

Witness Name: Liz Lalley
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UK COVID-19 PUBLIC INQUIRY
WITNESS STATEMENT OF LIZ LALLEY, WELSH GOVERNMENT

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 3 February 2023 referenced **M2B-WG-LL-01**.

I Liz Lalley will say as follows;

Preface

1. The purpose of this statement is to assist the Inquiry in its understanding of the role played by senior civil servants at Welsh Government in respect of core political and administrative decision-making, how and why key decisions were taken on the use of non-pharmaceutical interventions (“NPIs”) in response to the Covid-19 pandemic and lessons learned from the experience of senior civil servants in Welsh Government.
2. In view of the breadth of the subject matter, my account cannot touch on the detail of every decision made by the Welsh Government. Nor can it refer to large volumes of materials when covering the breadth of issues raised by decision-making during the Covid-19 pandemic. My statement is not intended to provide a complete picture, but to illustrate those aspects of the Welsh Government’s response to Covid-19 of which I had specific experience and knowledge.
3. I also wish to make the point that as a civil servant, I am bound by the civil service code and my role is to serve with integrity, honesty, objectivity, and impartiality. I am not a specialist adviser. In my role as one of the officials coordinating the overall response to the pandemic, it was my responsibility to collate advice from advisors and experts, based upon the facts and evidence available at the time, and perspectives of policy officials on specific issues, in order to ensure Ministers had all the information they needed, balancing all considerations, to take the decisions they felt were most appropriate. This principle underpins the statement I make below.

Career history

4. I have been a civil servant for 20 years, after working in the private sector for five years.
5. I joined the civil service in 2003 to work in the then Department for Trade and Industry as a policy official on trade facilitation. I moved into a broader policy role, responsible for supporting the coordination of the UK position for the Doha Development Agenda round of trade negotiations. I then moved into the Permanent Secretary's office in the secretariat team, supporting the department's governance structures.
6. In 2007 I moved to the then National Weights and Measures Laboratory, working on better regulation, reviewing the existing weights and measures legislation to consider modernisation and simplification.
7. In 2008, I moved to Companies House, where I worked for 10 years in various roles, including principal policy adviser on fees and the trading fund, head of the Chief Executive's Office and finally, Head of Strategy and Policy, implementing legislation relating to company disclosure requirements.
8. I joined the Welsh Government in 2018 where I have since been continuously employed. I joined as Deputy Director for European Transition Preparedness within the European Union Transition Team in the Office of the First Minister Group.
9. My role involved preparing for leaving the EU, with or without an agreement. As the negotiation timetable progressed, the role became focused on preparations for leaving without an agreement, commonly known as "no deal preparations". This involved identifying areas where action was required, coordinating activity across the Welsh Government, providing Ministers with oversight of readiness across the entire landscape of preparations and advising on key issues and risks. The role also required that I liaise with the UK Government on UK-wide preparedness, including on

reserved areas that would impact across devolved areas. I remained in this role until February 2020.

My role in response to the Covid-19 pandemic

January – March 2020

10. In February 2020, Reg Kilpatrick contacted me to see if I could help him with the coordination of Welsh Government's response to Covid-19. At that time, Reg Kilpatrick was the Director of the Welsh Government's Local Government Department. This was the point at which I first became aware of Covid-19 in a work context.
11. I was unable to leave my substantive Deputy Director role on EU exit at that point, but agreed to act as an informal sounding board, given the experiences I had had of working across the Welsh Government on EU transition preparedness.
12. On that basis I provided informal advice based on the experiences gained throughout my role in EU transition: particularly on engaging across the whole of Welsh Government, considering the potential wider implications beyond health, and helping with the identification of actions to bring in wider government colleagues, given the potential whole system impact that we had also been considering as part of no deal preparations.
13. I also helped with the development of a Project Team remit, and the possible size and shape of a central coordination team, which would support this cross-government working and engagement with UKG. The project team was set up to provide some structure to the Welsh Government's response to the outbreak of Covid-19 in Wales. The role of the team was to monitor Welsh Government policy decisions, aiming to track all actions from key internal and external meetings or requests for information, ensuring there was a consistency in decision making.
14. I also began to engage with colleagues in the Health and Social Services Group, shadowing Chrisan Kamalan (who at that time was Deputy Director for Covid-19

Response) in some of his discussions, to develop an understanding of the emerging picture, which would help my colleagues understand what the pandemic might mean beyond a health context.

