingle inside beyond their own household or bubble.</li> <li>• Weddings restricted to 25 people and cannot take place in a private dwelling, with an exemption if one party is terminally ill. Attendee contact details must be recorded by the organiser. Risk assessment required for more than 15 people. Receptions not permitted. Venues otherwise closed may open to host a wedding or civil partnership.</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<ul style="list-style-type: none"> <li>• Funerals restricted to 25, including children and the celebrant. Attendee contact details must be recorded.</li> <li>• Schools and childcare to remain open;</li> <li>• Public library access only permitted for the purposes of collecting an order (orders cannot be made in person).</li> </ul> <p>Also agreed further stricter rules in place from 26/–2 - 2/01:</p> <ul style="list-style-type: none"> <li>• between 8pm and 6am the following morning:               <ul style="list-style-type: none"> <li>a. retail able to remain open during the restrictions must close between these hours</li> <li>b. no indoor or outdoor gatherings of any kind</li> <li>c. outdoor exercise permitted only with members of own household</li> <li>d. no household mixing in private gardens, or indoors in any setting, except for emergencies or the provision of health or care services.</li> </ul> </li> <li>• No sporting events at any level and either indoors or outdoors during this period.</li> <li>• Does not apply to Christmas bubbles in place until 27/12.</li> </ul>
22.12.20	KP/318 INQ000207209	<p>Agreed amendments to lockdown measures:</p> <ul style="list-style-type: none"> <li>• non-essential retail permitted to carry on delivery to homes only, not restricted by curfew.</li> <li>• all petrol stations permitted to open for fuel and air for tyres only (night hatch system may operate associated shops).</li> <li>• only pharmacies on emergency pharmacy rota permitted to open during week one closures.</li> <li>• estate agents shop fronts closed to the public but activities could progress.</li> <li>• closure of hotels from 00:01am Boxing Day with exemptions in place (would include covering those affected by Christmas bubble changes). No serving of alcohol beyond 8.00 p.m. in hotels in week one.</li> <li>• take away and delivery food not permitted during 8.00 p.m. – 6.00 a.m. hours in week one.</li> <li>• click and collect for groceries permitted during 8.00 p.m. – 6.00 a.m. hours in week one.</li> <li>• animal rehoming centres remain open for drop off only.</li> <li>• horse racing permitted behind closed doors (but not in week one).</li> <li>• charity, community and voluntary sector Christmas dinner service in line with the 15 person limit for indoor gatherings.</li> <li>• cleaning and disinfection of vehicles for the purposes of food safety, infection control or animal disease control only would be permitted. No domestic vehicles.</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<ul style="list-style-type: none"> <li>• car dealers closed for week one, then open for online sales and delivery of vehicles.</li> </ul>

### Phase 3 - ACTIVATION OF NICCMA & CCG

472. On 23 September, Andy Cole the then Director of Civil Contingencies, provided a submission to First Minister and deputy First Minister outlining the Northern Ireland Central Crisis Management Arrangements (NICCMA) and the CCG Protocol for the Escalation of Multi-Agency Response, together with the escalation model for any activation of the NI Hub **[Exhibit KP/337 – INQ000277781]**.

473. On 18 October 2020, Andy Cole provided a submission to First Minister and deputy First Minister the intention to invoke NICCMA and convene CCG(O), a high-level officials group **[Exhibit KP/316 – INQ000289778]**, **[Exhibit KP/317 – INQ000308887]**.

474. As agreed by the First Minister and deputy First Minister, CCG(O), met on 28 October 2020 **[Exhibit KP/338 - INQ000279279]** to invoke NICCMA and agreed to meet on an initial weekly basis.

475. The NI Hub remained in the “Alert” phase and the core civil contingencies team provided support to CCG and ensured reach back into Departments and across partners to coordinate information as necessary.

476. It was agreed that CCG (O) would brief out to NIEPG each Friday in an effort to ensure visibility through the system from strategic oversight to operational response arrangements for Covid-19 Response and likewise, for NIEPG to have an avenue to escalate issues upwards. NIEPG established a subgroup entitled NIEPG (Covid Regional Co-ordination).

477. On 26 October 2020 NICCMA were invoked to manage the second wave of Covid-19. The data reflected a rapidly changing position and an increase in community transmission together with an increased number in ICU COVID occupied beds. The NI Hub remained in the Alert phase and the core civil contingencies team provided support to CCG. CCG (O) met on weekly basis. A weekly SitRep was also produced to monitor and track cross cutting impact.

478. This entailed a weekly meeting of the CCG at official level, chaired by me, in the absence of appointment of a Head of the Civil Service, and the production of a weekly SitRep from 27

## Module 2C – TEO Corporate Statement

October 2020 onwards [Exhibit KP/339 - INQ000279274]. The weekly SitRep was shared around all departments and responding bodies and was briefed to the First and deputy First Minister's offices. NICCMA was invoked due to concerns from the Department of Health around the doubling rate of infection, availability of ICU beds and overall hospital admissions. All of this, coupled with the Executive introducing regulations which provided for restrictions, meant that the anticipated impacts went beyond health-only to have wider cross cutting impacts on society and the economy which required coordination and monitoring at a strategic level.

479. With lessons learned, information flows in place and working groups established it was assessed that a full NI Hub activation was not required and the CCPB could act as the focal point for sharing information and data, and support CCG in the strategic oversight of the emergency response. CCG could collate and share the information with key NI partners and seek input to inform decision making and collective actions by CCG and the Executive if required.
480. As the winter of 2020-21 progressed, the weekly meeting of CCG and the SitRep considered a broader concurrency of other non-COVID potential impacts on NI society over the winter of 2020. CCG stopped meeting weekly in early February 2021 and the final SitRep was issued on 9 March 2021 [Exhibit KP/340 - INQ000065892]. With CCG no longer meeting and not undertaking a decision-making role, the C3 system was no longer providing a response function in Northern Ireland. Business as usual monitoring proceeded through CCPB [Exhibit KP/341 - INQ000023227].

### Phase 3 - COVID-19 Strategy and Recovery Division

481. The COVID-19 Strategy and Recovery Division (CSRD) was formally established in Autumn 2020. The division operated alongside the autumn / winter civil contingencies arrangements described above to provide the NICS' policy response to the evolving pandemic.
482. Initially the Division was staffed by officials who volunteered to move from their normal work area until the posts could be filled substantively at which stage there was one Grade 5, Peter Toogood reporting to me and supported by two Grade 7s, five Deputy Principals, two Staff Officers and one EO2.
483. The Division coordinated and managed several significant pieces of work:

## Module 2C – TEO Corporate Statement

- At Ministerial level, the CSRD supported the First Minister and deputy First Minister in their regular engagements with the UK Government's Michael Gove MP, firstly as the Chancellor of the Duchy of Lancaster and subsequently as Minister for Levelling Up and Communities. Officials provided briefing and took notes of the meetings.
- CSRD chaired and managed the Cross Departmental Working Group on Covid restrictions and relaxations, which coordinated the successful implementation of the Executive's strategic and sustainable COVID-19 Pathway out of Restrictions, published in March 2021 (see below).
- CSRD delivered the Autumn/Winter Plan for 2021/22 and Omicron Scenario Planning which supported and informed key Executive decision-making.
- CSRD delivered the *Building Forward: Consolidated COVID-19 Recovery Plan*, which was agreed by the Executive on 29 July 2021 and subsequently published on 2 August 2021.
- Other work by CSRD includes:
  - Supporting Executive's decision-making and response to the COVID-19 pandemic through the provision of advice.
  - Initiating, leading and managing cross-cutting time bound Task and Finish Groups in response to specific issues, for example:
  - Co-ordination and support for strategic engagement with UK, Devolved Administrations and Republic of Ireland Governments/Officials.

484. CSRD leads on TEO's response to the Covid-19 Inquiry.

### Phase 3 - Executive's Covid Taskforce (ECT)

485. The Executive's COVID-19 Taskforce was established in December 2020 [Exhibit KP/342a – INQ000415921], [Exhibit KP/342b – INQ000212987], [Exhibit KP/342c – INQ000415923] under the leadership of HOCS and was established to lead and co-ordinate the Executive's ongoing response to, and recovery from, the pandemic. The Taskforce brought together the many strands of the Executive's overall response to the pandemic, by joining up the work already taking place across Government Departments, Local Government and public sector agencies. Jenny Pyper wrote to First Minister and deputy

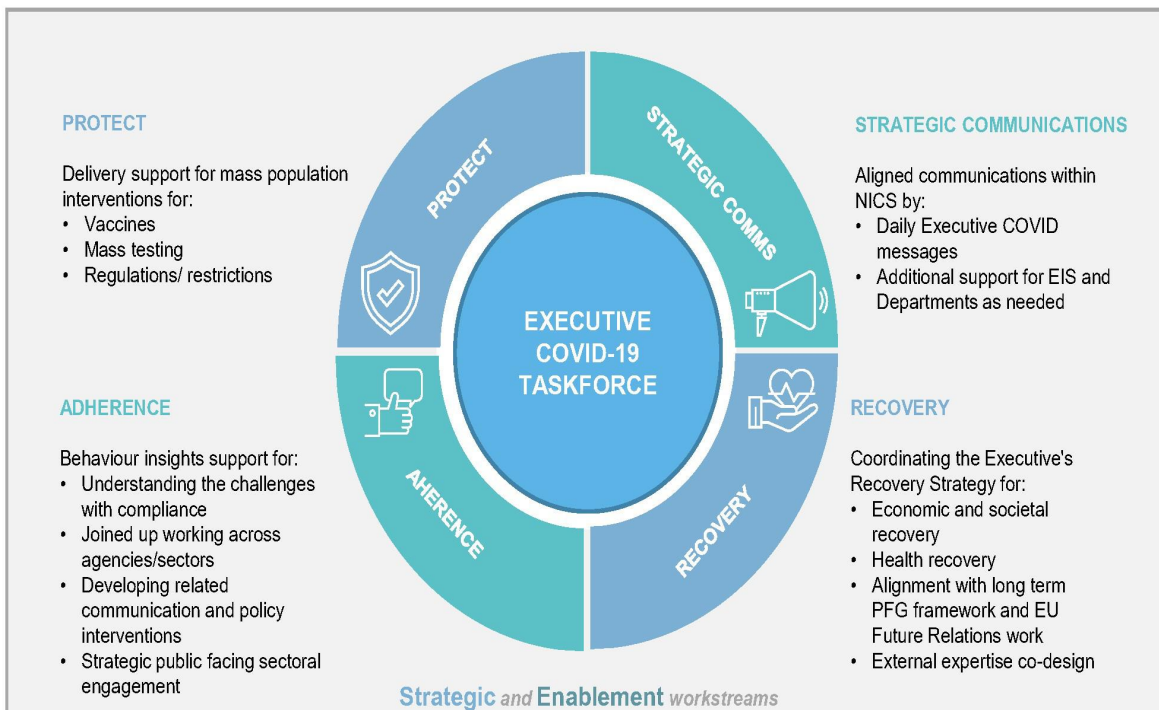
## Module 2C – TEO Corporate Statement

First Minister on 10 February 2021 providing an update on the ECT along with the group's Terms of Reference for the ECT and an Executive paper providing a status update of the ECT and a Forward Work Programme [Exhibit KP/343 - INQ000279367].

486. Once established, the ECT provided timely advice and proposals on Covid-19 matters to support the Executive to ensure that decision-making was proportionate and based upon the latest medical and scientific evidence.

487. The ECT provided practical coordination and alignment of the Executive's overall response to the pandemic. It did this both by drawing together the work that was already taking place across key operational Departments, Local Government and public sector agencies and by commissioning and undertaking additional work as considered necessary.

488. The ECT built upon the Executive's immediate Covid-19 response to progress an integrated programme of work across four key areas: Protect; Recovery; Adherence and Strategic Communications. The unit established a 4-weekly review of restrictions to inform Executive decision-making and allow an evolving and dynamic approach when it was appropriate. This enabled significant progress to be made.



489. The Taskforce consisted of the Permanent Secretaries for Health, Justice, Communities and



## Module 2C – TEO Corporate Statement

Economy and is attended by the Head of Covid Strategy and Covid Contingencies and the Head of Executive Communications.

490. The Taskforce also ran the Cross Departmental Working Group (CDWG) to consider the proposals submitted for Executive consideration for the relaxation of restrictions as well as other Covid-related cross-cutting issues and to provide and receive updates on the position in other jurisdictions, on sectoral engagement and recovery. Further information on the CDWG is outlined in Phase 5.

### Adherence Workstream

491. The Adherence Group, chaired by Peter May, DoJ, brought together departmental stakeholders as well as enforcing agencies to discuss how changes in law and guidance impact upon adherence thereto, how to best encourage compliance with public health messages and to work with behavioural science experts to on efforts to reduce transmission of the virus. The Adherence Group ensured that timely guidance was developed to inform the public of what was expected, given the numerous changes to the rules during the previous 12 months.

492. The group implemented COVID-19 population polling from June 2021 to March 2022, producing 12 sets of polling data to ascertain attitudinal adult-only opinions towards the COVID-19 restrictions. This information was considered to be key to confirming or challenging the approach to be taken towards restrictions and/or enforcement **[Exhibit KP/344 - INQ000188395], [Exhibit KP/345 - INQ000188471], [Exhibit KP346 - INQ000188474]**.

493. To tie in with the Executive's Autumn / Winter plan, subset of members of the Adherence Group operated a Ventilation Group, which examined how to deliver good ventilation and thereby reduce the risk of transmission of the virus. The Ventilation Group developed and published guidance for individuals and businesses which was published on NIDirect and NIBusinessinfo respectively.

### Communications Workstream

494. The focus of the communications workstream was to translate often complex restrictions set out in legislation and guidance into easy-to-understand messages so that citizens understand both what they were permitted to do and not to do and why such measures were important. The workstream was led by Chris McNabb, EIS.

## Module 2C – TEO Corporate Statement

495. As the Executive moved away from the "Stay local" message, relaxed guidance within the common travel area and adopted the green list for international travel, messaging focused on the behaviour of the individual, to inform and enable people to make safer choices on how to keep themselves safe and reduce the risk of transmission.

### Protect Workstream

496. The Protect work stream was led by the Department of Health and involved significant work on the roll out of the vaccination programme.

### Recovery Workstream

497. This work was led by me and recognised the significant impact that the necessary health protection restrictions had on Northern Ireland and its citizens. In March 2021, the Executive commissioned the development of a focused cross-cutting recovery plan. The interventions outlined in the draft plan were aimed at:

- Accelerating recovery over the following 24 months;
- Ensuring the citizen was better off in the short term (2-3 years); and
- Addressing critical challenges faced by NI citizens.

498. Interventions were grouped into four main Recovery Accelerators, those being:

- Sustainable Economic Development
- Health of the Population
- Tackling Inequalities
- Green Growth & Sustainability

499. Further information is available at Part 3 of this statement.

### **Phase 3 - Sectoral Engagement**

500. This section illustrates sectoral engagement that took place from 17 September to 25 December 2020. There was increased engagement across all sectors because of the implementation of restrictions and their impact on the various sectors.

## Module 2C – TEO Corporate Statement

### Phase 3 – Engagement with Businesses

501. On 28 September 2020, the First Minister and deputy First Minister wrote to the Speaker of the Assembly advising that they intended to make a statement to the Assembly on Tuesday 29 September 2020 relating to restrictions on the hospitality industry [**Exhibit KP/347 – INQ000277822**]. The statement, made on 29 September can be seen at [**Exhibit KP/348 – INQ000279401**]. TEO has not, however, been able to locate evidence of engagement with the sector in advance of the statement being made to the Assembly. Through the statement, First Minister advised the Assembly that the Executive had made the decision that premises selling alcohol must close at 11pm.
502. First Minister and deputy First Minister met with representatives of the hospitality sector on 14 October 2020 to discuss the support available to the sector in light of decisions made regarding increased restrictions to curb the spread of the virus [**Exhibit KP/349 – INQ000291188**].
503. Junior Ministers met with several representatives of the hospitality sector on 21 October 2020 [**Exhibit KP/350 – INQ000279403**]. The representatives outlined the impact of the restrictions on businesses. The sector emphasised the need for long-term plans beyond the 4-week restrictions that were in place at the time. Concerns were raised that venues had invested money in order to re-open safely after lockdown only to be faced with restrictions again. The need for better communications was also discussed.
504. A meeting chaired by Junior Ministers with the retail sector was held on 22 October 2020 [**Exhibit KP/351 – INQ000268903**]. The aim of the meeting was to discuss the development of a partnership approach to enhance messaging and compliance measures within the sector.
505. At a further meeting on 28 October 2020 [**Exhibit KP/352 – INQ000308895**], hospitality representatives presented papers on the standards required for the industry to operate safely in a Covid environment. Chris McNabb, Director of Information Services in TEO provided an update on upcoming communications. The meeting chaired by Junior Ministers reiterated the commitment to re-open the sector on 13 November 2020. Representatives from the sector highlighted that the behaviour of people in their venues was easier to monitor than in private dwellings and encouraged Ministers to regard them as a tool for combatting Covid-19.
506. On 4 November 2020, First Minister and deputy First Minister convened a meeting with the hospitality representatives to discuss the 4-week restrictions that were in place to help

## Module 2C – TEO Corporate Statement

ease the pressure on the health service [Exhibit KP/95 – INQ000268899]. Minister Swann, CMO and CSA attended the meeting to update the group on current numbers in relation to positive test results, hospital and admissions and ICU cases and to respond to queries raised by the sector. There was a discussion on what could be done to help the industry open a more sustainable manner.

507. First Minister and deputy First Minister also held a joint meeting with the Finance Minister and the Association of Northern Ireland Travel Agents (ANITA) on 4 November 2020 [Exhibit KP/354 – INQ000279405]. The meeting focused on financial support required by the sector in order to remain viable. It was agreed that an official from the Department of Finance would liaise with ANITA to collate evidence for financial support and that First Minister and deputy First Minister would agree a responsible department to develop and manage a support scheme for the sector if the evidence demonstrated a need.

508. Deputy First Minister and the Junior Ministers convened a meeting to discuss the 3-point plan that had been recently published by business organisations, trade bodies and Chambers of Commerce on 23 November 2020 [Exhibit KP/355 – INQ000279406]. The meeting also provided an opportunity to discuss the Executive decision announced on 19 November 2020 to introduce a two-week circuit breaker to slow the spread of coronavirus and the implications this had for the business sector. The Ministers updated the Group on the announcement earlier that day of a £300 million support package to help mitigate the impacts on businesses and the most vulnerable.

509. At a further meeting with retail on 25 November 2020 [Exhibit KP/356 – INQ000279407], the announcement of the High Street Voucher Scheme was discussed as well as the decision by the Executive to allow ‘Click and Collect’ shopping to be allowed.

510. The First Minister and Minister for the Economy also met with Randox Laboratories on 25 November 2020 [Exhibit KP/357 – INQ000279408] in relation to the testing capacity they were able to provide in Northern Ireland.

511. Junior Ministers chaired a meeting with the retail sector on 10 December 2020. The purpose of this engagement was to discuss the increasing number of Covid cases that could be seen in the community. The meeting also discussed changes in regulations for unlicensed tills to permit the purchase of alcohol at more tills in supermarkets to help prevent queues building up in the run up to Christmas.

## Module 2C – TEO Corporate Statement

512. Further engagement on 16 December 2020 was arranged to facilitate a Q&A with the CMO and CSA [**Exhibit KP/358 – INQ000279409**]. An overview of executive decisions was provided and other issues such as Shopping Centre management, the Covid Support Aware function and unlicensed tills were discussed, amongst others.

### Phase 3 – Engagement with Faiths Leaders

513. There was a series of meetings with the Faiths leaders Forum led by either Ministers or officials. On 16 October 2020, the First Minister met with the Dean of Belfast to discuss a Covid memorial facilitated by Belfast Cathedral using a 3-phased approach involving an online book, a panel installation and a permanent memorial to be located initially at the Cathedral [**Exhibit KP/359 – INQ000279410**].

514. A meeting of the wider Faiths Leaders Forum took place on 27 October 2020, chaired by Junior Ministers. Junior Minister Lyons provided an update on the current COVID-19 situation, which had changed since the previous faiths meeting in September. The new restrictions introduced on Friday 16 September were highlighted, including the key point that places of worship could remain open if guidance was followed.

515. At a further meeting on 27 October 2020, Junior Ministers again updated the Forum on the evolving nature of the pandemic [**Exhibit KP/361 – INQ000269130**]. It was agreed that a meeting including PSNI and PHA would be arranged to address concerns raised by Faiths Leaders.

516. On 10 November 2020, PSNI and PHA attended a meeting of the Forum chaired by Junior Ministers [**Exhibit KP/362 – INQ000279411**]. PSNI and PHA attended to address queries that had been raised at the previous meeting of the Forum.

517. Following the decision by the executive on 19 November 2020 to stop in person services, the Junior Ministers met with Faiths Leaders to discuss the impact on 20 November 2020 [**Exhibit KP/363 – INQ000279412**]. Junior Minister Lyons provided an update. The group expressed their disappointment that there had been no consultation with the Forum in advance of the decision being made to suspend in person services. Several queries were raised that officials took away to address.

518. CMO and CSA attended a further meeting of the Forum, chaired by Junior Ministers, on 1 December 2020 [**Exhibit KP/364 – INQ000279413**]. Dr McBride explained that there had

## Module 2C – TEO Corporate Statement

been significant numbers of cases of the virus associated with faiths-based activity and that the aim of the restrictions in place was to give as much headroom around Christmas as possible. He thanked the faiths leaders for all the work they had done. Professor Young confirmed that the number of cases had fallen because of the Executive decisions and that there had been a number of outbreaks related to church services. Professor Young explained the various ways of reducing the risk of transmitting the virus.

519. On 18 December 2020, Jane Holmes chaired a meeting of the Faiths Leaders Forum, which was also attended by Dr Gerry Waldron, PHA [Exhibit KP/365 – INQ000279414]. This followed a decision by the Executive on 17 December 2020 to allow places of worship to open for communal services (subject to risk assessment numbers), individual worship, weddings, civil partnerships and funerals. Up to eight people were permitted to make a recording of a service for transmission. Masks were mandatory and attendees were not mingle outside beyond their own household or bubble. Communal services were also subject to the prohibition on gatherings after 8pm that was also in place. The Forum welcomed the decision to permit in-person services.

### Phase 3 – Engagement with Enforcement Agencies

520. On 1 October 2020, Junior Ministers held a series of meetings to discuss the Derry and Strabane localised restrictions that were put in place to help curb rising case numbers [Exhibit KP/366 – INQ000279415]. In advance of the Executive decision on localised restrictions being made public, the Junior Minister briefed the Justice Minister. This was followed by a meeting with the Derry and Strabane Council Chief Executive, also attended by Minister Swann, CMO, CSA and PSNI, to provide a briefing on a confidential basis. After the Executive decision, deputy First Minister and Junior Ministers Lyons and Kearney, with CSA, provided a pre-press conference briefing for local politicians.

521. On 9 October 2020, Junior Ministers chaired a meeting of the Strategic Enforcement Group to discuss actions required in light of rapidly increasing Covid-19 case numbers [Exhibit KP/367 – INQ000279285]. The meeting was attended by PSNI, the Chief Executive of SOLACE and the Director of City Services. A number of issues were discussed including increased restrictions, new penalties, the lead in time required for printing fine tickets, a Memorandum of Understanding between Councils and PSNI, engagement with sectors, guidance for students, communications and the potential stand up of CCGNI and emergency planning arrangements.

## Module 2C – TEO Corporate Statement

522. First Minister, deputy First Minister, Junior Ministers and Minister Long met with PSNI on 9 October 2020 to discuss enforcement needs regarding the Covid-19 regulations in line with proportionality and the potential for impacts on community policing [Exhibit KP/368 – INQ000279284]. PSNI highlighted positive engagement with sectors regarding efforts to increase compliance with the regulations and emphasised the need for additional support. It was agreed that consideration would be given to standing up Command, Control and Coordination structures.

523. During Phase 3 of the pandemic, further meetings of the Strategic Enforcement / Compliance Group took place on 21 October 2020 [Exhibit KP/369 – INQ000279416], 28 October 2020 [Exhibit KP/370 – INQ000268885], 4 November 2020 [Exhibit KP/371 – INQ000268905], 25 November 2020 [Exhibit KP/372 – INQ000268904], 2 December 2020 [Exhibit KP/373 – INQ000268884], 9 December 2020 [Exhibit KP/374 – INQ000268865] and 16 December 2020 [Exhibit KP/375 – INQ000268883]. The meetings focused on emerging issues and how to resolve them.

### Phase 3 – Engagement with Equality Organisations

524. First Minister and deputy First Minister met with the NI Human Rights Commissioner, Les Allamby, on 3 November 2020 [Exhibit KP/376 – INQ000279423]. Les Allamby advised that the Commission was carrying out an investigation into Care Homes during with pandemic with a focus on families being able to visit loved ones. Other issues not related not Covid-19 were also discussed.

### Phase 3 – Other Engagement

525. On 10 September 2020, Ministers met with the Royal College of Nursing and Unison to discuss the current Covid situation and forthcoming further restrictions [Exhibit KP/377 – INQ000279424]. They also discussed Winter preparedness in the context of a second wave of the Covid-19 pandemic, including PPE, Testing, Covid treatments, flu vaccine take-up.

### **Phase 3 - UK Government and Devolved Administrations Engagement**

526. This section illustrates Engagement between UK Government and Devolved Administrations that took place from 17 September – 25 December 2020.

527. From mid-September up to Christmas 2020, there were 12 meetings with the Chancellor of the Duchy of Lancaster, six meetings with the Secretary of State for NI, three COBR

## Module 2C – TEO Corporate Statement

meetings and two with the Prime Minister.

528. At that time, the focus was on the concerning rise in cases, the positivity trajectory and looking toward winter / Christmas planning including track and trace, PPE availability and the roll out of LFT tests across the nations.

529. In an attempt to reduce the R rate, DAs were informed of the move by UKG to a tiered system, which would be supported by Barnett consequentials and the UK led Job Support Scheme. This echoed comments from Ministers on concerns for the economy and individuals. Meeting notes of 19 September and 5 October 2020 are exhibited at **[Exhibit KP/378 – INQ000279461]** and **[Exhibit KP/379 – INQ000279462]**.

530. At a meeting with the PM on the 12 October, the focus was very much on recovery, living with Covid and taking steps to avoid another damaging lockdown. Meeting note from 12 October is exhibited at **[Exhibit KP/380 - INQ000286561]**.

531. In looking towards Christmas 2020, all parties were keen to align messaging for Christmas bubbles and travel and whilst agreement had been reached this was overtaken by rising case numbers and the prevalence of a new variant of concern which was becoming dominant. Meeting notes of 11 November and 15 December are exhibited at **[Exhibit KP/381 – INQ000279463]** and **[Exhibit KP/382 – INQ000286600]**.

532. At the 2 December meeting DAs were informed of the vaccine approval and deployment, which was widely welcomed with queries raised by DAs on the equitable distribution of the vaccine. Meeting note of 2 December exhibited at **[Exhibit KP/383 – INQ000279465]**.

533. On 19 December 2020, DAs were informed that the PM was to announce further measures to curb the virus whilst the NI Ministers had agreed a way forward for further restrictions commencing on 26 December. The meeting note of 19 December is exhibited at **[Exhibit KP/384 – INQ000286611]**.

534. The meetings with the Secretary of State for NI were reflective of those discussions had at 4 nations level.

### Phase 3 - Engagement with Irish Government

535. First Minister and deputy First Minister attended two meetings with Republic of Ireland Ministers during this phase of the pandemic. On 5 October 2020 they met with the



## Module 2C – TEO Corporate Statement

Taoiseach to discuss the response to rising case numbers [**Exhibit KP/385 - INQ000276050**]. The Taoiseach advised Ministers that the Irish Government had that day decided to implement Level 3 restrictions, which in summary were:

- Restrictions on households mixing
- No travel outside own county unless essential, such as education, work
- Visits to residential homes suspended
- Indoor dining closed

536. There was a discussion on the need for an all-island approach.

537. At a meeting on 12 October attended by First Minister, deputy First Minister and Minister Swann from the Northern Ireland Executive, the Tánaiste and Minister for Health from the Republic of Ireland and the Northern Ireland Secretary of State, the following issues were discussed: cross-border test and trace, data sharing, international travel arrangements, ongoing CMO engagement and the need for consistency across the border [**Exhibit KP/386 - INQ00027949**].

## Module 2C – TEO Corporate Statement

### PHASE 4 - RESTRICTIONS (26 DECEMBER 2020 – MARCH 2021) - D20 HUB AND LOCKDOWN 2

#### Phase 4 - Overview

538. From mid-December 2020 to March 2021, there were two significant developments. Case numbers of the virus continued to escalate, and revised arrangements were required to monitor the concurrency of the pandemic, winter pressures and EU Exit.

#### Phase 4 - Executive Meetings and NPIs

<i>Date of Executive meeting</i>	<b>TEO number</b>	<b>NPI Decisions</b>
04.01.2021	<b>KP/387</b> INQ000207234	No key decisions made.
05.01.2021	<b>KP/388</b> INQ000207210	<p>From 6 February:</p> <p><u>Indoor gatherings at a private dwelling –</u></p> <ul style="list-style-type: none"> <li>only members of one household with an exemption for a linked household.</li> <li>Max. of 10 people from 2 linked households (bubble), including children under 12 (exception for households of more than 10 people)</li> </ul> <p><u>Outdoor gatherings at a private dwelling</u></p> <ul style="list-style-type: none"> <li>Maximum of 6 people from one household only which may include members of a linked household, including children under 12 (exception for households of more than 6 people)</li> </ul> <p><u>Gatherings</u></p> <ul style="list-style-type: none"> <li>reduced to maximum of six people from two households.</li> <li>Children under 12 count towards the permitted total.</li> <li>Outdoor exercise permitted with one person from another household.</li> </ul> <p><u>School closures</u> - extension of remote learning for all educational settings until the mid-term break in February.</p>
08.01.2021	<b>KP/389</b> INQ000048507	<p>Agreed:</p> <ul style="list-style-type: none"> <li>outdoor gatherings at a private dwelling to align with indoor position.</li> <li>Only members of one household may gather with an exemption for a linked household.</li> <li>Maximum of 10 people from 2 linked households (bubble), including children under 12.</li> <li>No other household mixing in private gardens (exception for households of more than 10 people).</li> </ul>
12.01.2021	<b>KP/390</b> INQ000048508	No key decisions made.
14.01.2021	<b>KP/23</b> INQ000048509	No key decisions made.
21.01.2021	<b>KP/391</b> INQ000048510	<u>Review of regulations</u> - continue to be proportionate and necessary. Existing restriction regulations extended for further 4 weeks, until 5 March 2021.

## Module 2C – TEO Corporate Statement

26.01.2021	<b>KP/392</b> INQ000048511	No key decisions made.
28.01.2021	<b>KP/393</b> INQ000048512	School closures - extension of remote learning for all educational settings until 5th March, in line with other Executive restrictions. Agree aim to recommence restart face to face teaching in the w/c 8 March, on either a full, phased approach.
02.02.2021	<b>KP/394</b> INQ000048513	No key decisions made.
04.02.2021	<b>KP/395</b> INQ000048514	No key decisions made.
11.02.2021	<b>KP/396</b> INQ000048515	No key decisions made.
14.02.2021	<b>KP/397</b> INQ000048516	Review of regulations - continue to be proportionate and necessary. Existing restriction regulations extended for further 4 weeks, until 1 April 2021 Agreed: <ul style="list-style-type: none"> <li>• gatherings outdoors of up to 10 people (including children under 12) from no more than 2 households, excluding private dwellings.</li> <li>• Phase 1 of contactless 'Click and Collect' for non-essential retail businesses from 8 March, without garden centres.</li> <li>• School closures - phased restart of face to face teaching: <ul style="list-style-type: none"> <li>- Pre-school/ nursery children and Primary 1-3 to return to full time face to face teaching from 8 March 2021.</li> <li>- Students engaged in completing qualifications (GCSEs, AS Levels, and A levels, other vocational qualifications ) principally in years 12-14 to return to full time face to face teaching from 22 March 2021.</li> <li>- Remote learning for pre-school/ nursery children and P1-3 for one week to commence from 22 March 2021 to facilitate return of older students.</li> </ul> </li> </ul>
25.02.2021	<b>KP/398</b> INQ000048517	No key decisions made.
02.03.2021	<b>KP/399</b> INQ000207212	No key decisions made.
04.03.2021	<b>KP/400</b> INQ000048519	No key decisions made.
11.03.2021	<b>KP/401</b> INQ000048520	School closures -amendment of 14 February decision for pre-school/nursery and P1-P3 pupils to now be retained in school during week commencing 22 March 2021.
16.03.2021	<b>KP/402</b> INQ000048521	Review of regulations - continue to be proportionate and necessary. Agreed: <ul style="list-style-type: none"> <li>• Existing restriction regulations extended (to be reviewed on or before 15 April)</li> <li>• increase in provision for elite sports competition be included in the regulations, removing the previous exclusion of new competitions, effective from 25 March.</li> <li>• Reduction of person to person contact - relaxations from 1 April: <ul style="list-style-type: none"> <li>- 10 people from 2 households, including children</li> </ul> </li> </ul>

## Module 2C – TEO Corporate Statement

		<p>under 12, permitted to undertake outdoor sporting activities;</p> <ul style="list-style-type: none"> <li>- Up to 6 people from two households, including children under 12, may meet outdoors in a private dwelling (increasing to 10 people from two households, including children under 12, from 12 April);</li> <li>- Garden centres and plant nurseries would be included in Phase 1 of a contactless 'click and collect' scheme.</li> </ul> <ul style="list-style-type: none"> <li>• School closures: <ul style="list-style-type: none"> <li>- Primary 4 to Primary 7 pupils returning fully from 22 March</li> <li>- All pupils including Years 8-11 to fully resume from 12 April</li> </ul> </li> </ul>
25.03.2021	<b>KP/403</b> INQ000048522	Reduction of person-to-person contact- limited reopening of Sure Start early years (age 0-4) allowing face-to-face support for children only with immediate effect phased reopening of Youth Services (age 10-17) to commence from 1 April.

### Phase 4 – D20 Hub Arrangements

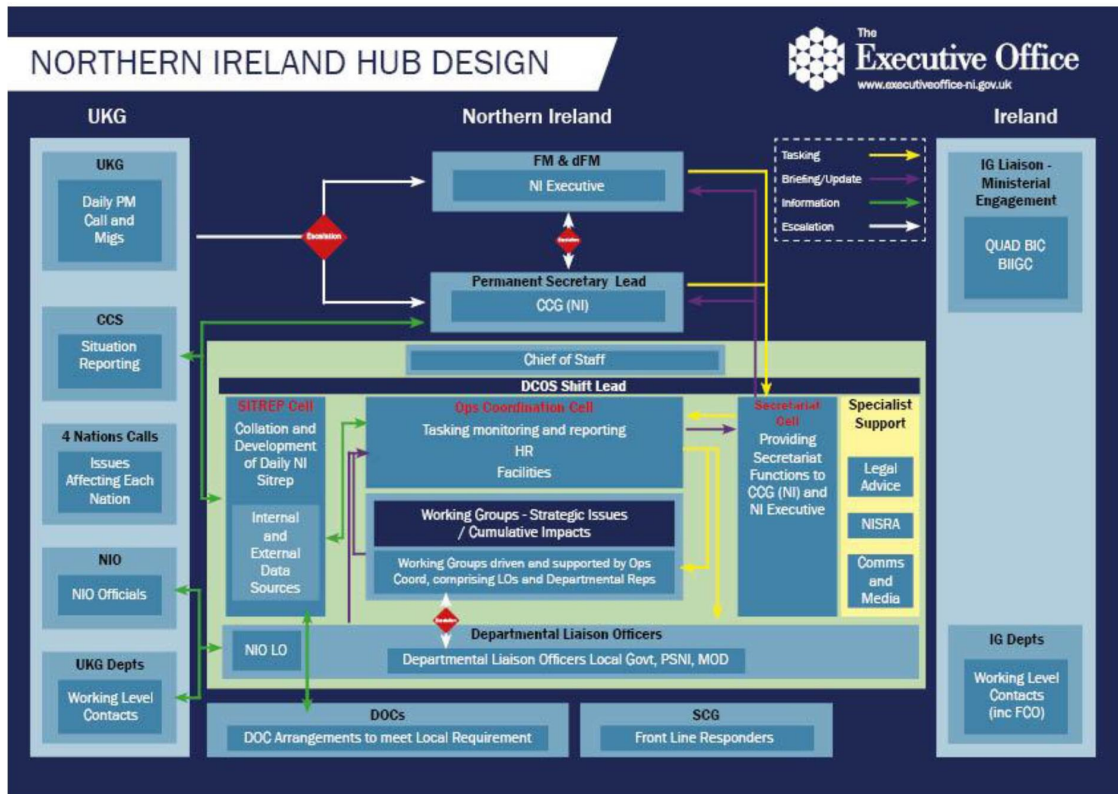
539. The Covid-19 developments across the 4 nations in relation to bubbles and travel arrangements, together with potential impacts across freight and supply changes put Northern Ireland in the concurrency space towards the end of December 2020 and the formal stand-up of the UKG C3 Arrangements, referred to as D20.

540. D20 arrangements were, therefore, put in place from December 2020 until February 2021 to simultaneously manage the potential impacts of the UK leaving the European Union and winter emergencies alongside the second wave of the pandemic. The D20 Hub prepared for and responded to these concurrent events, alongside the UK-wide preparations and response that was led by the Cabinet Office.