15. As part of this shadowing, I joined health colleagues on calls with the UK Government in relation to the latest situation and particularly in relation to British nationals on cruise ships which were experiencing significant case numbers and were, on occasion, struggling to dock at ports. These meetings were largely minuted by colleagues from the Emergency Co-ordination Centre (Wales) (ECC(W)) and advice was provided to the Minister for Health and Social Services by HSSG officials. I occasionally took informal notes in my notebook which have been made available to the Inquiry and followed up with colleagues across Welsh Government as required.
16. I understand that the role of ECC(W) is described in Andrew Goodall's statement in response to M2B-WG-01 which includes a section on ECC(W) at paragraphs 147 - 149.
17. In early March, I moved full time into the newly formed Covid Project Team, which was led by Reg Kilpatrick. I understand that detail about the Covid Project Team is available in Andrew Goodall's statement in response to the Module 2B Rule 9 request M2B-WG-01, in the section headed 'Welsh Government response to the pandemic during the early months of the pandemic' at paragraphs 167 - 175.
18. The immediate focus of this work was to make appropriate contacts in the UK Government, building on my experiences and some of the networks developed with the UK Government's Cabinet Office during the work on EU exit. I sought to try to understand the approach they were taking across government and to establish routine channels of communication. I also sought to understand what information they were collating, and to try to access it.
19. Cabinet Office began to share information, including sharing a dashboard with Tim Render, who was director and had taken a role in coordinating the overall Welsh Government response at that time. However, the circulation of the dashboard was

tightly controlled and so I was not able to have access. I set about developing our own dashboard and identifying who in the Welsh Government was, or would need to be, involved in the response.

20. I also concentrated on developing an overall picture of the totality of the Welsh Government's activity across Groups in response to the developments of the pandemic, so that Ministers and senior officials could understand hot topics, emerging issues, any gaps in our response and themes that impacted across the public and communities. From 30 March until 24 April this information was shared with senior officials as a brief articulation of daily hot topics and weekly deliverables, to help focus activity. A more detailed dashboard of all the Welsh Government activity was developed, that went to Cabinet weekly and to ExCovid. I understand that the role of ExCovid is described in Andrew Goodall's M2B-WG-01 in the section headed 'Groups and bodies within the Welsh Government and their responsibilities relevant to the pandemic response at paragraph 141. I exhibit an example of the dashboard at **M2BLL01/01-INQ000215279**.

21. From mid-March 2020 until it ceased to meet in June 2022, I took responsibility for running the ExCovid secretariat, shaping agendas so that the senior team were aware of key issues and risks and were addressing the right issues in a timely fashion. My team would commission papers and presentations from across the organisation.

22. During the period January – March 2020, I was not involved in the provision of any advice to Ministers about how to respond to Covid-19. I was not in any discussions about the Welsh Government's initial strategies in relation to Covid-19, nor any issues relating to the Welsh Government's access to scientific advice and its participation in SAGE. This includes matters relating to the timing of the first national lockdown, and to the extent to which a concept of 'herd-immunity' was considered as a strategy for responding to Covid-19. It follows that I am not able to comment on these matters. I can also confirm that I was neither involved in, nor aware of the content of any discussions relating to the Stereophonics concerts or the Wales v Scotland rugby match.

April – October 2020

23. Having initially reported into Reg Kilpatrick when I joined the Covid Project Team, in late March I began reporting to Tim Render. He took a lead in coordinating the overall Welsh Government response, establishing the necessary project and programme arrangements, until June 2020. He was replaced by Simon Brindle who became the Director for Restart and Recovery, to whom I reported for the next 12 months. His role brought together Covid work on the review of restrictions, international travel with the substantive Sustainable Futures team (responsible for the implementation of the Wellbeing of Future Generations Act) in the Welsh Government. When Simon took up post, the Restart and Recovery Directorate was formed and was situated in the Permanent Secretary's Group.
24. From March to May 2020, Welsh Ministers attended Ministerial Implementation Groups (MIGs), which were convened by UKG to coordinate, prioritise and respond to the pandemic across the UK. The First Minister attended three MIGs, while portfolio Ministers generally attended when their areas were covered. I provided written and verbal briefings to Ministers in advance of some meetings of the General Public Services (GPS) MIG and accompanied Ministers to some of those meetings. The Minister for Local Government generally attended the GPS MIG. Officials were in attendance as observers only.
25. The content of the meetings meant we had to draw in briefing from a breadth of policy areas in the Welsh Government. The rhythm of the meetings and timings of confirmed agendas meant that the briefings had to be produced at pace. My role was to bring the various subject briefings together and slim to the salient points that our Ministers may wish to raise in the meetings, focusing the briefings to ensure Ministers understood key points on which to intervene. More information about MIGs is available in the Permanent Secretary's statement in response to the Module 2B Rule 9 request at paragraph 187 - 191. I exhibit at **M2BLL01/02-INQ000227654** an example of a briefing I prepared, for the GPS MIG which took place on 20 April 2020.
26. To better coordinate the Ministerial Implementation Groups, a four nations planning group was established which met for the first time on 23 April 2020. The group formalised over time and was named, UK-DA Engagement Forward Look. The group

was made up of representatives from all four nations, with Cabinet Office constitution team and Covid leads represented. It discussed forthcoming agendas of all Ministerial engagement and helped with the preparation of briefings for portfolio Ministers attending the MIGs. It also prepared agendas for the director level meeting. I attended and fed information back into the Welsh Government.