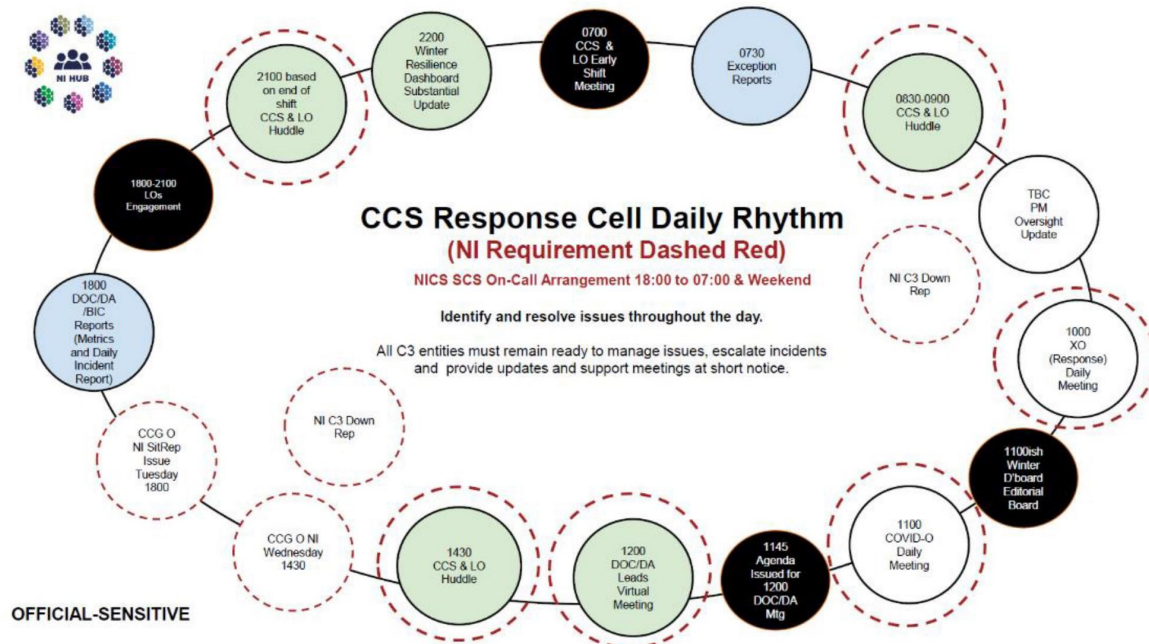
541. Once the D20 arrangements were put in place in December 2020, NI HUB escalated from "ALERT" status to HUB ONE ACTIVE Status, which allowed for regular CCG meetings, one shift to be activated during normal working hours Monday to Friday, supplemented with an out of hours on call system with other shifts in training mode. This reflected the increased reporting requirements and necessary reporting to Cabinet Office for the 4 nations D20 Response.

542. The C3 operational model was reviewed in light of D20 requirements and was amended to ensure alignment with the UKG CCS arrangements. The NI HUB provided situational awareness and incident reporting.

# Module 2C – TEO Corporate Statement



543. From mid-December 2020 NIHUB and the wider C3 system across the NICS and wider partners had been operating on a 24/7 on-call basis. CCG (O) was meeting on a weekly basis from 28 October 2020. An NI SitRep was produced weekly, issuing to CCG (O) and Ministers.



## Module 2C – TEO Corporate Statement

544. The response arrangements operated on a 24/7 on-call basis until February 2021 when CCG (O) agreed at the meeting on 10 February 2021 [**Exhibit KP/404 - INQ000279272**], [**Exhibit KP/405 - INQ000279273**] that CCG would no longer meet as a matter of routine but could reconvene at short notice using the activation process. Normal local government department arrangements then applied. A weekly Situation Report (SitRep) [**Exhibit KP/406 - INQ000065892**] continued to monitor and track key metrics to inform any future escalation until June 2021.

### Phase 4 - Sectoral Engagement

545. Sectoral engagement during this phase focused on how restrictions could be eased and how this could be communicated.

#### Phase 4 – Engagement with Businesses

546. First Minister and deputy First Minister met with retail representatives on 15 January 2021 [**Exhibit KP/407 - INQ000291209**]. The meeting discussed reports in the media regarding the sale of non-essential goods in supermarkets and abuse by retailers of the click & collect arrangements. Retailers reported that they were left feeling vilified and unhappy about how it had been handled.

547. The following was discussed:

- essential versus non-essential goods,
- benefits of reinstating click & collect,
- the vaccination programme,
- face coverings,
- messaging, and
- use of sanitisers for hands and trolleys/baskets,

548. The progress that had been made in reducing case numbers as a result of the restrictions that had been implemented in late December 2020 was also discussed but members were advised that the pressure on hospitals remained significant and there were large challenges ahead.

549. First Minister and Junior Minister Kearney met with the NI Chamber to discuss their recently

## Module 2C – TEO Corporate Statement

published document; 'Thrive', an action plan for economic recovery' and associated issues on 17 February 2021 **[Exhibit KP/408 - INQ000279425]**..

550. On 3 March 2021, Hospitality Ulster wrote to Jenny Pyper about a Recovery Plan they had produced on the back of work they had done with economists, strategists and communications experts to Rebuild, Rethink and revitalize their sector **[Exhibit KP/409 - INQ000278863]**. HOCS subsequently met with Hospitality Ulster on 15 March 2021 to discuss the Recovery Plan and to flag her intention to lead regular discussions with sectoral leaders **[Exhibit KP/410 - INQ000268914]**.

### Phase 4 – Engagement with Faiths Leaders

551. Junior Ministers along with CMO and CSA held a meeting with Faiths leaders on 7 January 2021 **[Exhibit KP/411 - INQ000291206]**. Junior Minister Kearney emphasised how serious the position was regarding Covid case numbers, highlighting that other jurisdictions had recently implemented stronger restrictions and that the executive intended to do more to curb the spread of the virus. After some discussion, a number of faiths leaders stated that they would voluntarily move to online services. This move was welcomed by the Junior Ministers.

552. Junior Ministers held a further meeting with Faiths Leaders on 22 February 2021 **[Exhibit KP/412 - INQ000291212]**. The meeting was attended by the Health Minister who provided an update on the vaccination programme. It was agreed that Faiths leaders would set out in writing what additional funding was required over and above that already available as well as information in relation to those who did not qualify for the COVID-19 Charities Fund and why.

### Phase 4 – Engagement with Enforcement Agencies

553. On 12 January 2021, First Minister and deputy First Minister met with the Chief Constable, PSNI, to discuss compliance and enforcement, and consider what can be done to support PSNI **[Exhibit KP/413 - INQ000291207]**. Cross border issues were also considered. The meeting also discussed the role of Covid Ambassadors.

### Phase 4 – Other Engagement

554. First Minister and deputy First Minister met with Women in Business to discuss the needs of women business owners on 13 January 2021 **[Exhibit KP/414 - INQ000279427]**. The

## Module 2C – TEO Corporate Statement

issue of funding was raised as the inability to hold events resulted in no revenue coming into the organisation. Ministers were also updated on the impact of the pandemic on various initiatives being run to support women in the workplace or returning to the workplace. The disproportionate impact of the pandemic on women was acknowledged.

555. At a meeting with NI Hospice on 27 January 2020, First Minister and deputy First Minister were briefed on the financial stress being caused to the Hospice as a result of Covid-19 **[Exhibit KP/415 - INQ000279428]**. Ministers undertook to engage with the Minister of Finance on the potential for a further Covid-19-related allocation.

### Phase 4 - UK Government and Devolved Administrations Engagement

556. This section illustrates Engagement between UK Government and Devolved Administrations that took place from 26 December 2020 – 7 March 2021.

557. During 26 December 2020 to 7 March 2021 there were 13 four nations meetings with the Chancellor of the Duchy of Lancaster with a heavy weighting of meetings in January to deal with surging case numbers. These meetings were also combined with three update meetings with the Secretary of State for NI.

558. From 26 December, Northern Ireland entered into a second lockdown and at the meeting on 4 January the focus was very much on the concerns around case numbers, the need to take additional measures and the risk to the health service. NI Ministers pushed again for engagement with ROI Ministers in relation to travel restrictions. The meeting note of 4 January 2021 is exhibited at **[Exhibit KP/416 – INQ000286560]**.

559. At the meeting on 6 January 2021 the focus turned to the vaccine rollout and the intention for persons to have a negative test prior to travelling. NI Ministers once again expressed the need for this to be a joined-up approach with ROI. The meeting note of 6 January is exhibited at **[Exhibit KP/417 – INQ000279468]**.

560. As high case numbers continued through January, attention remained on vaccine rollout and how NI could keep the R number down, the economy moving and how to deliver a show of appreciation to the NHS. The discussion on travel restrictions also continued with an announcement from the PM on the suspension of travel corridors and the need for pre travel testing and quarantine. The meeting note of 15 January 2021 is exhibited at **[Exhibit KP/418 - INQ000279469]**.



## Module 2C – TEO Corporate Statement

561. At the meeting on 27 January 2021, the focus on travel intensified with DAs being informed of an announcement by the Home Secretary later that day on tougher messaging around travel, a review of exemptions and the need to isolate when travelling from hot spots. The meeting note of 27 January is exhibited at **[Exhibit KP/419 – INQ000279470]**.
562. NI Ministers continued to express the need for a two-island approach to travel restrictions with there being an issue surrounding passenger locator forms (PLF)
563. At the meeting on 22 February 2021 **[Exhibit KP/420 - INQ000279471]**, the UK Government notified DAs of the intention to cautiously begin the process of lifting restrictions with the peak appearing to have been reached combined with vaccine rollout. NI Ministers informed the meeting of work ongoing on pathway and those concerns remained in relation to education settings.
564. Following the publishing of relaxation timelines and the proposed publication of the NI pathway out of restrictions, whilst there was broad alignment across nations, for NI there were areas of divergence in education and hospitality with ROI that were noted as a concern.
565. At the 10 March 2021 meeting, the vaccine rollout continued to be a key driver, with a forward look toward possible vaccine certification. NI Ministers made a further call for engagement with ROI with regard to Passenger Locator Forms and in respect to the differing pace of vaccine rollout and also raised the issue of liberties, inequities and ethical issues when looking at certification. Meeting note of 10 March 2021 is exhibited at **[Exhibit KP/421 – INQ000279472]**.
566. The meetings with the Secretary of State for NI continued to be a vehicle for information sharing on the progress in dealing with the pandemic.

### Phase 4 - Engagement with Irish Government

567. On 13 January 2021, First Minister and deputy First Minister met remotely with the Taoiseach to discuss issues regarding the pandemic **[Exhibit KP/422 - INQ000279473]** (please note the document is dated 13 January 2020 in error). The Ministers discussed the impact of rising cases, the emergence of the new variant, pressures on hospitals, rollout of the vaccines and the need of increased cooperation on travel including sharing Passenger Locator Forms.
568. At a Trilateral officials' meeting on 27 January 2021, the UK Government and the

## Module 2C – TEO Corporate Statement

Republic of Ireland provided updates on restrictions, international travel bans, quarantine measures and passenger locator forms **[Exhibit KP/423 – INQ000277058]**.

569. First Minister, deputy First Minister, Junior Minister Lyons and the NI Minister for Health met with the Tánaiste and the RoI Minister for Health and Robin Walker, a Northern Ireland Office Minister on 1 February 2021 **[Exhibit KP/424 – INQ000279496]**. The meeting focused on current case numbers, concerns about travel and hotel quarantine.

### Phase 4 - Travel Agents Coronavirus Financial Assistance Scheme

570. The pandemic significantly impacted on the travel industry, including travel agents, due to the limitations on travel and restrictions both here and elsewhere. The Executive agreed that a support scheme specific for this sub-sector of retail would help vulnerable but viable travel agents, including homeworking self-employed travel agents, with the cost of re-opening or keeping a business operational, the cost of re-connecting with employees and customers and adapting customer marketing, and with the cost of financial planning.

571. Funding for the Travel Agents Scheme was provided by means of financial support under the Financial Assistance (Northern Ireland) Act 2009 **[Exhibit KP/425 - INQ000279292]**. Ministers made a formal determination under section 1(1) of the Financial Assistance Act (Northern Ireland) 2009. Ministers then decided that TEO should proceed to establish and expedite the Travel Agents Support Scheme. Consequently, a Ministerial Direction issued on 11 March 2021 **[Exhibit KP/426 - INQ000023212]** by the First and deputy First Ministers resulted in TEO developing and implementing the Travel Agents Coronavirus Financial Assistance Scheme.

572. The Travel Agents Coronavirus Financial Assistance Scheme was provided for through The Travel Agents (Coronavirus, Financial Assistance) Regulations (Northern Ireland) 2021. **[Exhibit KP/427 - INQ000279293]**, The Regulations were made under the powers conferred by sections 1(2), 3 and 4 of the Financial Assistance Act (Northern Ireland) 2009, following a determination made under section 1(1) of the Financial Assistance Act (Northern Ireland) 2009. The Travel Agents (Coronavirus) Financial Assistance Scheme 2021 opened on 19 March 2021 for applications and closed on 26 March 2021. The support offered was a one-off grant payment of £10,000 for travel agents in Northern Ireland operating from commercial premises, and a one-off single payment of £3,500 for self-employed travel agents working from home in Northern Ireland. Travel agents with more than one premises could apply for a payment for each premises.

## Module 2C – TEO Corporate Statement

573. The flat payment of £10k was consistent with the Small Business Support Grant Scheme; and the £3.5k payment to self-employed homeworking travel agents was consistent with the support provided through the self-employed Covid scheme.

574. TEO consulted and engaged with industry bodies in order to gain an understanding of the sector and inform how best to deliver a grant scheme aimed at providing financial support to commercial premises and self-employed homeworking travel agents. Consultation with the Association of NI Travel Agents (ANITA) and ABTA – the Travel Association assisted in identifying approximate numbers of likely applications and enabled the team to clarify scheme requirements and engage with the sector in a timely manner.

575. The eligibility criteria required applicants to demonstrate that they were:

- operating in Northern Ireland as a travel agent;
- had been so operating during the whole eligible period;
- intended to continue so operating; and
- had suffered financial hardship as a travel agent as a result of the outbreak of coronavirus.

576. Self-declarations were used as evidence to demonstrate travel agents intended to keep operating and had suffered financial hardship. The decision to rely on self-declarations was taken in the context of the exceptional circumstances brought about by the COVID-19 pandemic and the extreme urgency with which businesses required these financial support interventions. The level of grant awarded depended on whether the applicant was a travel agent operating from a commercial premises or a self-employed travel agent operating from home.

577. The scheme assessed 189 applications (comprising of 101 premises applications and 88 self-employed homeworking applications). In total, 165 grant payments were made to applicants totaling £1.208m, of which 97 applications (£970k) were in respect of premises applicants, and 68 applications (£238k) were in respect of self-employed homeworking applicants. The remaining 24 applications were rejected due to insufficient evidence of meeting the eligibility criteria of the scheme.

## Module 2C – TEO Corporate Statement

### Phase 4 - Managed Quarantine

578. The Executive agreed on 25 March 2021 to the Introduction of a Managed Quarantine Service (MQS) for all individuals returning from Red List countries. 'Red list' countries are those countries and territories that were subject to additional restrictions. Details of these countries changed over time and was set out in the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 **[Exhibit KP/428 - INQ000279294]**. As a result, they were required to enter managed isolation for 10 days in a designated hotel at their own expense. The Executive retained the option of reviewing the relevant countries at any stage. The Minister for Health asked the Executive's Covid-19 Task Force to lead on arrangements for managed isolation.

579. The First Minister and deputy First Minister agreed that TEO would lead on a Task and Finish basis. TEO established a Task and Finish Group consisting of the Department of Health, Department for the Economy, Department for Infrastructure, Department of Justice and Department of Finance. PSNI, Local Government and G4S (the firm procured to provide security and advice for the scheme) also attended. Border Force were subsequently invited to attend. TEO engaged in four nations discussions, and in discussions with officials from the Irish Government on the matter.

580. The Task Force took forward the necessary work on managed quarantine arrangements on return travel from countries where there were new Covid variants. The Executive considered the public health and scientific evidence before agreeing to the introduction of the MQS.

581. The MQS was put in place for the first returning international flight into a Northern Ireland airport on 19 April 2021. Responsibility for the MQS subsequently transferred to the Department of Health in mid-May 2021 **[Exhibit KP/429 - INQ000268675]**.

582. The Task Force submitted four ECT update papers with policy proposals for discussion at the Executive. Of note, the following were agreed by the Executive:

- Officials were mandated to avail of UKG contracts.
- The Executive agreed a Red list approach that was to be kept under review.
- Belfast International and Belfast City would be designated points of arrival for air travel, and City of Derry Airport would be kept under review.
- Offences and penalties would mirror the UK regime.

## Module 2C – TEO Corporate Statement

583. Written updates from ECT on MQS were considered by the Executive on five occasions

[Exhibit KP/430 - INQ000023207 ], [Exhibit KP/431 - INQ000023211 ].

## Module 2C – TEO Corporate Statement

### PHASE 5 – PATHWAY OUT OF RESTRICTIONS (8 MARCH – 25 DECEMBER 2021)

#### Phase 5 - Overview

584. Covid-19 case numbers and the associated deaths started to decrease in February 2021, which meant that attention could turn again to relaxing the restrictions that had been put in place in line with the Executive’s commitment that restrictions would not be imposed for any longer than necessary.

585. In April 2021, Peter Toogood moved to a new post in the Department of Health. He was replaced by Peter Luney in May 2021.