27. In April and early May 2020, whilst continuing my role in the Covid Project Team, I also provided some additional support to Jo-Anne Daniels, who had begun work to establish the Test, Trace, Protect team. My role was to do some early policy thinking around what a contact tracing solution might look like in Wales, the potential workforce required to deliver the anticipated service and what governance might be required to support work across the Welsh public sector. As soon as a testing and contact tracing team was permanently established, I reverted full time to my role in central coordination, working wholly to Tim Render and then Simon Brindle (as paragraph 23).

28. From May 2020, while continuing to collate the dashboards, I focused primarily on work on recovery and reconstruction priorities. This involved bringing together public, stakeholder and expert views, to develop an understanding about how the Welsh Government could support communities to recover after the pandemic. We asked members of the public to get in touch via a dedicated email address, to tell us what mattered to them for the future. We received approximately 2000 submissions from individuals, community organisations, charities, businesses, and representative bodies.

29. The then Counsel General and Minister for European Transition led this work and held a series of roundtables with people from community groups, the third sector, local authorities, trade unions, businesses, academics, young people, along with representative organisations from Wales, other parts of the United Kingdom and internationally. My team was responsible for identifying relevant people to attend these roundtables, briefing the Minister and taking notes.

30. The Minister also set up an Advisory Group of experts, which had four standing members; Torsten Bell from the Resolution Foundation, Rebecca Heaton, who

represented Wales on the UK Committee on Climate Change and then led on climate change within the Drax Group, Paul Johnson of the Institute of Fiscal Studies and Miatta Fahnbulleh from the New Economics Foundation. A different fifth member attended each session, bringing particular sectoral or other experience and knowledge relevant to the issue being discussed.

31. The team acted as secretariat for the Advisory Group and was responsible for planning the issues that would be considered at each meeting, for the Minister's agreement. Officials and the Welsh Centre for Public Policy produced supporting papers to inform the discussions, with each meeting addressing specific themes. I understand that the six themed papers discussed at the meetings have been provided to the inquiry.
32. After the consultation was concluded and the expert group had covered all the agreed themes, I drafted a report which was agreed by the Minister and was published in October 2020: *Covid 19 Reconstruction: challenges and priorities*, which identified immediate priorities, injecting a total of £320 million into the economy before March 2021, as well as longer term recovery themes. This document was exhibited with Andrew Goodall's statement M2B-WG-01, reference **AGM2BWG01/87-INQ000066123**.

Non-pharmaceutical interventions

33. Following completion of my work on *Covid 19 Reconstruction: challenges and priorities*, I continued to report to Simon Brindle, but moved much more into work being led by Reg Kilpatrick. At that time, Cabinet had agreed that there should be a two-week firebreak (sometimes referred to as a circuit breaker); I was not involved in any discussions related to the timing of the introduction of the firebreak.
34. The focus of my work was the coordination of the overall shape of the Welsh Government response to the pandemic, and from this point I became more closely involved in non-pharmaceutical interventions and the 21-day review process.

35. I understand that the Welsh Government's approach to the imposition and relaxation of non-pharmaceutical interventions has been set out in some detail in Andrew Goodall's statement in response to M2B-WG-01, in the section headed 'Approach to 21-day review process'. I understand that the statement:

- Describes the frameworks and plans which the Welsh Government published setting out its evolving approach to the imposition and lifting of restrictions, including the frameworks by which decisions were reached, and exhibits these documents,
- Describes the operation of the 21-day review decision-making process in practice, including the central decision-making role of the Welsh Government Cabinet and the information with which it was provided; and exhibits a chronology of the key developments in respect of non-pharmaceutical interventions between January 2020 and May 2022,
- Describes how the Welsh Government assessed the potential impact of restrictions on groups with protected characteristics and exhibits several documents and reports relating to the key advisory groups which provided advice to Cabinet on these impacts.

36. I will not therefore describe these matters again in detail; rather in the following paragraphs I will set out my role in relation to the 21-day review process and will provide some examples of work in which I was involved, to illustrate the nature of my role.