#### Phase 5 - Executive Meetings and NPIs

Date of Executive meeting	TEO number	NPI Decisions
01.04.21	KP/432 INQ000207213	Agreed relaxations from 12 April: <ul style="list-style-type: none"> <li>· permitting all pupils to return to school.</li> <li>· increasing the numbers who can meet outdoors in a garden from six to 10 (including children) from two households.</li> <li>· removal of the 'stay at home' provision in the legislation - moving to a 'stay local' and 'work from home' message.</li> <li>· allowing contactless 'click and collect' for all non-essential retail.</li> <li>· allowing outdoor sports training to resume by sports clubs affiliated with recognised sport's Governing Bodies, in small groups of up to 15 people but with all indoor spaces closed except essential toilet facilities.</li> <li>· permitting potential marriage and civil partnership customers to view the facilities of venues used for marriages and civil partnerships, such as hotels and other venues, restricted to a maximum of four customers per visit.</li> <li>· reopening of outdoor retail, which comprised: new &amp; used cars; light motor vehicles, lorries &amp; trailers; caravans or motorhomes; agricultural or other large machinery; garden centres, plant nurseries; and car washes.</li> <li>· extension of gatherings for up to 15 people (including coaches) to also include structured outdoor sports training organised by clubs/individuals affiliated to recognised sports governing bodies or representative organisations for sport and physical activity.</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<ul style="list-style-type: none"> <li>· increase the number permitted to attend marriages, civil partnerships and funerals, informed by venue risk assessment; and, in advance of that, to increase the number permitted to attend marriages, civil partnerships and funerals to 50, with effect from a date to be agreed following engagement by officials.</li> </ul>
15.04.21	<b>KP/433</b> INQ000048525	Agreed: <ul style="list-style-type: none"> <li>· to extend existing regulations (to be reviewed on or before 13 May).</li> <li>· From 23 April, the following permitted to resume:                             <ul style="list-style-type: none"> <li>- Driving instruction and theory tests;</li> <li>- Driving testing;</li> <li>- Close contact services including training;</li> <li>- Outdoor visitor attractions including outdoor activity centres;</li> <li>- Equine Assisted Therapy and Learning (EATL) on an indoor and outdoor basis in gatherings of up to 30 people;</li> <li>- Outdoor sport organised by a club, individual or individuals affiliated would be extended to include squad training; and</li> <li>- Competitive outdoor sport organised by a club, individual or individuals affiliated, with participant numbers not exceeding 100 and no spectators permitted.</li> </ul> </li> <li>· From 23 April, static band practice/rehearsal would be permitted in agreed outdoor locations.</li> <li>· From 30 April, the Executive agreed to:                             <ul style="list-style-type: none"> <li>- Increase the numbers permitted to gather in Domestic Setting Outdoors – to 15 people from no more than 3 households</li> <li>- Reopen all of retail;</li> <li>- Reopen and permit overnight stays in self-contained tourist accommodation for one household only;</li> <li>- Reopen unlicensed premises, outdoors only with a maximum of 6 people from 2 households per table and contact details recorded;</li> <li>- Reopen licensed premises, including social clubs, outdoors only, limited to 6 people from no more than 2 households and contact details recorded;</li> <li>- Remove the curfew on takeaways;</li> <li>- Remove the curfew on off licences; and</li> <li>- Permit individual activities in gyms, swimming pools and other large venues – including with a carer and to allow 1-2-1 training/coaching with social distancing.</li> </ul> </li> <li>· The intention for further relaxations from 24 May was agreed, subject to review.</li> </ul>
22.04.21	<b>KP/434</b>	Agreed relaxation to permit Further Education Colleges to

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
	INQ000048526	facilitate a return to on-site practical face-to-face learning for additional groups, subject to colleges being in a position to put a Lateral Flow Device process in place to offer twice weekly lateral flow tests.
29.04.21	<b>KP/435</b> INQ000048527	No key decisions made.
06.05.21	<b>KP/436</b> INQ000065528	No key decisions made.
13.05.21	<b>KP/437</b> INQ000207216	<p>Agreed:</p> <ul style="list-style-type: none"> <li>· to extend existing restriction regulations (to be reviewed on or before 10 June).</li> <li>· Relaxations from 24 May to permit: <ul style="list-style-type: none"> <li>- libraries to reopen in line with permitted gathering numbers/risk assessment</li> <li>- schools to resume extracurricular activities, inter school sport and educational visits</li> <li>- a full return to outdoor sport, limited to 500 participants</li> <li>- indoor training for squads.</li> </ul> </li> <li>· to permit indoor competitive sport from 31 May 2021.</li> <li>· From 21 June to permit: <ul style="list-style-type: none"> <li>- audiences to return to seated theatres and concert halls</li> <li>- the return of conferences and exhibitions.</li> </ul> </li> <li>· A range of further restrictions agreed to take effect from 24 May, subject to review on 20 May (see 20 May).</li> <li>· Travel in and out of NI: 9 countries added to NI 'green list' for international travel: Australia, Iceland, New Zealand, Faroe Islands, South Georgia and the South Sandwich Islands, Gibraltar, Saint Helena, Ascension and Tristan da Cunha, Brunei, Falkland Islands.</li> <li>· Common Travel Area, the Executive agreed, from 24 May 2021, to: <ul style="list-style-type: none"> <li>(i) remove the essential travel reasons in line with international travel;</li> <li>(ii) retain the guidance on self-isolation and add two new exemptions to this, namely: visits to family and friends; and those who have completed mandatory managed quarantine on arrival at a point of entry elsewhere in the CTA and travelled directly to NI; and</li> <li>(iii) request in guidance that those exempt from self-isolation take a pre-departure LFD test, and LFD tests and days 2 and 8 post arrival in NI.</li> </ul> </li> <li>· The intention for further relaxations from 24 May was agreed, subject to review.</li> </ul>
20.05.21	<b>KP/438</b> INQ000207217	Agreed relaxations effective from 24 May: <u>Home and community</u>



## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<ul style="list-style-type: none"> <li>- Allow indoor visits in domestic settings (up to 6 people from no more than 2 households; does not include children under 12; can be more if household has more than 6, but not more than 10; overnight stays permitted).</li> <li>- Removal of stay local message</li> </ul> <p><u>Education and young people</u></p> <ul style="list-style-type: none"> <li>- Schools can resume extra-curricular activities</li> <li>- Indoor extra-curricular sports allowed</li> <li>- Outdoor inter-schools sports allowed</li> <li>- Day educational visits allowed</li> </ul> <p><u>Culture, heritage and entertainment</u></p> <ul style="list-style-type: none"> <li>- Indoor visitor attractions can reopen (includes amusement arcades, bingo halls, museums, galleries and cinemas; social distancing where possible; risk assessment to maximum capacity; all contact details must be taken and retained)</li> <li>- Libraries can reopen (providing limited in-library services in line with permitted gathering numbers).</li> </ul> <p><u>Sports and leisure activities</u></p> <ul style="list-style-type: none"> <li>- Indoor group exercise and training can resume (includes soft play areas, leisure centres, gyms, swimming pools, equestrian centres, venues relating to motor sport and activity centres; numbers limited to suit the venue; social distancing where possible; risk assessment to maximum capacity; all contact details must be taken and retained).</li> <li>- Full return to outdoor sport (removal of: the limit of 15; the limit on squad training; the requirement for outdoor sport being permitted only for those affiliated to a Governing body or an organisation that regulates a sport or sporting activity; and the cap of 100 on competitive sporting events, and replace with an overall limit of 500 on all outdoor sporting events).</li> <li>- Indoor club training in squads allowed (no limits on numbers).</li> </ul> <p><u>Travel and tourism</u></p> <ul style="list-style-type: none"> <li>- Reopen the remainder of travel and tourism (all contact details must be taken and retained; rooms/accommodation area booking in line with the permission re indoor domestic settings/bubbles; shared facilities will reopen; meeting rooms will be reopened - capacity will be to risk assessment maximum).</li> <li>- Post wedding and civil partnership receptions permitted (risk assessment for capacity; no restriction on top table; other tables maximum of ten (no household restriction); children under 12 excluded from table numbers; one dance permitted for the couple; music same as for licenced venues).</li> </ul> <p><u>Hospitality</u></p> <ul style="list-style-type: none"> <li>- Reopen unlicensed and licensed premises indoors with mitigations (6 together from unlimited households (indoor and outdoor); children under 12 are not counted in the 6; more will be permitted per table, if all are from one</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<p>household, to a maximum of 10; table service only; all contact details must be recorded and retained; social distancing required – minimum of 1m; must stay at table – no gaming machines, pool tables, etc.; face coverings must be worn once no longer seated for any reason, for example, to go to the toilet; no meal requirement; no dancing; no live music; music must be at ambient level to permit normal conversation; risk assessment as per current regulations for outdoors).</p> <p><u>Other hospitality events e.g. gala dinners, functions (ticketed or not)</u></p> <ul style="list-style-type: none"> <li>- Capacity to risk assessment maximum</li> <li>- Subject to other indoor hospitality requirements e.g. table seating, contact details, music etc.</li> <li>- Conference facilities in tourism sector – the closure will be removed from the Regulations to allow use for other purposes to risk assessment capacity.</li> </ul> <p><u>Indoor and outdoor gatherings</u></p> <ul style="list-style-type: none"> <li>- Increase numbers permitted for indoor gatherings (non-domestic) (subject to risk assessment per venue; allows resumption of community events; risk assessment required if over 15 people)</li> <li>- Increase numbers for outdoor gatherings (increase to 500, or capped at risk assessment level if lower; allows up to 500 spectators at any outdoors event (sport/concerts etc); risk assessment required if over 30 people; lateral flow tests advised for any planned larger events)</li> </ul> <p><u>Sure Start and Higher and Further Education</u></p> <ul style="list-style-type: none"> <li>- the resumption of all Sure Start Services;</li> <li>- increased face-to-face teaching for Higher Education (HE) and Further Education (FE) students and apprentices(including learners studying with Department for the Economy Non Statutory Contractors); and</li> <li>- the resumption of FE colleges and university student extracurricular and support activities.</li> </ul> <p><u>International Travel</u></p> <ul style="list-style-type: none"> <li>- addition of Portugal, Israel and Singapore to the International Travel Green List</li> <li>- introduce guidance to request that Green List arrivals from those countries take a Day 8 test, which would be provided free of charge</li> </ul>
27.05.21	<b>KP/439</b> INQ000207218	<p>Agreed:</p> <ul style="list-style-type: none"> <li>· Relaxations for indoor competitive sport, effective from 31 May 2021 on the basis of relevant risk assessments, mitigations and protocols to ensure compliance with health advice on hygiene, social distancing, wearing masks and staying apart whenever possible.</li> <li>· International travel - lifting of guidance on self-isolation on travel to NI from within the Common Travel Area (CTA) but retain mitigation guidance (such as not travelling if have symptoms or testing</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		positive, to take tests before departure and at days 2 and 8 thereafter, the need to self-isolate if positive after arrival).
03.06.21	<b>KP/440</b> INQ000048532	Agreed: <ul style="list-style-type: none"> <li>· to immediately review and revise the Regulations to address the issues around buffet, carvery and counter ordering e.g. through a removal of the table service requirement for cafes and coffee shops – with exemptions added for restaurant buffets and carveries.</li> <li>· amendment of International Travel Regulations effective from 8 June 2021 - moving Portugal from the green list to the amber list, and adding a number of other countries (Afghanistan, Sudan, Sri Lanka, Bahrain, Trinidad and Tobago, Costa Rica and Egypt) to the red list.</li> </ul>
10.06.21	<b>KP/441</b> INQ000048533	Agreed indicative dates of 21 June and 5 July for further proposed relaxations to be ratified on 17 June (see 17 June 2021).
17.06.21	<b>KP/442</b> INQ000048534	Agreed further easements as discussed on 17 June not ratified - agreed new indicative date of 5 July for the proposed relaxations with a prior review date of 1 July.
24.06.21	<b>KP/443</b> INQ000236754	No key decisions made.
01.07.21	<b>KP/444</b> INQ000048536	Agreed: <ul style="list-style-type: none"> <li>· Relaxations from 2 July 2021               <ul style="list-style-type: none"> <li>- removal of restrictions on outdoor gatherings (venues to carry out risk assessments).</li> </ul> </li> <li>· From 5 July 2021               <ul style="list-style-type: none"> <li>- outdoor and indoor gatherings subject to risk assessment if more than 15 indoor or 30 outdoor.</li> <li>- Live music permitted indoor in licensed and unlicensed hospitality businesses that sell or provide food and/or drink for consumption on the premises (ambient level only and with suitable mitigations in place, such as screens). No restriction on volume at outdoor events.</li> <li>- Number of households permitted to meet outdoors at private dwellings will be increased from 3 to 5, with the maximum number of people remaining at 15, including children.</li> <li>- Restart of overnight residential stays for children and young people across all sectors.</li> </ul> </li> </ul>
08.07.21	<b>KP/445</b> INQ000207221	Agreed: <ul style="list-style-type: none"> <li>· to extend restrictions regulations by 4 weeks (for review 19 August).</li> <li>· sequencing of all outstanding decisions/ratifications/relaxations - the majority of which to be ratified 21 July and 12 August.</li> <li>· International Travel - from 26 July arrivals from amber list countries who have been fully</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<p>vaccinated in the UK do not have to self-isolate or take a day 8 test post-arrival.</p> <p>Disagreed and ultimately voted against proposals for concert venues, theatres and other indoor venues to be permitted to open from 8 July and on increasing the number of households permitted to meet in a domestic setting from 8 July. Indicative date 26 July.</p>
26.07.21	<b>KP/446</b> INQ000236737	<p>Agreed from 18.00 on 27 July 2021:</p> <ul style="list-style-type: none"> <li>· Removal of restriction on audiences in seated theatres and concert halls and other such venues (entry to performances for audiences by ticket only; tickets must be purchased in advance of the performance; audiences for indoor events must have allocated seating and remain seated; social distancing of 1m required)</li> <li>· Permit indoor gatherings of ten people from no more than three households (where one household has ten members, the maximum is increased to 15 from no more than three households; does not include children 12 and under).</li> <li>· Permit live music for rehearsals and performances in concert venues, theatres and other indoor venues (no restriction to background or ambient levels of volume; entry to performances for audiences by ticket only; tickets must be purchased in advance of the performance; audiences for indoor events must have allocated seating and remain seated (unless using facilities) and are not permitted to dance; social distancing of 1m required).</li> <li>· Remove requirement for the wearing of face coverings in places of worship from regulations into guidance only.</li> <li>· Relaxation of restrictions applying to MOT centres (permit the vehicle to be shared with the examiner and customer for 5 minutes with both wearing a face covering; remove the requirement for vehicle examiners to wear face coverings at all times in the test hall; permit customers to be seated safely in the test hall for approximately 8 minutes, socially distanced and wearing a face covering, while the underbody inspection of the vehicle is being conducted).</li> </ul>
29.07.21	<b>KP/447</b> INQ000065684	<p>Agreed:</p> <ul style="list-style-type: none"> <li>· Social Distancing reduced to 1 metre in retail environments and maintained at 2 metres for outdoor venues. Indoor music permitted with no noise limit. Entry to performances to be ticket only.</li> <li>· to align with the UK Government in relation to new international travel policy for fully vaccinated</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		<p>passengers arriving from US and EU amber list countries cif 2 August 2021, restart international cruises cif 31 July, managed isolation arrangements for international student arrivals from red list countries cif 09.08.21, the introduction of a bespoke testing regime cif 02.08.21 and the exemption from self-isolation for Villarreal fans and UEFA VIPS from UEFA super cup final on 11 August.</p>
12.08.21	<p><b>KP/448</b> INQ000048540</p>	<p>Agreed:</p> <ul style="list-style-type: none"> <li>· to change close contact rules - for those vaccinated PCR on day 2 and 8 if negative do not need to isolate. Unvaccinated required to isolate for 10 days regardless of negative test.</li> <li>· requirement for school bubbles will be removed for the beginning of the school year.</li> <li>· requirement to wear a face covering will remain in place for the first six weeks of the new term. For subjects where social distancing is possible, such as drama in a large hall, face coverings no longer required.</li> <li>· removal of ban on outdoor raves, bubble provisions, number on who can meet indoors, ban on outdoor large parties</li> <li>· limit of 6 to be removed for hospitality.</li> <li>· return to full face to face learning in universities.</li> <li>· reopening of conference and exhibition centres</li> </ul>
06.09.21	<p><b>KP/449</b> INQ000207223</p>	<p>Agreed:</p> <ul style="list-style-type: none"> <li>· increase of maximum number of people who may meet indoors in a domestic setting to 15 from up to 4 households.</li> <li>· in hospitality settings, relaxation of requirement for table service, both indoors and outdoors, to enable customers to go to the bar to place orders or pay (in indoor settings, customers still required to return to their table in order to consume their food or drink). Removal of prohibition on standing to consume food and drink outdoors removed in outdoor settings and the prohibition on movement and standing to allow customers to play darts, pool, gaming machines etc removed. Requirement to wear face coverings while not seated indoors to continue.</li> <li>· Music and dancing: removal of requirements for tickets to be purchased in advance and allocated seating; restrictions on music to background or ambient levels; restriction on dancing in indoor settings is removed insofar as it applies to post wedding and civil partnership celebrations. Customers must be seated and requirement to record contact details for all attendees maintained.</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
09.09.21	<b>KP/450</b> INQ000048542	No key decisions made.
23.09.21	<b>KP/451</b> INQ000207224	Agreed to align with UKG and remove requirement for pre-departure testing for fully vaccinated arrivals from non-red list countries from 04.10.21.
07.10.21	<b>KP/452</b> INQ000048544	Agreed: <ul style="list-style-type: none"> <li>· up to 30 people allowed at indoor gatherings (from 14.10.21)</li> <li>· requirement for audiences to be seated during performances to be removed.</li> <li>· prohibition on large house parties and raves maintained.</li> <li>· Indicative date of 31.10.21 for further hospitality restrictions to be lifted and legal requirement for social distancing to be removed (see 21 October).</li> <li>· 5 new exemptions on travel list.</li> </ul>
21.10.21	<b>KP/453</b> INQ000048545	Agreed: <ul style="list-style-type: none"> <li>· from 31 October, people allowed to move around hospitality premises and indoor venues, including being able to stand to have a drink, or eat food.</li> <li>· the legal requirement to maintain social distancing in hospitality settings, such as pubs and restaurants will move to guidance.</li> <li>· restriction on indoor dancing will be lifted.</li> <li>· nightclubs permitted to reopen.</li> </ul>
04.11.21	<b>KP/454</b> INQ000048546	No key decisions made.
17.11.21	<b>KP/455</b> INQ000207226	Agreed: <ul style="list-style-type: none"> <li>· in principle, that COVID Status certification is made mandatory in certain settings from Monday 29.11.21 with a grace period until 12th December (museums, galleries, cinemas, cultural and heritage sites, libraries, aquariums, indoor zoos and visitor farms, bingo halls, amusement arcades, indoor sports stadiums, funfairs, theme parks, bowling alleys, indoor play areas including soft-play areas when not involved in an aerobic activity, snooker and pool halls, auction houses, estate agents, theatres, concert halls, conference facilities and comedy clubs and other leisure facilities).</li> <li>· that the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2021 should be made, raves defined as more than 30 persons and face coverings can be removed for performers.</li> </ul>
22.11.21	<b>KP/456</b> INQ000207227	No key decisions made.
02.12.21	<b>KP/457</b> INQ000207228	Agreed: <ul style="list-style-type: none"> <li>· changes to testing for close contacts with effect from 06.12.21: PCRs on day 2 and day 8 with daily</li> </ul>

## Module 2C – TEO Corporate Statement

Date of Executive meeting	TEO number	NPI Decisions
		LFTs for 10 days. For the unvaccinated a PCR asap and another on day 8 but to isolate for 10 days even if negative. For young people PCR on day 2, if negative can stop isolating and take a further PCR on day 8.
09.12.21	<b>KP/458</b> INQ000207229	No key decisions made.
16.12.21	KP/25 INQ000048551	No key decisions made.
22.12.21	<b>KP/459</b> INQ000207230	<p>Agreed:</p> <ul style="list-style-type: none"> <li>· legal requirement for businesses to take reasonable measures to achieve 2m social distancing in office spaces or, where this cannot be achieved, to provide alternative mitigations.</li> <li>· From 27 December: <ul style="list-style-type: none"> <li>- face coverings exemption removed ('without severe distress' element). If exempt, the onus is on individual to prove. Statutory duty on businesses to take reasonable measures to promote compliance with face coverings requirements. 27 December with a grace period to 7th January.</li> <li>- Retail &amp; hospitality Legal duty on retail businesses to take all reasonable steps to minimize transmission of spread of Covid. To be revisited on 30th December for other businesses.</li> <li>- All hospitality - Rule of 6 (or 10 persons from a single household) from 0600hrs on 27 December. indoor only, not apply to weddings. Requirement to be seated from 0600 on 27 December (indoor only)</li> </ul> </li> <li>· From 26 December: <ul style="list-style-type: none"> <li>- Prohibition on dancing from 0600hrs on 26th December.</li> <li>- Nightclubs to close from 0600hrs on 26 December.</li> <li>- All indoor standing events to be prohibited from 0600hrs on 26th December. All other indoor seated and outdoor events to be revisited on 30th December.</li> </ul> </li> </ul>

### Phase 5 - Pathway Out of Restrictions

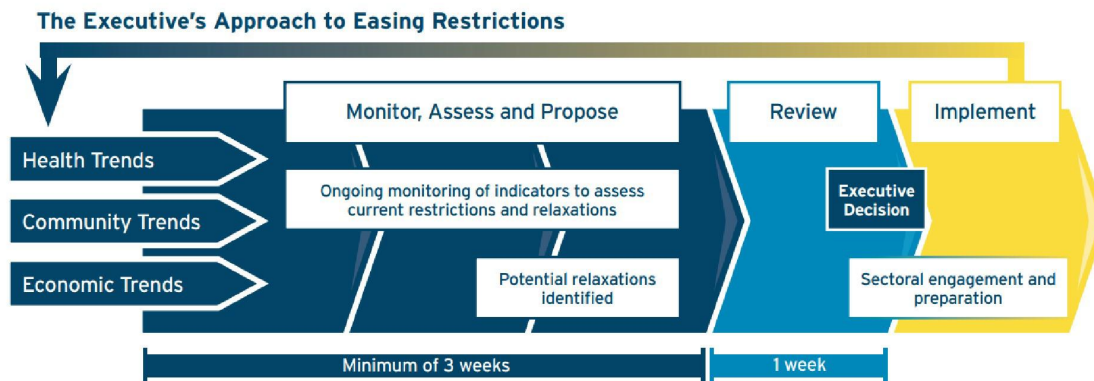
586. On 2 March 2021, the Executive agreed and published its Pathway out of Restrictions document [**Exhibit KP/399 - INQ000207212**], [**Exhibit KP/59 - INQ000213669**]. The Pathway set out a four-week review process and key indicators including economic, social and health data which would inform the stage at which relaxations to restrictions could be

## Module 2C – TEO Corporate Statement

delivered. Ahead of each four-week review by the Executive, the CDWG agreed departmental proposals for possible relaxations and potential knock-on consequences which would require consideration.

587. The regular discussions and reviews undertaken ensured that any restrictions put in place were only retained as long as was necessary and where possible, alternative arrangements and appropriate mitigations were considered and deployed in order to allow sectors to open as soon as conditions allowed. Guidance for the public was developed alongside the decisions to relax the measures in place to control the spread of COVID-19.

588. The diagram below shows the Executive's approach to easing restrictions.



589. Using the approach above, the Pathway provided the Executive with the opportunity to consider the impact of each relaxation before making any further easements. In line with the Pathway, from July 2021 to November 2021, the Executive made over 50 easements to restrictions. These easements covered areas such as hospitality, events, indoor and outdoor gatherings, international travel as well as on measures such as social distancing and the use of face coverings.

590. A restructured Cross Departmental Working Group (CDWG) was convened in March 2021 to progress the Executive's Pathway Out of Restrictions, again providing a system wide, evidence-led approach to relaxing the restrictions in place at that time. Terms of Reference for the groups were agreed at the 16 March 2021 meeting **[Exhibit KP/460 – INQ000191045]**. The reconvened group first met on 24 March 2021.

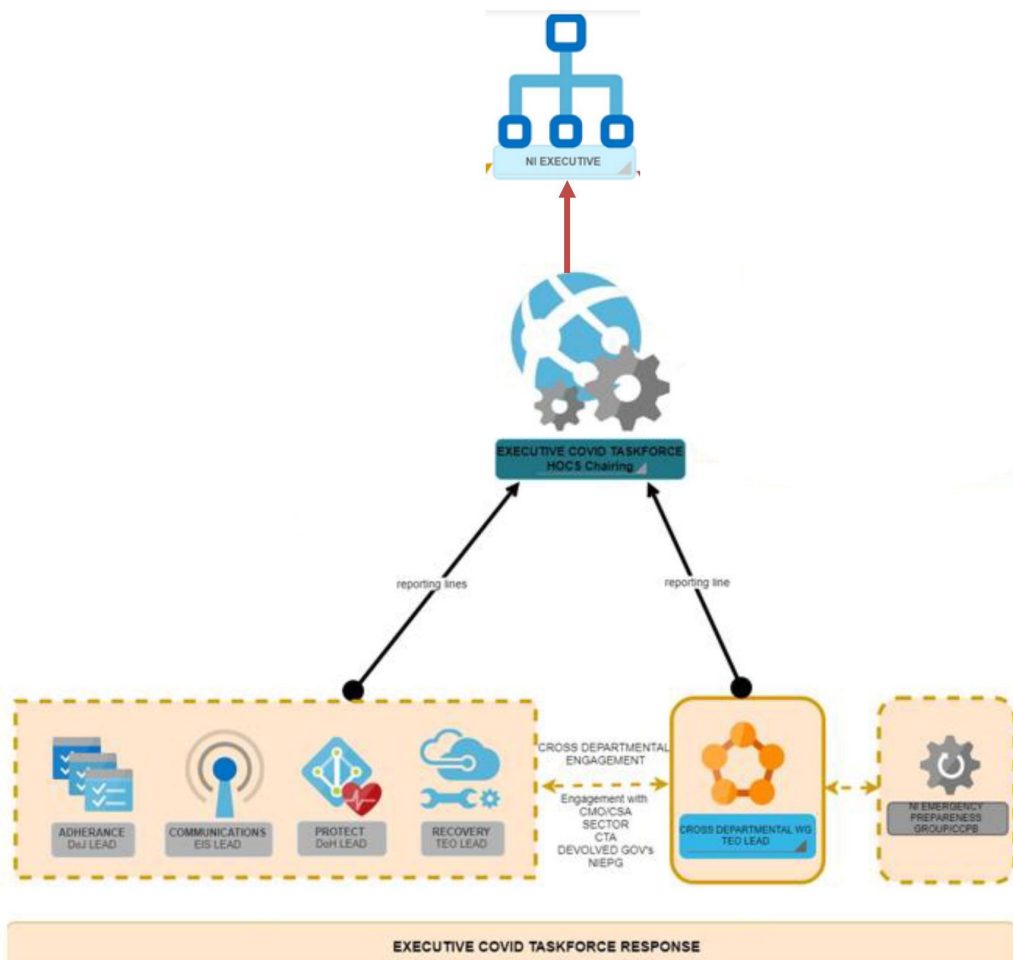
591. Under the CDWG, a process was established to enable departments to propose relaxations for the various sectors impacted by the restrictions in line with the four-week cycle set out in the Pathway to Out of Restrictions document.



## Module 2C – TEO Corporate Statement

592. A dashboard [Exhibit KP/19 - INQ000212960], [Exhibit KP/461 – INQ000415928] containing the prevailing scientific, economic and societal data was also considered by the CDWG. The proposed relaxations were collated and submitted to the Chief Medical Officer and Chief Scientific Advisor (CSA) to seek their views. This enabled evidence-led advice to be provided to the Executive for consideration and allowed a gradual stepping out of restrictions that took account of the scientific, economic and wider societal impacts. The first collated proposal for relaxation under the Pathway were considered by the Executive on 1 April 2021 [Exhibit KP/462 - INQ000212958], [Exhibit KP/463 – INQ000207213].

593. The following arrangements were in place to provide advice to Ministers:



594. The newly formed CDWG met on a weekly basis, starting on 24 March 2021 [Exhibit KP/464 – INQ000308847] until August 2021 when it moved to fortnightly. CDWG moved back to weekly meetings in November 2021 as a result of the emerging Omicron variant for

## Module 2C – TEO Corporate Statement

a short period of time and then to monthly meetings before its last meeting on 25 May 2022 [Exhibit KP/465 – INQ000308849]. A letter issued on 30 May 2022 [Exhibit KP/466 – INQ000308848] confirmed that there was no need for the group to meet on the understanding it would be reconvened at short notice if required. Monthly written updates were provided over the summer of 2022 for information [Exhibit KP/467 – INQ000308850], [Exhibit KP/468 – INQ000308851].

595. The Inquiry will wish to be aware that at the establishment of the ECT, the cross-departmental group formally sat below ECT in the governance structure.

596. The Executive undertook multiple reviews of the restrictions, taking decisions on appropriate relaxations as early as conditions would allow in line with the most up to date scientific and medical advice. The Executive acted in accordance with its commitment to only retain restrictions as long as was absolutely necessary.

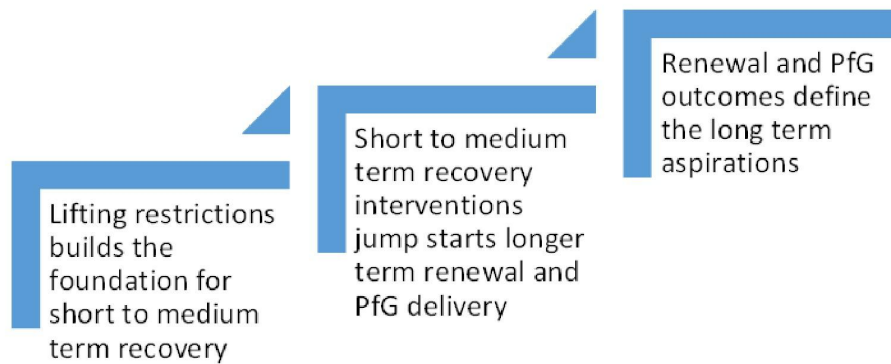
### Phase 5 - NI Hub

597. On 8 March 2021, the NI Hub was deactivated from the Response (ALERT) footing to the Prepare posture. This change of footing saw the discontinuation of the weekly NI SitRep to CCG (O) members with the last NI SitRep produced on 9 March 2021 [Exhibit KP/469a - INQ000065892 ], [Exhibit KP/469b – INQ000415930], [Exhibit KP/469c – INQ000023227 ].

### Phase 5 – The Executive’s Recovery Plan

598. The Executive Committee held an Executive workshop on Covid Recovery on Wednesday 10 March 2021 [Exhibit KP/470 - INQ000065560]. The Pathway out of Restrictions document outlined the Executive’s overall plan for moving forward in 2021 and beyond. It consisted of three key programmes of work which comprised of the Executive’s overall Roadmap to Recovery:

## Module 2C – TEO Corporate Statement



599. The workshop on Recovery focused on the second step above and its purpose was to consider the package of critical interventions deemed essential for Recovery. The workshop was facilitated as a plenary discussion for Executive Ministers only.

600. Further information on recovery from the pandemic can be found at Part 3 of the statement.

### Phase 5 - The Executive's 2021-22 Autumn/Winter COVID-19 Contingency Plan

601. In October 2021, with the majority of Coronavirus restrictions removed or translated into guidance, TEO developed the Executive's Autumn Winter Covid Contingency Plan 2021 **[Exhibit KP/61 - INQ000188216]**. Extensive engagement took place with the arts, entertainment and hospitality sectors and there was a positive response to taking additional steps to ensure the safety of customers, staff and the wider community.

602. The Executive agreed the Autumn Winter COVID-19 Contingency Plan on 7 October 2021 **[Exhibit KP/471 - INQ00048544]** setting out the options the Executive had at its disposal in the event of rising cases numbers or unsustainable pressures on hospitals. Extensive engagement took place with the arts, entertainment and hospitality sectors.

603. The plan set out:

- the rules that would remain in place over the Autumn / Winter period;
- The measures available to the Executive to deploy if the situation deteriorated in order to slow the spread of the virus and protect the health service; and
- what we could all do to help reduce case numbers.

604. The plan was based on the need to keep society and economy open to the fullest possible extent.

## Module 2C – TEO Corporate Statement

605. The aim of the Autumn Winter Plan was to prioritise measures to help control transmission of the virus while seeking to minimise economic and social impacts, recognising that the early introduction of ‘low cost’ interventions would help avoid more disruptive interventions later and unacceptable hospital pressures.

606. These were:

- (i) **More robust communications** – Communicating clearly and urgently to the public that the level of risk had increased, and with it the need to behave more cautiously. The ongoing public information campaign was flexed in line with risks.
- (ii) The potential enhanced use of **COVID-status certification** in certain settings. At time of publication there was a voluntary arrangement in place and an alternative approach through the use of regulations that was kept under review in case required.
- (iii) Changes to **self-isolation arrangements** with proposals to strengthen advice for social contacts to self-isolate until they have a negative PCR test were set out. At time of publication everyone with symptoms were asked to self-isolate and take a PCR test.
- (iv) Re-imposition of a **legal requirement for social distancing** in settings which gave rise to greatest risk of transmission. For most settings, social distancing advice was in guidance at time of publication.

607. In addition, good ventilation was identified as an important element in reducing the risk of transmission of the virus during Autumn/Winter period. A ventilation group was established to look at this area with an initial goal to develop guidance that could be issued to businesses to aid them in identifying both good and poor ventilation.

608. The Transformation Programme: Delivery Strand was set up in October 2021 to join up the Recovery Plan and the Programme for Government (PfG) **[Exhibit KP/472 – INQ000279369]**. It was led by Denis McMahon, and a scoping paper was prepared in November 2021 to aid further discussions with HOCS and other Permanent Secretaries **[KP/473- INQ000279370], [Exhibit KP/474 - INQ000279371]**..

### Phase 5 – Covid Status Certification

609. The Autumn Winter Contingency Plan refers to the use of Covid status certification and the potential to move from voluntary use to mandated deployment if required to provide a targeted and proportionate means to reduce risk while maximizing the ability to keep open

## Module 2C – TEO Corporate Statement

certain settings and events where the risk of transmission of coronavirus was higher.

610. In the run up to Christmas 2021, work commenced to agree festive messaging and communications to remind people of the risks and measures they should be taking to reduce the spread of infection. Covid case numbers were rising rapidly in NI amongst the younger demographic who were yet to receive the booster vaccination. To combat the rising case numbers, the Executive considered an Executive paper on the use of and agreed the use of domestic Covid status certification in certain settings **[Exhibit KP/475 - INQ000065636]**. The Executive agreed to introduce mandatory Covid Certification in certain settings from the start of December 2021 [Exhibit KP/455 – INQ000207226]
611. On 17 November 2021, the Executive As part of extensive engagement with the impacted sectors, TEO and DfC officials attended a Gaelic Football Association match in Armagh and an Ulster Rugby match in Belfast to observe the use of Covid status certification in practice.
612. Covid Status Certification was a means by which people wishing to enter large events, sporting events and hospitality settings could evidence their vaccination status or that they had a negative PCR or lateral flow test within a specified time. Covid Status Certification was one of the measures included in the Executive's 2021 Autumn / Winter Covid-19 Contingency Plan **[Exhibit KP/476 - INQ000207225]** **[Exhibit KP/477 – INQ000269095]** that could be taken if the situation deteriorated to slow the spread of the virus and protect the health service.
613. Over the summer of 2021, organisers of large outdoor events had applied guidance to introduce a form of COVID-status certification by requiring attendees to present proof of a negative lateral flow test. Heading into the autumn, major event organisers voluntarily used COVID-status certification in the fuller sense by requiring ticketholders to produce evidence of vaccine status or a negative test. Following its decision to remove the legal requirement for social distancing in respect of indoor seated venues on 27 September 2021, the Executive encouraged the application of a range of other mitigations including COVID-status certificates based on vaccine or negative LFD test, or positive PCR test. The Executive retained an option to deploy statutory COVID-status certificates if required to provide a targeted and proportionate means to reduce risk while maximising its ability to keep open certain settings and events where transmission is likely to be higher. In addition, it was anticipated that the need to be vaccinated would encourage the remaining sections of the eligible population yet to be vaccinated to take up the offer of a vaccine.

## Module 2C – TEO Corporate Statement

614. Initially a paper-based approach was used to demonstrate Covid Status whereby individuals could use the record of their vaccination status and evidence of a negative lateral flow test along with a form of identification to evidence their Covid Status.
615. Subsequently a local enabling infrastructure to underpin a system of COVID-status certificates, i.e., an App for use in NI, was developed by the Department of Health to facilitate the use of Covid-status certification **[Exhibit KP/478 - INQ000279335]**. The development of a local solution provided a basis for the continued voluntary use of COVID-status certificates and also ensured that NI citizens were not precluded from accessing events or activities in other jurisdictions where certificates were required.
616. On 22 November 2021, the Executive discussed other contingency measures in the Autumn / Winter Plan and how these could be deployed in tandem with Covid-status certification **[Exhibit KP/456 - INQ000207227]**.
617. There was limited information regarding the Covid Certification Scheme on NI Direct and NIBusinessInfo around Covid Certification. To bridge this gap, TEO drafted two documents:
- Customer information webpage hosted on NI Direct **[Exhibit KP/479 – INQ000279323]**; and
  - Business and event guidance hosted on NIBusinessinfo as a summary page and then link to the full PDF **[Exhibit KP/480 - INQ000279324]**.
618. The mandatory introduction of certification was implemented on 29 November 2021, with an initial two-week grace period followed by enforcement beginning on 13 December 2021 **[Exhibit KP/481a - INQ00023217]**, **[Exhibit KP/481b - INQ000190857]**. The introduction was in direct response to increasing case numbers and a requirement for direct intervention to prevent the health service from being overwhelmed.
619. From that date, individuals had to prove their COVID status for access to nightclubs, licensed hospitality premises, including 'bring your own' alcohol venues, cinemas, theatres, conferences and exhibition halls, indoor events with 500 or more attendees with some or all of the audience not normally seated, outdoor events with 4,000 or more attendees with some or all of the audience not normally seated and events where more than 10,000 people will be present regardless of whether they are seated.

## Module 2C – TEO Corporate Statement

620. From 26 January 2022, individuals had to prove their COVID status for access to nightclubs and indoor events with 500 or more attendees with some or all of the audience not normally seated.
621. The legislation was amended in February 2022 removing the mandatory requirement for Domestic Use COVID Certificates in any setting. Guidance remained in place to encourage conducting a risk assessment for gatherings, events, entertainment, leisure, and sporting activities.
622. COVID status certification had a primary focus on indoor and outdoor events, nightclubs, licensed hospitality and other premises that permitted the consumption of intoxicating liquor, cinemas, theatres and conference centres.

### Phase 5 – Engagement on Covid Status Certification

623. One mitigation that was put in place in November 2021 in support of relaxations and required a lot of engagement with sectors was in relation to the introduction of mandatory Covid status certification. Meetings were held at Ministerial and Official level with the retail, hospitality and events sectors as well as PSNI and Local Government.
624. The Executive Covid Taskforce held eight engagement sessions with a range of sectors, including hospitality and arts, in the week before mandatory COVID-19 Status Certification was introduced. For example, on 22 November 2021, senior TEO official met with representatives of the Events sector to discuss the need for earlier than intended introduction of Covid Stats Certification because of an increase in Covid-19 case numbers **[Exhibit KP/482 - INQ000271222]**.
625. These sessions were followed up with further sectoral engagement on 2 December 2021 **[Exhibit KP/483a - INQ000271208]**, **[Exhibit KP/483b - INQ000279300]**, **[Exhibit KP/483c - INQ000279301]**, **[Exhibit KP/483d - INQ000271206]**, **[Exhibit KP/483e - INQ000279303]** when feedback on practical implementation was received. In addition, on 9 December 2021, junior Ministers met with the sectors to discuss wider COVID-19 related issues and the emergence of Omicron, as well as thanking them for their support and engagement to date. Six further engagement sessions were held with the hospitality sector between 10 and 23 December 2021 to discuss emerging operational issues, enforcement and funding.
626. These sessions were followed up with further sectoral engagement on 2 December 2021,

## Module 2C – TEO Corporate Statement

when feedback on practical implementation was received. In addition, Junior Ministers convened a meeting with representatives of the hospitality sector on 9 December 2021 that was also attended by Minister Long, the Head of the Civil Service and the Chief Scientific Adviser [Exhibit KP/483c - INQ000279301]. The meeting was called to discuss concerns over the emergence of the Omicron variant of the coronavirus in light of evidence that that it was more transmissible than the Delta variant and its impact in terms of severity was unknown. The purpose of the meeting was to identify preventative measures that could be taken to slow down the spread of the virus. The conversation turned to frustrations by the sectors over the messaging around Covid Status Certification. TEO assured the group that work on messaging was in progress and that the detail on that would be shared.