37. I was responsible for bringing together people from across the Welsh Government into a task and finish group to consider the national regime that should be in place after the firebreak. Part of the role of the group was to ensure there was coordinated engagement with stakeholders.

38. The task and finish group consisted of special advisers and policy leads from health protection, economy, events, education and the test, trace, protect team, communications, and equalities. It included colleagues from TAC who could feed in the public health position and behavioural science insights on likely public response. The group brought together policy leads who could feed in views on issues such as

the approach to household mixing and travel after the firebreak, to develop a clear position to allow certainty for businesses and supporting the ongoing provision of education whilst keeping the Covid reproduction number below 1.

39. It met on 21 October 2020, and I exhibit at **M2BLL01/03-INQ000227870** a paper entitled 'Options for post firebreak regime' which I prepared for discussion at the meeting, with input from other members of the Recovery and Restart team, including Tom Smithson. This document set out a series of workstreams which would need to be taken forward, with lead officials allocated to each one. Following this discussion, I produced a more detailed 'Discussion paper on post firebreak national regime', dated 22 October 2020, which invited Ministers to consider the work in progress. It described the proposed workstreams, along with deliverables and milestones. I exhibit this discussion paper at **M2BLL01/04-INQ000227867**. Policy colleagues could submit views on the developing proposals, which would inform the options which would be put to Cabinet.

40. A member of my team drafted a detailed draft paper entitled 'Post-firebreak options: Cabinet 27 October 2020' which discussed options for a revision to the national set of rules to follow the firebreak. I exhibit this paper at **M2BLL01/05-INQ000227860**. The paper set out in an Annex the principal measures being proposed in relation to household mixing; travel; schools; further and higher education; the economy; working from home; culture, sport and tourism; and community facilities. I signed off the paper as submitted.

41. The options were discussed by Ministers during a Ministerial call on 27 October. These calls were generally attended by all Ministers. During that call, the First Minister outlined that Cabinet would be asked to agree the post-firebreak rules at its meeting on 29 October, noted that a number of papers had been circulated, but that the focus should be upon the Principal Measures Proposed Annex. I exhibit a note of the Ministerial call at **M2BLL01/06-INQ000227863** and a copy of the Principal Measures Proposed Annex B at **M2BLL01/06a-INQ000227555**.

42. I was also engaged in some discussions with UKG on the restrictions placed around travelling from Wales into England. These discussions took place in the X-UK Forum

as highlighted in paragraph 67 with Cabinet Office and the other nations. I relayed the Ministerial position on travel from high prevalence areas to lower prevalence areas, including people coming from England to Wales, and worked with the other nations to agree a four nations statement to clarify the situation for the benefit of the UK public. I understand that more details about intra-UK travel is provided by Andrew Slade in his statement in response to M2B-WTG-01, under the section headed 'Restrictions on travel within the UK'.

43. I represented the Welsh Government position in the four nations coordinated approach to people mixing over Christmas 2020. Four nations engagement took place routinely through Director level engagement across the four nations. On 24 November, there was a COBR Ministerial meeting, attended by the First Minister, to discuss the approach to the festive period, in recognition that a common position across the nations would be beneficial. A joint statement was produced and issued, to facilitate social contact over the winter holiday period which would allow family and friends to come together. Ultimately, the public health position worsened in the approach to Christmas, and it was agreed in a subsequent four nations COBR Ministerial call on 21 December, attended by the First Minister, that the ambitions would need to be curtailed.
44. From January 2021, with agreement of Reg Kilpatrick, DG Covid Recovery and Local Government, I set up and ran the Covid Steering Group to provide strategic direction to the Covid response. This group was chaired by Reg Kilpatrick and met weekly. It met for the first time on 28 January 2021; I exhibit the agenda, the draft Terms of Reference which were considered by the Group, and the minutes of the first meeting, at **M2BLL01/07-INQ000227829**, **M2BLL01/08-INQ000227938**, and **M2BLL01/09-INQ000228032**. The route for any issues which needed to be escalated beyond the Covid Steering Group was into ExCovid, of which Reg Kilpatrick was a member. To the best of my recollection, this escalation route was never used for decision, but frequently to update ExCovid members.
45. In the first meeting I was actioned to map out governance, review the Terms of Reference of other Covid-19 related groups to identify areas of overlap and consider how these groups complement each other and the Covid Steering Group. It wasn't possible to review the Terms of Reference of other Covid-19 groups that

were outside my team, but a senior colleague undertook a review of Covid governance and information flows, producing findings which I exhibit at **M2BLL01/09a – INQ000299909**. This work was completed in May 2021. My recollection, although I cannot evidence the causal link, is that the work helped clarify the work of the various groups. For example, in the production of the Situation Report by the Covid Intelligence Cell, which was then escalated to the Health Protection Advisory Group Outbreak Sub-Group to sign off and develop any advice based on this intelligence. The review also helped inform the implementation of a “Gold, Silver, Bronze” command structure, which remains the decision-making model in Welsh Government during a response.