627. Meetings were also held with representatives of the Events and Retail sectors on the same day. At the meeting with the retail sector [Exhibit KP/484 - INQ000271218], concerns were raised about an increase in abuse towards retail workers as the public are not so accepting of restrictive measures. Messaging was again raised as an issue.
628. Six further engagement sessions were held with the hospitality sector between 10 and 23 December 2021 to discuss emerging operational issues, enforcement and funding.
629. Concerns had been raised by sporting event organisers that requiring individuals to prove their vaccination status prior to entry would create significant queues and crowd control issues. TEO officials attended a Gaelic Football match and an Ulster Rugby match in November 2021 to observe the operation of Covid certificates on the ground and to test the practical out-workings of domestic Covid Status Certification. Through this, officials and the event organisers were able to agree the best process by which Covid certificates could be implemented with minimum delays for fans entering the grounds.
630. The Department of Health set up mobile testing facilities at large events so that ticket holders who could not provide evidence of a negative lateral flow test could be tested prior to entering the grounds.

### Phase 5 - UKG Events Research Programme (ERP)

631. Between April and July 2021, UKG ran an Events Research Programme (ERP) involving mass events pilots to explore different approaches to social distancing, ventilation, test-on-entry protocols and COVID-status certification at large scale events. The aim of the Programme was 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. The programme



## Module 2C – TEO Corporate Statement

explored how a combination of testing and NPIs could inform decisions on safely lifting restrictions at events.

632. ERP pilots involved a range of events across the country including:

- World Snooker Championships, Crucible Theatre, Sheffield: 17 April - 3 May
- FA Cup Semi Final and Final, Wembley Stadium, London: 18 April - 15 May
- Carabao Cup Final, Wembley Stadium, London: 25 April
- The Good Business festival 'Change for Good' business event: 28 April
- Circus Nightclub, Liverpool: 30 April - 1 May
- Sefton Park Pilot (live music event), Liverpool: 2 May
- The BRIT Awards, London: 11 May
- Reunion Run, Kempton: 15 May
- Cricket, Edgbaston, Birmingham: 10 - 13 June
- Royal Ascot (horse racing), Berkshire: 15 - 19 June
- Download Festival, Leicestershire: 18 - 20 June
- Cricket, Durham: 29 June
- UEFA Euro 2020 (7 matches including Semi Final and Final), Wembley Stadium: 13 June - 11 July
- Cricket, Oval, London: 1 July
- Cricket, Bristol: 4 July
- Performances at The Grange Opera Festival, Hampshire: 1 - 18 July
- The Championships, Wimbledon (tennis), London: 28 June - 11 July
- Goodwood Festival of Speed, West Sussex: 8 - 11 July
- Cricket, Lord's, London: 11 July
- Opera North, Leeds Playhouse, Yorkshire: 14 - 17 July
- Cricket, Edgbaston, Birmingham: 13 July
- The Open Championships, Kent: 11 - 18 July
- Performances at Grosvenor Park Open Air Theatre, Chester: 14 - 17 July
- The British Grand Prix, Silverstone Circuit, Northamptonshire: 14 - 18 July
- Cricket, Trent Bridge, Nottinghamshire: 16 July
- The Challenge Cup Final, Rugby League, Wembley Stadium, London: 17 July
- Performances at The Piccadilly Theatre, London: 17 - 23 July
- Cricket, Headingley, Yorkshire: 18 July
- Home and Gift Buyers Festival, Harrogate, Yorkshire: 18 - 21 July
- Latitude Festival, Southwold, Suffolk: 22 - 25 July

## Module 2C – TEO Corporate Statement

- Tramlines Festival, Sheffield, Yorkshire: 23 - 25 July

633. Officials from Devolved Administrations were invited to attend the test events to see operations on the ground. Officials from NICS departments attended events and reported back to the Cross Departmental Working Group. The learning from attendance at these events was used to inform the development of a local test event in Northern Ireland, although with a different purpose, with UKG publishing an initial report on 25 June 2021 [**Exhibit KP/485 - INQ000279321**].

### Phase 5 - Local Logistical and Operational Learning Event

634. In early May 2021, the Executive requested that consideration should be given to running an event in Northern Ireland as a logistical and operational learning exercise rather than a test pilot event under the ERP. A cross-departmental group [**Exhibit KP/486a – INQ000415934**], [**Exhibit KP/486b – INQ000415935**] was established to consider running an event with the purpose that the lessons from this exercise would help inform future events as we plan for the return of events with larger audiences to venues.

635. A proposal was brought to the Executive meeting on 13 May 2021 [Exhibit KP/437 – INQ000207216], [**Exhibit KP/487 - INQ000212968**] at which it was agreed that an outdoor sporting event involving 1,000 spectators would be permitted to enable logistical and operational learning to inform the future safe return of spectators to large scale venues.

636. TEO established a group involving officials from all relevant departments as well as representatives from the Local Councils, PSNI, Tourism NI and the Irish Football Association (IFA) to take forward a Logistical and Operational Learning Event at Mourneview Football Park in Lurgan on 21 May 2021. Department of Health (DoH) officials were engaged with to ensure the regulations were amended to facilitate spectators at this one-off learning event prior to spectators being permitted at sporting events in general. DoH also ensured that on-site lateral flow testing was available to spectators who attended without proof of a negative lateral flow test to ensure they could attend the event.

637. The report produced from the event provided a number of recommendations on the safer running of large outdoor events [**Exhibit KP/488 - INQ000023215**]. The report was submitted to the Executive for consideration and TEO and DoH officials subsequently attended the DoH Committee in the Assembly to provide information on the outcome of this event [**Exhibit KP/489 - INQ000279325**].

## Module 2C – TEO Corporate Statement

### Phase 5 - Face Coverings

638. The mandatory use of face coverings was introduced on public transport (10 July 2020); extended to certain indoor settings (10 August 2020); hospitality, banks, government buildings, etc., (14 October 2020); post primary transport (2 November 2020); places of worship (9 April 2021); and enclosed public areas (24 May 2021). Via Adherence Group meetings [Exhibit TEO/490a - INQ000279326], [Exhibit KP/490b - INQ000279327] PSNI had flagged up that there was no proper enforcement mechanism to improve compliance. TEO consulted with other jurisdictions and found that the same issues existed there [Exhibit KP/491 – INQ000279328], [Exhibit KP/492 - INQ000279329]..

639. TEO discussed with DoH [Exhibit KP/493 - INQ000262724] the potential for General Practitioners (GPs) to provide letters of exemption to individuals who would be exempt from wearing face coverings for medical reasons.

640. TEO was advised that GPs would be able to provide such exemption letters because they could be linked with Disability Legislation [Exhibit KP/494 - INQ000279331], [Exhibit KP/495 - INQ000279332]. However, GPs had not been asked how this process could be implemented on the ground.

641. At the Executive meeting of 22 December 2021 [Exhibit KP/459 - INQ000207230], the Executive approved a number of amendments to the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations to seek to strengthen the arrangements and to facilitate more robust enforcement where that was considered necessary. In particular, the Executive agreed that:

- Individuals wishing to rely on a medical exemption would be required to produce proof of their entitlement to rely on that exemption when requested to do so by an authorised officer; and,
- In order to make the test more objective, the reasonable excuse of ‘without severe distress’ should be removed, which would leave the test base on a disability within the meaning of the Disability Discrimination Act.

642. Ministers agreed a grace period to allow officials to engage further with key stakeholders (such as organisations representing people with disabilities), GPs, the PSNI and Translink. This would help to ensure that the arrangements operate effectively, when introduced.

## Module 2C – TEO Corporate Statement

643. At a meeting of the ECT on 13 January 2022 [**Exhibit KP/496 - INQ000188188**], it was confirmed that the preferred model of delivering the proof of exemption scheme through GPs was not deliverable and set out an alternative model, similar to that which operates on a voluntary basis on Scotland, whereby citizens could obtain proof of exemption through an online solution hosted on NI Direct or similar platform. Other delivery channels would be available to support those not able to access a digital service.
644. The ECT noted that this solution remained a form of self-declaration and, while it would deliver on a number of the policy objectives set out in the paper, it would not significantly strengthen the framework for face coverings to support more effective enforcement where necessary.
645. In parallel with this, on 5 January 2022, TEO officials met with representatives from Disability Action, the Disability Forum and the Royal National Institute for Deaf People (RNID) [**Exhibit KP/497 - INQ000279491**] to secure their views on mandating face coverings. Disability Action subsequently arranged a workshop involving representatives of various disability groups on 11 January 2022. Feedback confirmed that mandating the wearing of face coverings would not be welcomed because wearing a face covering causes issues for autistic people and mental health issues. Further meetings with officials took place on 13 January 2022 and 20 January 2022 [**Exhibit KP/499 – INQ000279305**] during which the inequality that would be created by mandating the wearing of face coverings because those not wearing them would be automatically identified as having a disability of medical condition was highlighted. The meeting on 20 January 2022 was held to discuss the changes to the Coronavirus restrictions that had been agreed by the Executive earlier that day [**Exhibit KP/500 - INQ000048555**], specifically removal of the need to provide proof of exemption from wearing a face covering and reintroduction of the reasonable excuse of 'severe distress' from 21 January 2022.
646. In addition, engagement with the Retail sector highlighted incidences of aggressive behaviour towards employees who had challenged members of the public for not wearing face coverings and therefore put those members of staff at risk [**Exhibit KP/501a – INQ000221668**], [**Exhibit KP/501b – INQ000415936**]
647. Following discussion of the options there was an emerging view that, given the limitations of the proposed solution, it would be preferable to revert to the pre-22nd December position and reverse the requirement to produce proof of exemption. Ministers also highlighted a range of scenarios where individuals may have genuine reasons to not wear face coverings

## Module 2C – TEO Corporate Statement

that fall short of the Disability Discrimination Act requirement. One example referred to was victims of sexual assault for whom wearing a face covering could result in further trauma. It was, therefore, considered that there would be merit in reinserting the 'severe distress' limb into the reasonable excuse test.

648. However, Ministers wanted to ensure that in taking such decisions it was vital to preserve the core message that wearing face coverings remained an essential element of the public health advice.
649. Face coverings were identified at that time as a baseline measure, and it was considered that they were likely to continue to be a requirement or recommendation after the immediate challenge of Omicron variant receded.
650. The relevant clauses in the regulations were, therefore, not commenced and were ultimately removed because they were not workable [Exhibit KP/502 – INQ000065658], [Exhibit KP/500 - INQ000048555].

### Phase 5 - COVID – Omicron Variant – Booster Surge Capacity

651. Following the Executive Covid Taskforce meeting and Permanent Secretary Stocktake meeting on 17 December 2021 [Exhibit KP/503 - INQ000188139] it was agreed that NICS needed to proceed to the next stage in implementing the cross departmental Surge Response.
652. On 14 December 2021, Jayne Brady (HOCS) [Exhibit KP/504 - INQ000274796] wrote to all Permanent Secretaries regarding the Omicron variant. It was noted that while the full effects of the variant were not known it was very likely to impact directly on public services, the wider economy and therefore societal resilience. The memo advised of the planned NICS response to help navigate any potential disruption to services brought about by the OMICRON variant.
653. HOCS created a Cross Departmental Surge Team to identify and pool resources and allocate them as required. Denis McMahon was asked to lead this team. Volunteers were to be temporarily redeployed to the surge team; however, this was not required.
654. Given the nature of the emergency, and the potential severity of the impacts on public services and society, TEO worked with colleagues in CPD to source additional support. EY were successful in the award of the provision of the support, which NICS Departments could

## Module 2C – TEO Corporate Statement

call on from this contract as initiatives/support requirements emerged. This contract, managed by me, . The onus was on departments to fund projects that make use of this contract.

655. The included support in the areas of:

- Objective advice on the complex programme of work required to address issues such as
  - Direct impacts on the wider community and public service
  - The need for evidence and actions necessary to mitigate those impacts and
  - Support mechanisms necessary to maintain and support service deliver to protect the economy and wider society.
- Building evidence base and providing data analytic capacity to underpin monitoring systems in support of this complex programme of work; and to inform the priority deployment of resources, including the Surge Team
- Supporting the delivery of mitigating actions, including as appropriate, service delivery and the establishment of grant programmes.

### Phase 5 - UK Government and Devolved Administrations Engagement

656. This section illustrates Engagement between UK Government and Devolved Administrations that took place from 8 March 2021 to 22 December 2021.

657. From 8 March, 4 nations meetings chaired by the Chancellor of the Duchy of Lancaster continued mainly on a weekly basis. Secretary of State meetings were less frequent during this time and COBR meetings did not occur until December 2021 with the emergence of the Omicron variant.

658. Meetings hosted by the Chancellor of the Duchy of Lancaster (CDL) continued to focus on the vaccine rollout, and ongoing work related to vaccine certification. Junior Ministers attended a meeting with the Chancellor of the Duchy of Lancaster and First Ministers for Scotland and Wales on 31 March 2020 **[Exhibit KP/505 – INQ000308837]**, **[Exhibit KP/506 - INQ000308839]** during which the Joint Biosecurity Centre was discussed. First Ministers for Scotland and Wales advised that they had received information regarding an announcement the Astra Zeneca vaccine would be halted to under 50's. CDL advised that he would provide an update.

## Module 2C – TEO Corporate Statement

659. At the meeting on 14 April 2020, the Chancellor of the Duchy of Lancaster recognised that engagement on vaccine certification had not commenced as early as it should have with Devolved Administrations **[Exhibit KP/507 – INQ000279474]**.
660. The May meetings brought a look ahead to the review of social distancing and the return of international travel as nations continued to progress through relaxations, for example on 5 May 2021 **[Exhibit KP/508 – INQ000308840]**. The meeting on 19 May 2020 focused on the emerging B.1.617.2 variant and Covid certification for domestic use– **[Exhibit KP/509 - INQ000308841]**, **[Exhibit KP/510 - INQ000308844]**, **[Exhibit KP/511 - INQ000308843]**. NI Ministers highlighted the need to be kept informed ahead of any announcements and the need for certification systems to link in not just East / West, but North / South.
661. Reservations and disappointment were expressed at the CDL call on 26 May 2021 **[Exhibit KP/512 – INQ000308846]** at hearing about the Recovery Summit second hand in the media.
662. June brought Covid Recovery to the fore, with the PM hosting a Recovery Summit on 3 June 2021 with the Devolved Administrations. The meeting looked at taking stock of learnings to date and how collaborative the working between nations had been as well as current and ongoing impacts of the pandemic, such as pressures on the health service and the economy. The meeting note for this meeting is exhibited at **[Exhibit KP/513 – INQ000279475]**.
663. Further meetings in June and July looked at the continuing easing of restrictions and modifications necessary to allow these to proceed along with strong advice required for the public, infections data and covid certification. Cases were on the rise, however with vaccination, it was expressed that there was now a break between cases and hospitalisation. On certification NI Ministers shared their reservations on equality and personal freedom ahead of a sudden policy direction change by UK Government on the use of certification in order to assist in driving vaccination in younger demographic. Meeting notes of 30 June, 5 and 21 July 2021 exhibited at **[Exhibit KP/514 – INQ000279476]** to **[Exhibit KP/515 – INQ000279478]**.
664. At the meeting on 7 September, DAs were informed of the need to increase the support for the health service going forward and that this would be done by increasing National Insurance contributions. NI Ministers queried if this would be ringfenced or for DAs to decide how to spend and that they would have appreciated consultation on the matter as increased contributions affects incomes which are already regionally low. Meeting notes of 7 and 8 September is exhibited at **[Exhibit KP/516 – INQ000279479]** to **[Exhibit KP/517 –**

## Module 2C – TEO Corporate Statement

**INQ000279480].**

665. At a meeting on 14 September 2021, chaired by CDL and attended by NI First Minister, Junior Ministers and the Scotland and Wales First Ministers, CDL provided an updated on the UKG Plans A and B for Autumn / Winter **[Exhibit KP/518 – INQ000279481]**. It was highlighted by CDL that the availability of universal testing had been crucial to date but could not last forever. In addition, failures of communication and collective working across the administrations were discussed.

666. The start of December 2021 brought with it the emergence of the Omicron variant and measures were put in place to reduce the risk to the population including travel restrictions and the initiation of the UK Government Plan B. Executive Ministers continued to call for engagement with ROI Ministers on travel, testing and isolation.

667. Due to the rapid onset of Omicron, Ministers from the Devolved Administrations called for additional funding should there be a need to implement further restrictions. Action was also taken nationwide to fast track the roll out of booster vaccinations. Frustrations were expressed on the ability to implement interventions due to waiting on UK Government announcements. The meeting note of 12 December with Chancellor of Duchy of Lancaster, COBR meetings note of 15 and 19 Dec along with NI Ministers meeting with PM on 17 December are exhibited at **[Exhibit KP/519 – INQ000279483]** to **[Exhibit KP/520 – INQ000279486]**.

668. The four meetings with NI Ministers and the Secretary of State for NI were broadly in line with the 4 nations meetings, with a more NI centric focus, looking at the relaxation of restrictions, support packages for businesses and Covid Recovery.

### **Phase 5 - Engagement with Irish Government**

669. There was no Ministerial engagement with the Irish government during Phase 5.

### **Phase 5 – Launch of new NI Civil Contingencies Framework**

670. In July 2021, Building Resilience Together, the new NI Civil Contingencies Framework was launched. The Framework marked a significant development within the civil contingencies preparedness network in NICS and with many external partners that TEO worked with.

671. Building Resilience Together, NI Civil Contingencies Framework **[Exhibit KP/521 -**



## Module 2C – TEO Corporate Statement

**INQ000086922]** was published in July 2021 replaced and consolidated a number of former protocols and guidance documents that were in operation.

### Phase 5 – Sectoral engagement

672. Ministers and the Executive Covid Taskforce worked with a range of sectors in advance of the regulations being lifted to ensure the appropriate mitigations were in place to support the relaxations and help prevent case numbers escalating again.

### Phase 5 – Engagement with Businesses

673. On 13 May 2021, First Minister and deputy First Minister met with representatives of the hospitality sector to update them on Executive decisions on the gradual relaxation of restrictions whilst highlighting the need for mitigations, such as Track and Trace and social distancing to continue to be implemented **[Exhibit KP/522 - INQ000279297]**.

674. Representatives of the three main airports in Northern Ireland, Belfast City, Belfast International and City of Derry Airport, met with First Minister and deputy First Minister on 24 May 2021 to discuss how air travel could be rebuilt **[Exhibit KP/523 - INQ000279429]**. The representatives recognised the support provided to airports by the Executive.

675. First Minister and deputy First Minister met again with representatives of the hospitality sector on 27 July 2021 **[Exhibit KP/524 - INQ000279430]**. The issues discussed included the impact of the restrictions and self-isolation rules in place at that time; overall sustainability of the industry and the Hospitality Industry Recovery Strategy.

676. Following the meeting on 27 July, Hospitality Ulster requested a meeting with First Minister and deputy First Minister prior to the Executive meeting scheduled for 12 August 2021. This took place on 6 August 2021 and was attended by First Minister and Special Adviser to the deputy First Minister. The group was advised that the Executive would be considering relaxation of a number of restrictions that were causing challenges for the hospitality sector **[Exhibit KP/525 - INQ000279487]**. The representatives highlighted their main concerns, such as the requirement for table service and standing not being allowed because of the resulting impact on the viability of businesses. The group was advised that the transmission rate in Northern Ireland was significantly higher than in neighbouring jurisdictions and the vaccination rate was one of the lowest. It was noted that the sporting codes and other organisations were partnering with Health to encourage vaccine uptake in response to which Hospitality Ulster restated their offer to work with Health to promote vaccine uptake through

## Module 2C – TEO Corporate Statement

the use of influencers, such as DJs.

677. Junior Ministers chaired a meeting with Hospitality Ulster and the Hotels Federation on 7 October 2021 to discuss how to work with the sector if the need for social distancing was removed at the end of October, advising that hospitality was in a higher risk category for the spread of the virus [Exhibit KP/526 - INQ000279431]. The representatives were also advised that the Executive was developing an Autumn /Winter plan with an aim to ensuring all sectors could work in a viable manner.

678. First Minister and deputy First Minister convened a meeting with the NI Chamber of Commerce and Industry on 7 December 2021 to discuss, amongst other things, Covid recovery and the impact of Covid on businesses [Exhibit KP/527 - INQ000279432].

### Phase 5 – Engagement with Faiths Leaders

679. First Minister and deputy First Minister met with Faiths Leaders on 15 March 2021 to discuss the potential for in person services that had been suspended on a voluntary basis in January 2021 to resume in advance of Easter [Exhibit KP/528 - INQ000279433].

### Phase 5 – Other Engagement

680. First Minister, deputy First Minister and the Minister for Health met with the Royal College of Nursing on 9 March 2021 to discuss the impact of the pandemic on the wellbeing of nurses and healthcare staff, highlighting the need for a period of recuperation and rest [Exhibit KP/529 – INQ000279434].

681. Junior Ministers met with the Commissioner for Children and Young People NI on 14 April 2021 to discuss, amongst other things, the report produced by NICCY on the impact of Covid-19 on children and young people that was due to be published on 30 June 2020 [Exhibit KP/530 - INQ000279435].

682. On 17 May 2021, First Minister and deputy First Minister met with representatives of the Royal Ulster Agriculture Society to (RUAS) to discuss their plans for holding the 152nd Balmoral Show, from the 22 to 25 September 2021 [Exhibit KP/531 - INQ000279436].

683. First Minister and the Minister for Communities met with the Irish Football Association (IFA) on 20 July 2021 [Exhibit KP/532 - INQ000279437]. CMO and CSA also attended the meeting to discuss numbers of spectators permitted to watch matches and exemptions for

## **Module 2C – TEO Corporate Statement**

fans travelling from overseas to attend the Supercup that was due to take place on 11 August 2021. There was also a discussion on possible mitigations that could be put in place, including evidence of negative lateral flow tests combined with face coverings and social distancing to one metre.

## Module 2C – TEO Corporate Statement

### PHASE 6 - RESTRICTIONS - (23 DECEMBER 2021 – 19 JANUARY 2022) -OMICRON

#### Phase 6 – Overview

684. The emergence of Omicron led to restrictions being implemented on a temporary basis from 22 December 2021 to 15 January 2022. There was little information available on the impact the Omicron variant would have. The scientific advice was, therefore, to implement precautionary measures to reduce its spread until more was known.

685. It should be noted that previously, in mid-December 2021, senior TEO officials alerted the Principal Statistician in TEO to emerging data requirements around the threat of a new Omicron Wave.

686. The Executive Committee on 16 December 2021, directed ECT to provide a positional paper detailing interventions that the Executive could consider implementing to mitigate against impact of the Omicron variant **[Exhibit KP/25 - INQ000048551]**.

687. From the outset of the pandemic the Executive's approach to decision making was predicated upon three strategic priorities.

- The health and well-being of our citizens
- Our economic well-being and revitalizing the economy; and
- Our societal and community well-being.

688. Any decisions the Executive took in relation to restrictions, both imposition and relaxation, have been guided by four over-arching principles.

- Necessary – a specific restriction or requirement should be retained only as long as it is considered necessary to prevent, protected against, control, or provide a public health response to the incidence or spread of COVID-19;
- Proportionate – the detrimental impacts on health, education, society and the economy that can reasonably be attributed to the restriction or requirement should be tolerated only as long as the risks associated with withdrawal or modification are assessed to be more severe;
- Evidenced – proposals for change or for the retention of a restriction or requirement should

## Module 2C – TEO Corporate Statement

be informed by the best available evidence and analysis; and

- Sustainable – we need to build our communities and economy back up in a way that build resilience, is long term focused, and sustainable.

689. In terms of approach, the submission to Ministers [**Exhibit KP/533 – INQ000065662**] considered the measures which had been applied by other Nations across the Common Travel Area (Annex A) and the proposed package of measures is broadly comparable with steps being taken elsewhere across the UK and in Ireland.

690. In the absence of significant funding from Treasury, affordability of the measures was also a factor and both Wales and Scotland said that the absence of funding was a constraint in public health decision making. The Department of Finance identified £195m which was available in the financial year and could be directed towards restrictions support. This was a combination of some new money announced by Treasury together with monies identified through the January 2022 monitoring round.

### Phase 6 - Executive Meetings and NPIs

<i>Date of Executive meeting</i>	TEO number	NPI Decisions
30.12.2021	<b>KP/534 INQ000207231</b>	No Key decisions made
06.01.2022	<b>KP/535 INQ000207232</b>	No Key decisions made
13.01.2022	<b>KP/536 INQ000207233</b>	<ul style="list-style-type: none"> <li>• Review of Regulations - Proportionate and necessary.</li> <li>• Urgent decision taken re grace period for face covering enforcement.</li> </ul>

691. At the Executive meeting on 30 December 2021, Ministers discussed the need to review the exemption to facemask requirement for the most vulnerable in the light of emerging issues about access to certification and return to school planning. Minister Swann advised that from 31 December self-isolation would be reduced from 10 days to 7 days subject to a negative LFD tests. Ministers also advised that Permanent Secretaries should identify to the ECT any potential support schemes their departments could deliver to relevant sectors.

## Module 2C – TEO Corporate Statement

### Phase 6 - Sectoral Engagement

692. Sectoral engagement during Phase 6 focused on the potential impact of the Omicron variant and measures required to curb the spread of the virus.

693. On 23 December 2021, the Head of the Civil Service convened a meeting with retail representatives **[Exhibit KP/537 - INQ000279438]** to provide an update on the package of measures that had been agreed by the Executive the day before **[Exhibit KP/459 - INQ000207230]**. There was also a lengthy discussion on messaging around the various restrictions in place, such as social distancing and working from home guidance.

### Phase 6 - UK Government and Devolved Administrations Engagement

694. During this time period there was one meeting with the Chancellor of the Duchy of Lancaster on 12 January 2022. This meeting looked at the ongoing response to the Omicron variant, booster rollouts, changes to self-isolation, workforce pressures and looking ahead to the review of the Plan B measures. The meeting note of 12 January 2022 is exhibited at **[Exhibit KP/539 – INQ000279488]**.

### Phase 6 - Engagement with Irish Government

695. There was no Ministerial engagement with the Irish government during Phase 6.

## Module 2C – TEO Corporate Statement

### PHASE 7 - RELAXATIONS (20 JANUARY 2022 – ONWARDS)

#### Phase 7 - Overview

696. On Thursday 20 January 2022, the Executive discussed and agreed a number of relaxations of the restrictions that had been implemented to manage the Covid-19 Omicron variant [Exhibit KP/500 – INQ000048555].

697. Ministers received an update from Chief Medical Officer and Chief Scientific Advisor who confirmed that it was likely that Northern Ireland was past the peak in case numbers. The measures put in place in response to Omicron were a balanced and proportionate intervention based on the best available evidence. However, the improved outlook on hospital pressures allowed Ministers to relax some restrictions from 21 January 2022 and on 26 January 2022.

698. It was also recognised that public adherence with the measures greatly assisted the situation. The Executive Covid Taskforce identified a phased approach to the removal of restrictions implemented in response to the Omicron variant. It was as follows:

<i>Date of Executive meeting</i>	<b>TEO number</b>	<b>NPI Decisions</b>
20.01.2022	<b>KP/500</b> INQ000048555	<p><u>Agreed to take effect from 21 January:</u></p> <ul style="list-style-type: none"> <li>• the requirement to provide proof of exemption for face coverings to be removed from regulations and that the reasonable excuse of 'severe distress' should be reinserted.</li> <li>• In hospitality settings - the requirement to be seated whilst consuming food and/or drink and for table service in premises that provide alcohol and the rule of 6 removed.</li> <li>• In domestic settings - guidance regarding the cap on the number of households meeting indoors removed. (maximum of 30 people permitted to gather retained in regulation.)</li> <li>• Revert to working from home where you can.</li> </ul> <p><u>From 26 January at 12 noon:</u></p> <ul style="list-style-type: none"> <li>• Nightclubs permitted to open</li> <li>• Dancing and indoor standing events can resume.</li> <li>• Mandatory COVID-status certification removed for majority of hospitality premises– (legal requirement continued to apply to nightclubs and indoor unseated/partially seated events with 500 people or more. For other settings strong guidance only.</li> </ul>

## Module 2C – TEO Corporate Statement

<i>Date of Executive meeting</i>	TEO number	NPI Decisions
		<ul style="list-style-type: none"> <li>In workplaces - 2m social distancing removed. Guidance in place that risk assessments should be carried out.</li> </ul>
27.01.2022	<b>KP/540</b> INQ000048556	No key decisions made

699. Following the Executive meeting on 20 January 2022, the Executive released a press release advising that the remaining legal requirements would be reviewed on 10 February:

- the legal duty on retail to take reasonable measures to reduce the risk of transmission;
- the legal requirement to wear face coverings and the associated duty on businesses to take reasonable measures to ensure compliance;
- the legal requirement for risk assessments in prescribed settings;
- the legal requirement for recording visitor information in prescribed settings;
- the remaining legal requirements in relation to Covid-status certification; and
- the guidance on the regular use of LFD testing, and in particular before meeting up with others.

700. First Minister announced his resignation on 3 February 2022 with effect from 4 February 2022. The Executive meeting planned for 10 February, therefore, did not take place as a consequence. The Inquiry will be aware that in the absence of the First Minister, the deputy First Minister's ability to act, whilst still in post, was severely curtailed given the previously explained concept of TEO Ministers having to act jointly.

701. Following consultation by formal Ministerial correspondence with remaining Ministers **[Exhibit KP/541 – INQ000308879]**, on 14 February 2022, Minister Swann announced the removal of all restrictions from regulations **[Exhibit KP/542a - INQ000415938]**, **[Exhibit KP/542b – INQ000415939]**, **[Exhibit KP/542c – INQ000415940]**, **[Exhibit KP/542d – INQ000271058]**, **[Exhibit KP/542e – INQ000271162]**. Only the Executive's working from home guidance remained in place.

702. On 18 March 2022, all Covid-19 related travel restrictions were repealed by the UK



## Module 2C – TEO Corporate Statement

Government [Exhibit KP/543 – INQ000308880] and [Exhibit KP/544 – INQ000308858].

### Phase 7 - Sectoral Engagement

703. The focus of the engagement was in relation to removal of the remaining restrictions and the Executive's Working From Home Guidance.
704. At a meeting with the hospitality and events sectors on 20 January 2022, an overview of the relaxations agreed by the Executive for 21 and 26 January 2022 was provided [Exhibit KP/545 – INQ000308881]. The meeting was advised that a paper would be going to the Executive ahead of the 10 February meeting, when all remaining Covid restrictions to be reviewed and a pathway would be laid out to remove any remaining restrictions.
705. A further meeting with the hospitality and events sectors on 25 January 2022 was held to discuss how a nightclub should be defined and test how it works with the regulations and the purpose of the regulations [Exhibit KP/546 – INQ000271226].
706. HOCS and Peter Luney met with the Retail sector on 21 January 2022 [Exhibit KP/547 – INQ000308883] to provide an update on the decisions made by Executive the day before and what may come next. The sector welcomed the updates and highlighted the need to move on from the working from home guidance that remained in place.
707. On 25 January 2022, RetailNI wrote to First Minister and deputy First Minister requesting a meeting to discuss the safe reopening of offices and workplaces. First Minister and deputy First Minister advised that officials continued to engage with sectors as Northern Ireland moved out of restrictions [Exhibit KP/548 – INQ000304009].

### Phase 7: Internal Lessons Learned Exercise

708. In 2022, officials conducted a further lessons learned exercise aimed at identifying good practices that had arisen throughout the course of the pandemic with a view to embedding them into business as usual. Views were gathered through a series of bilateral meetings with key individuals [Exhibit KP/549 - INQ000279372] and an online survey that was shared with all departments [Exhibit KP/550 – INQ000279373], [Exhibit KP/551 - INQ000279375]. The lessons from this exercise were incorporated into the 2022-23 Autumn / Winter Covid-19 Contingency Plan that was agreed by Permanent Secretary Stocktake group 14 October 2022 [Exhibit KP/552 - INQ000279374].

## Module 2C – TEO Corporate Statement

### Phase 7 - UK Government and Devolved Administrations Engagement

709. There was one meeting with the Secretary of State for NI on 26 January 2022. This meeting provided an update on the relaxation of restrictions and a request from Minister Swann in relation to Military Aid to the Civil Authority (MACA). The meeting note of 26 January is exhibited at **[Exhibit KP/553 - INQ000279489]**.

### Phase 7 - Engagement with Irish Government

710. There was no Ministerial engagement with the Irish government during Phase 7. The majority of Covid-19 restrictions were removed on 22 January 2022 with requirements for face coverings to be worn until 28 February 2022. RoI removed travel restrictions on 6 March 2022.

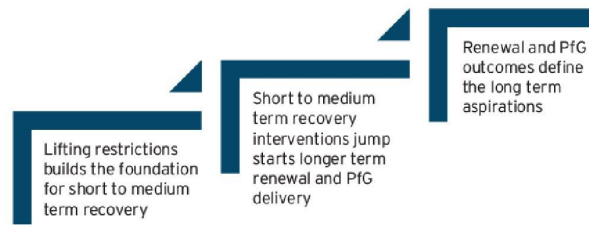
### Phase 7 – Autumn Winter Contingency Plan (2022-23)

711. In May 2022, PSS asked a Task and Finish Group to take forward the development of a Covid-19 contingency plan for Autumn/Winter 22/23. The work was coordinated by the Covid-19 Strategy and Recovery Division in TEO. All nine departments collaborated to develop this work as well as Local Government and the PSNI. In October 2022, the PSS considered and approved the Plan and associated documents **[Exhibit KP/554 – INQ000279549]**, **[Exhibit KP/555 - INQ000271192]**, **[Exhibit KP/556 - INQ000271189]**, **[Exhibit KP/557 - INQ000271190]**, **[Exhibit KP/558 - INQ000271191]**. The Plan was not published due to the ongoing absence of Ministers. Jane Holmes did, however, present the plan to the CCG at its meeting at its November 2022 meeting **[Exhibit KP/559 – INQ000279652]**.

## Module 2C – TEO Corporate Statement

### PART 3 - STRATEGIC RECOVERY

712. At an Executive meeting in July 2020, the Executive agreed a twin-track approach to the Programme for Government. It was agreed that a short-term activity-based recovery programme would be developed as the basis for driving economic, health and societal recovery and secondly, a new outcomes-based strategic Programme for Government (PfG) would be developed.



713. Considerable planning, consultation and cross Departmental engagement took place in relation to recovery, including:

- HOCS chaired Recovery Group – which considered feedback from the Executive’s discussion on Recovery and agreed next steps.
- An officials’ working group – which included a discussion on vision and values for Recovery, consideration of workstreams that could support recovery and a discussion on ways of working and integration with Departmental recovery plans.
- Analysis of data sources – which included exploration of available data sources that could be used to measure Recovery and additional research of external sources that could be used.

714. The Covid-19 pandemic presented unprecedented challenges in Northern Ireland, diverting resources and operational delivery away from business as usual and Departmental planning to provide an immediate, coordinated response to Covid -19.

715. The crisis also acted as a driver and accelerant for change, with digital transformation in how our public services are delivered becoming the norm.

716. In March 2021, the services of EY were procured by TEO to work with departments to develop a Recovery Plan for Northern Ireland. TEO and EY worked with all departments through a series of workshops and bilateral meetings to develop a Recovery Plan aimed at

## Module 2C – TEO Corporate Statement

progressing a cohesive approach across the whole of Government to deliver economic, health and societal recovery which had the citizen at its centre. It underpinned Executive strategies ensuring they are developed and operate on a cohesive basis.

717. The Recovery Plan was designed in the context of the draft Programme for Government Outcomes Framework, and it is anticipated that the work streams contained within the Recovery Plan may help to inform the basis of some key strategic areas in any new Programme for Government.

718. An integrated Covid-19 Recovery Plan containing 83 high level interventions to be progressed over 24 months to inform priorities to deliver societal, economic and health recovery under four strategic Recovery Accelerators: sustainable economic development; green growth and sustainability; tackling inequalities; and health of the population was developed. In June 2021, TEO officials provided an interim plan to the Executive [**Exhibit KP/560 – INQ000279621**].

719. The Building Forward – Consolidated NI Recovery Plan was agreed by the Executive on 29 July 2021 [**Exhibit KP/440 - INQ000065684**] and published on 2 August 2021 [**Exhibit KP/60 – INQ000279232**]. It provided opportunities for collaborative action intended to:

- Accelerate recovery over the following 24 months;
- Ensure the citizen is better off in the short term; and
- Address critical challenges our citizens were facing.

720. The Recovery Plan was designed to progress interventions over a two-year period in order to focus attention on immediate priority actions and longer-term interventions that require planning and commencement now.

721. The Recovery Plan had 83 highly impactful interventions to be progressed over 24-month period to deliver recovery for all our citizens under four strategic Recovery Accelerators:

- economic growth;
- tackling inequalities;
- health of the population; and

## Module 2C – TEO Corporate Statement

- green growth and sustainability.

722. In September 2021, the COVID-19 Recovery Taskforce was established to support the implementation of the Recovery Plan through collaborative effort at strategic level. Its focus is to help shape priorities and themes and to retain an ongoing focus on delivering outcomes for the people who live here. Since its inception, the Taskforce has met on five occasions and provided progress reports to the Executive's COVID- 19 Taskforce and the TEO Committee. Owing to political circumstances it was not possible to report to the Executive before the end of the mandate.

### Stakeholder Engagement

723. Stakeholders were invited to provide views on the draft Building Forward: Consolidated Covid19 Recovery Plan. Letters of invite issued on 24 June 2021 providing a link to the Citizen Space platform to complete a questionnaire **[Exhibit KP/561 – INQ000308834]**. The questionnaire, which was designed around the four recovery accelerators, closed for responses on Friday 2 July 2021.

724. At that time, all 160 stakeholders were also invited to attend information sessions to help answer queries in relation to the Plan. Four information sessions took place on 29 and 30 June 2021. 22 organisations were represented at these sessions and there were 33 responses to the online questionnaire. A further 6 organisations provided feedback by email. The information obtained as a result of this engagement **[Exhibit KP/562 – INQ000308835]** was shared across all Departments to inform the draft Recovery Plan.

725. It was recognised at the time that the window for engagement was limited and stakeholders were invited to continue to provide feedback on an ongoing basis.

### Equality Screening

726. Equality Screening of the Covid-19 Recovery Plan was finalised in September 2021 and published on 6 October 2021. The link to the document was also shared with 75 stakeholders at that time **[Exhibit KP/563 - INQ000279617]**. The Equality Screening included a commitment that it would be reviewed. 549 stakeholders were contacted again for their views on 24 November 2021 as part of the review process **[Exhibit KP/564 - INQ000279618]**. 13 responses were received and considered.

727. A revised screening document was approved on 27 June 2022 and was published on the TEO website on 19 August 2022 **[Exhibit KP/565 - INQ000279584]**. A link to the revised

## Module 2C – TEO Corporate Statement

Equality Screening document was shared with 367 Executive Office stakeholders for information and to invite comment [Exhibit KP/566 - INQ000279585]. To date only one stakeholder has provided feedback on the revised Equality Screening.

728. The revised Equality Screening document identified a number of mitigations, one of which was to ensure that equality considerations were added as a standing agenda item at Covid Recovery Taskforce meetings. Through the Taskforce, Departments are encouraged to actively consider equality considerations when implementing or planning to implement interventions. Since equality considerations were added as a standing agenda item in September 2022, no equality issues have been raised.

### Complaints in relation to Equality Screening

729. A complaint was received from the Committee on the Administration of Justice (CAJ) on 14 September 2021 on behalf of the Northern Ireland Women's Budget Group, and the Women's Resource and Development Agency. The complaint focused on a failure to finalise equality screening for Building Forward: Consolidated Covid-19 Recovery Plan and a breach in TEO commitments in Chapter 3 regarding consultation specifically 3.1-3.6 and 3.8-3.16.

730. A response was issued to CAJ on 20 September 2021 [Exhibit KP/567 - INQ000259394]. This response advised that the screening document was published, would be reviewed in December 2021 and provided an overview of the targeted engagement. The Equality Screening document and Rural Needs Impact Assessment documents were shared with the CAJ on 1 October 2021. The TEO Covid Recovery Team met with the CAJ on 18 October 2021 to discuss their concerns [Exhibit KP/568 - INQ000279587].

731. A complaint was received on 31 March 2022 on behalf of the Committee on the Administration of Justice (CAJ), the Northern Ireland Women's Budget Group (NIWBG), the Women's Resource and Development Agency (WRDA) and the Rural Community Network (RCN). A response was issued to CAJ on 25 April 2022 [Exhibit KP/569 - INQ000279588] offering an explanation for the delay in reviewing the Equality Screening. A meeting to discuss the issues raised was also offered.

732. Correspondence was received from Equality Commission of Northern Ireland (ECNI) on 14 April 2022 in relation to a Potential Paragraph 10 complaint (alleged failure to comply with an approved Equality Scheme in relation to the Building Forward: Consolidated Covid-19 Recovery Plan). A response was issued on 17 May 2022 [Exhibit KP/570 - INQ000279589], and we were notified on 20 June 2022 [Exhibit KP/571 - INQ000279590] that ECNI had

## Module 2C – TEO Corporate Statement

decided not to investigate the complaint as “*the consultation arrangements in an Equality Scheme are, as with the other arrangements, those that the public authority commits to using to fulfil its Section 75 duties. There are no free-standing consultation requirements in the Equality Scheme.*”

733. Further correspondence was received from ECNI on 29 July 2022 in relation to a Potential Paragraph 10 complaint under Paragraph 10 of Schedule 9 of the NIA; alleged failure to comply with an approved Equality Scheme in relation to the Building Forward: Consolidated Covid-19 Recovery Plan. A response was provided on 2 September 2022 [**Exhibit KP/572 - INQ000279592**], and we were notified on 28 September 2022 [**Exhibit KP/573 - INQ000279593**] that ECNI would not be investigating the complaint as the screening document had already been substantially reviewed, updated and published.

734. Another complaint was received on 4 November 2022 outlining an alleged breach of the TEO Equality Scheme in relation to the reviewed Equality Screening for the Executive’s Covid-19 Recovery Plan. The complaint was made on behalf of the Committee on the Administration of Justice (CAJ), the Northern Ireland Women’s Budget Group (NIWBG), the Women’s Resource and Development Agency (WRDA) and the Rural Community Network (RCN). A response was issued on 23 November 2022 [**Exhibit KP/574 - INQ000279591**].

### Reporting and Implementation

735. The cross-departmental Covid-19 Recovery Taskforce was established in September 2021 [**Exhibit KP/575 - INQ000279594**] to support the implementation of the Recovery Plan through collaborative effort at strategic level. The Taskforce is responsible for monitoring progress and reporting to the Executive. The Taskforce now meets on a six-monthly basis with the most recent meeting having taken place in March 2023.

736. The first Executive Progress Report [**Exhibit KP/576 - INQ000279595**] on the implementation of the Covid Recovery Plan was due in December 2021. Although prepared, it was not submitted owing to the need to focus resources on the response to Omicron at that time.

737. The report aimed to:

- Provide an update on the implementation of the interventions under each of the four recovery accelerators.

## Module 2C – TEO Corporate Statement

- Provide an update on stakeholder engagement and equality considerations.
- Inform on the funding position of the Recovery Plan.
- Set out the next steps and proposed changes to the Recovery Plan.

738. The First Progress Report from December 2021 was updated and in the absence of an Executive was presented to the Executive's Covid Taskforce (ECT) on 22 February 2022 and to the TEO Committee on 25 March 2022 as the Second Progress Report [**Exhibit KP/577 - INQ000279596**].

739. The report aimed to:

- Provide an update on the implementation of the interventions under each of the four recovery accelerators.
- Provide an update on stakeholder engagement and equality considerations.
- Inform on the funding position of the Recovery Plan.
- Set out the next steps and proposed changes to the Recovery Plan.

740. In the continued absence of the Executive, the Third Progress Report was approved by the Covid Recovery Taskforce on 25 October 2022 and presented to the NICS Board to note on 16 November 2022 [**Exhibit KP/578 - INQ000279597**]. The report aimed to:

- Provide an update on the implementation of the interventions under each of the four recovery accelerators.
- Provide an update on equality considerations and stakeholder engagement.
- Inform on the delivery risks and funding position of the Covid-19 Recovery Plan in 2022-23.

741. The Fourth Progress Report [**Exhibit KP/579 - INQ000279598**] from the Covid Recovery Taskforce reports on the implementation of the Recovery Plan up to 31 December 2022. The report aimed to:

- Provide updates on the progress of interventions from 1 July 2022 to 31 December 2022.



## Module 2C – TEO Corporate Statement

742. Provide a focus on how interventions may evolve in the coming months, what impact the budget position will/may have on their delivery and the subsequent impacts on S75 groups.
743. In the continued absence of the Executive, the Fourth Progress Report was approved by the Covid Recovery Taskforce in May 2023 and was presented to the NICS Board to note by correspondence in June 2023.
744. The Report highlights positive progress across all four Recovery Accelerators. This progress will help to accelerate job creation and growth, to enhance skills and address inequalities here.
745. Consideration is being given to producing a closing report now that 24-month timeframe for the Plan has expired. In the absence of an Executive, this decision will need to be taken by HOCS in consultation with departments.
746. The absence of the Executive has meant that the review reports could not be approved and published. Further, the lack of ongoing Executive oversight on implementation of the plan has meant that the Recovery Plan could not be amended if required.

### Ongoing Stakeholder Engagement

747. Following publication of the Recovery Plan we have continued to engage with stakeholders. For example, engagement meetings have been held with:

- The Mental Health Champion on the 19 October 2021 [**Exhibit KP/580 - INQ000269069**]
- The Commissioner for Older People (COPNI) on 22 October 2021 [**Exhibit KP/581 - INQ000269072**]
- The Northern Ireland Commissioner for Children and Young People (NICCY) on 22 November 2021 [**Exhibit KP/582 - INQ000279602**]
- Disability Action on 20 January 2022 [**Exhibit KP/499 - INQ000279305**]
- The Royal National Institute for Deaf People (RNID) on 20 January 2022 [**Exhibit KP/499 - INQ000279305**]

## Module 2C – TEO Corporate Statement

- Women's Policy Group (WPG) on 17 February 2022 **[Exhibit KP/583 - INQ000279607]**
- Forward South Partnership on 21 February 2022 **[Exhibit KP/584 - INQ000269071]**
- SOLACE on 28 April 2022 and 19 May 2022 **[Exhibit KP/585 – INQ000271127]** and **[Exhibit KP/586 - INQ000279606]**
- Women's Policy Group (WPG) on 17 May 2022 **[Exhibit KP/587 - INQ000279610]**
- The Northern Ireland Commissioner for Children and Young People (NICCY) on 5 September 2022 **[Exhibit KP/588 - INQ000279611]**

748. These meetings have provided invaluable insight into the experiences of these groups throughout the pandemic.

749. In addition, NICCY and the Women's Policy Group (WPG) have been invited to attend and address the Covid Recovery Taskforce. In December 2021 **[Exhibit KP/589 - INQ000279612]**, NICCY provided the Taskforce with information on their report 'A New and Better Normal: The experiences and impacts of COVID-19 on Children and Young People' outlining in detail NICCY's analysis of the impact of the response to the Covid-19 pandemic on children's rights in Northern Ireland.

750. In May 2022 **[Exhibit KP/590 - INQ000279604]** and **[Exhibit KP/591 - INQ000279613]**, the WPG provided the Taskforce with information on the impact that the pandemic has had on women in NI. They gave an overview of their reports the Covid-19 Feminist Recovery Plan- July 2020 and the NI Covid-19 Feminist Recovery Plan Re-launch One Year On- July 2021. In September 2022 **[Exhibit KP/592 - INQ000279614]**, **[Exhibit KP/593 - INQ000279615]** NICCY provided the Taskforce with information on the NICCY Covid Monitoring Report - August 2022.

751. Colleagues from the Circular Economy attended the Taskforce on 25 October 2022 **[Exhibit KP/594 - INQ000279605]** and provided a presentation on Developing a Circular Economic Strategy **[Exhibit KP/595 - INQ000279616]**.

### **Northern Ireland Audit Office's Report on the Executive's Response to the Covid-19 Pandemic**

752. The Northern Ireland Audit Office (NIAO) published reports on the Northern Ireland

## Module 2C – TEO Corporate Statement

Executive's (the Executive) response to the COVID-19 pandemic on 2 September 2020 [Exhibit KP/596 – INQ000279619] and 8 June 2021 [Exhibit KP/597 – INQ000279620].

753. A third report published on 27 July 2023 provides a final update [Exhibit KP/598 - INQ000279212]. Key findings of the report include:

- More than 713,000 cases of COVID-19 had been reported in Northern Ireland by 20 May 2022.
- By the beginning of June 2023, there had been over 5,300 deaths associated with the disease in Northern Ireland.
- 51 Ministerial Directions were issued as a result of the COVID-19 pandemic, more than the total number of Ministerial Directions issued in the previous 10 years.
- The total estimated cost of the COVID-19 response at 31 March 2023 is estimated at over £7.79 billion.

754. The report recommends that:

*“.....oversight and reporting arrangements are in place with the NICS Board. This will be key to ensuring lessons are learned and shared widely and where appropriate processes are improved and embedded. The NICS Board should ensure that all departments work together to:*

- *collect, share and consider findings and good practice, including from individual departmental reviews on the response to the pandemic and the cross-departmental work to evaluate the Executive COVID-19 related grant funding;*
- *identify, understand, and address ongoing challenges and longer-lasting impacts of the pandemic; and*
- *consider the success of the 83 interventions detailed within the Consolidated Covid Recovery Plan”.*

755. Where these are not already in progress, consideration is being given to progressing those not in train.

## Module 2C – TEO Corporate Statement

### PART 4 - LESSONS LEARNED FROM THE PANDEMIC

#### OVERVIEW

756. Covid-19 was a significant health event which required an evolving response as more became known about the virus and its health, societal and economic impacts. The response of the Executive, as supported by officials, developed over time in line with the trajectory and impact of the virus.
757. The Inquiry received a statement on 2 May 2023 from TEO in response to the draft Module 1 rule 9 request dated 4 November 2022. That statement outlined how the lessons from EU Exit No Deal preparations prior to the pandemic were important for the early management of Covid-19 in 2020. The Inquiry is aware that in the very early stages of the pandemic, civil contingencies arrangements were activated, involving an operational NI Hub and daily meetings of CCG chaired by the then HOCS.
758. A number of reviews were completed during the initial response period, which informed the early programme of work. These complemented several pieces of work previously completed from which recommendations remained outstanding, namely the Business Consultancy Service review of civil contingencies in 2015 and the PwC Futures Report in November 2019.
759. The reviews, commissioned by Anthony Harbinson, comprised:
- A Capability Review of the NI Hub in April 2020 to assess its readiness at Initial Operating Capability and its readiness to move to Full Operating Capability.
  - A DOCs Effectiveness Review in April 2020 to assess the effectiveness of the nine Departmental Operation Centres within the C3 structure.
  - A “point in time” review in May 2020 of the CCG arrangements, providing a rapid assessment of the working arrangements and effectiveness of the group over the seven week period it had convened to oversee the initial response.
760. In June 2020 a decision was taken to conduct a formal lessons learned exercise of the civil contingencies arrangements. This was undertaken by EY under existing contractual arrangements. The purpose was to take stock of the early experience of the pandemic and to establish if future improvements could be made. The terms of reference [**Exhibit KP/599 - INQ000308830**], [**Exhibit KP/600 - INQ000308831**] and the lessons learned report from EY [**Exhibit KP/601 - INQ000023223**] are exhibited here.

## Module 2C – TEO Corporate Statement

761. Correspondence summarised the lessons learned to Ministers in August 2020:

- To build a strategic civil contingency capability that is not reactive and event focused but rather an agile professional function that can support the C3 network across NI Government;
- To develop and refine in the short term, the tools that will help us deliver a professional service such as risk registers, contingency plans, horizon scanning and situation reports; and
- To start preparing for the inevitability of needing to activate the structures again and build on the momentum that has been created from the current deployment.

### NI HUB DEVELOPMENTS

762. In June 2020, a programme of work commenced to address a series of short-term improvements arising from the recommendations outlined in the various reviews. These were structured across 13 areas such as HR/staffing, NI Hub design, IT and estates and training and exercising [Exhibit KP/291 - INQ000279314]. This programme was managed with assigned project leads, daily and weekly stand ups through a Programme Manager and SRO, with documented decision and action logs. The work was resourced by core CCPB staff and a number of residual staff retained from the NI Hub, and concluded around September 2020.

763. The purpose was to reflect the intensive resources deployed in the first wave in spring 2020, building on the operational experience of that wave; and to take a proportionate approach to CCG management and the role of Ministers in operational meetings. For example, during the second wave in Autumn 2021, CCG arrangements met weekly rather than daily.

764. The other key shift was the establishment of CCG(O) and CCG(M). Correspondence to Ministers in October 2020 [Exhibit KP/316 - INQ000289778] advised of a need for an escalated response to deal with increasing case numbers and CCG(O) started to meet on a weekly basis with CCG(M) briefed separately to link with and inform considerations at NI Executive.

765. The C3 structures operated under the revised arrangements with NICCMA activated in October 2020 with the NI Hub on ALERT status.

766. The autumn and D20 (December 2020) response demonstrated the successful implementation of many recommendations. The feedback on the revised approach was overwhelmingly positive from departments and partner agencies. A Closure Report was

## Module 2C – TEO Corporate Statement

prepared in March 2021 [Exhibit KP/316 - INQ000289778], [Exhibit KP/603 - INQ000279630], [Exhibit KP/604 - INQ000279631], [Exhibit KP/605 - INQ000279632], [Exhibit KP/606 - INQ000279633].

### STRATEGIC RESET OF CIVIL CONTINGENCIES

767. The next phase of the work was a strategic reset of our civil contingencies arrangements.

Northern Ireland resilience to that date had largely been managed at the local and regional level. Legacy Structures and guidance existed to provide governance and consistency in preparing for emergencies, assessing and mitigating risks and exercising. However, many of those guiding principles were outdated, with some being up to ten years old. Local and regional level emergency planning had evolved at pace which had led to, on occasions, a lack of coherence and sometimes conflict with the outdated NI wide guidance. There was a pressing need to update the TEO guidance to modernise the approach across Northern Ireland, provide strategic direction, leadership and bring consistency with both UK and ROI doctrines.

768. A submission to NICS Board in March 2021 [Exhibit KP/607 - INQ000289765] set out a focused programme of work to refresh and develop existing guidance into an overarching new framework for civil contingencies in NI. The proposed new approach focused on providing a coordinated strategic risk managed framework for civil contingencies in NI with TEO bringing together all partners and providing strategic direction for the management of a portfolio of NI risks. The ambition was for this framework to become, over time, the single reference point with all partners bought into the shared strategy and approach.

769. There followed extensive engagement across NI departments, Joint Emergency Services Interoperability Principles (JESIP) partners, local government and wider stakeholders with the approach structured across PREPARE, RESPOND and RECOVER. The NI Civil Contingencies Framework was published and launched by HOCS in June 2021 with Ministers approving publication on the department's website in August 2021. There is a more detailed version available to the resilience community, with additional operational annexes [Exhibit KP/608 - INQ000279635], [Exhibit KP/609 - INQ000279636], [Exhibit KP/610 - INQ000279637], [Exhibit KP/611 - INQ000279638], [Exhibit KP/612 - INQ000279639], [Exhibit KP/613 - INQ000279640], [Exhibit KP/614 - INQ000279641], [Exhibit KP/615 - INQ000279642], [Exhibit KP/616 - INQ000279643], [Exhibit KP/617 - INQ000279644], [Exhibit KP/618 - INQ000279645], [Exhibit KP/619 - INQ000279646], [Exhibit KP/620 - INQ000279647], [Exhibit KP/621 - INQ000279648], [Exhibit KP/622 - INQ000279649].

## Module 2C – TEO Corporate Statement

770. As outlined in TEO's Module 1 Corporate Statement, the current Northern Ireland Civil Contingencies Framework replaced and consolidated a number of former protocols and guidance documents that were in operation during the module 1 period.
771. The Framework has secured the confidence of and is owned across all agencies and partners in NI and remains a live document with further updates in development. All of this work has applied the lessons learned identified and means that Northern Ireland's civil contingencies planning operates in a very different environment through the Executive to local government and ultimately, the communities themselves.
772. The Resilience Framework describes how the system would move from Prepare to Response and provides guidance on how this can be triggered by operational partners.
773. A revised governance arrangement was introduced in June 2021 to support the new Resilience Framework, building on long standing CCG arrangements which were deployed in Covid-19 [Exhibit KP/623 - INQ000279650]. CCG remains the principal body for Prepare mode and meets three times per year in March, June and November (with a focus on Winter preparedness). It is now chaired at the Grade 3 in TEO over Civil Contingencies, currently Michael Kennedy. It provides regular reports to the NICS Board. In Response mode, should that be required, CCG (O) would be convened, chaired by HOCS.
774. A Civil Contingencies Risk Register has been developed for NI and was approved by CCG at its meeting in June 2022 [Exhibit KP/624 - INQ000279651]. This is not a public facing document, but separate work is underway at this time to produce public facing material to assist individuals and communities to prepare and respond to crises.
775. A learning and development strategic approach was endorsed by CCG at its November 2022 meeting [Exhibit KP/625 – INQ000415943] and [Exhibit KP/626 - INQ000217268]. This builds on the long-standing concept of training and exercising of plans and operational responses but adds a new dynamic of individual and system-wide learning and development with the aim of enhancing competencies and moving eventually to accreditation.
776. In summary, many of the above developments were not solely contingent on Covid-19 and EU Exit No Deal planning, but those experiences provided a focus and backdrop for the evolution of the civil contingencies arrangements in NI since 2020.

### **STATEMENT OF TRUTH**

## Module 2C – TEO Corporate Statement

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: 19 February 2024