46. The Steering Group had an important role in supporting the decision-making process: it reviewed and commented upon the advice going to Cabinet on the 21-day reviews. This involved ensuring that advice covered the various levers (for example, vaccines, testing, alert levels, NPIs, behavioural insights etc.) to manage through the pandemic. It brought together colleagues from the 21-day review team, vaccinations policy team, international travel team, legal services, communications, community safety, test, trace protect and the chief scientific adviser for health, to ensure all the critical elements were working together to balance a sensible removal of restrictions with the vaccination roll-out.

47. As an example, at its meeting on 11 February 2021, the Group considered a paper on options for the 21-day review due on 18 February. I exhibit the paper at **M2BLL01/10-INQ000228023**, which set out several options for consideration. A record of the discussion is included in the minutes which I exhibit at **M2BLL01/11-INQ000228033**.

48. I would like to emphasise that the impact of non-pharmaceutical interventions was considered by Cabinet at each review of restrictions, and we published our frameworks, alert levels and plans to be transparent with the public about our approach. All frameworks included an assessment of the wider social and economic harms of the restrictions. Cabinet papers about restrictions considered not only the public health impacts of the pandemic, but the wider impacts of NPIs on at risk and other vulnerable groups. Cabinet discussions reflected that Ministers were cognisant of balancing the impacts of the pandemic on various communities. Cabinet papers

and Ministerial Advice (MAs) also contained legal advice, which advised on the proportionality of the regulations.

49. In later frameworks, our approach to understanding and assessing the wider harms became more sophisticated. At the time I became involved in working on restrictions, from October 2020, they were routinely considered as part of Cabinet decisions. We sought to continually improve how we curated the evidence for Cabinet and got better at representing the wider harms through that process. In the initial period, there was more data available to us about the public health impacts of the pandemic – such as case numbers, the R number, and NHS operational data – than about the wider harms. We also recognised early on that some of the wider harms would take longer to manifest, such as mental health impacts, and that we would be unlikely to achieve such a data-rich assessment. However, the external understanding of the wider harms also improved over the course of the pandemic, with increased documentation and resources which could be used as supporting evidence for wider harms and as a result, we became better at reflecting the balance of issues in Cabinet papers.

50. In that context, my role in assessing the impact of non-pharmaceutical interventions did not extend to facilitating, enabling access to, or providing information and advice in relation to scientific and medical expertise, or data/modelling in relation to Covid-19. The provision of such advice was the responsibility of the Chief Medical Officer and his team, and the Technical Advisory Group (TAG). I did attend SAGE as an observer from March 2021, and fed back to policy colleagues as necessary, but this information continued to be considered principally by TAG.

51. In July 2021, I became the interim Director of Recovery and Restart, managing deputy directors responsible for the 21-day reviews, international travel and an embed in the UKHSA, whose role was to support the effective sharing of intelligence and information. (The Sustainable Futures division that had been part of the role under Simon was not part of my remit.) I held that post until the end of the period in question.

52. In this role I continued to have oversight of the advice to Cabinet on the 21-day reviews, which assessed an appropriate level of restrictions based on the alert levels, and oversight of the production of guidance to businesses and the public in relation to those levels. The Cabinet Papers and Ministerial Advice were collated and compiled by the team, coming to me in final drafting stages. On taking on the Director post, I began sitting on the Health Protection Advisory Group, Outbreak Sub-Group and the Covid Intelligence Cell, to inform my situational awareness, which was an important context for these pieces of advice.
53. With my colleagues in R&R directorate, on several occasions I put policy scenarios to Swansea University so that they could model the impacts of the potential restrictions on prevalence. The aim would be to assess the implications on the number of cases, hospitalisations and deaths of moving through the alert levels, as an element of the advice to help inform Ministerial decision making.
54. On taking over the Director role from Simon Brindle, I also joined the Steering Group for The Keeping Wales Safe: Covid Behaviour programme. This was designed collectively by the Behavioural Insights Team, Nesta's People Powered Results and Cardiff University's Y Lab, the public services innovation lab for Wales for Welsh Government.
55. The programme aimed to develop, test and scale effective ways to support people and communities to live and work in Covid-safe ways by working with Test, Trace, Protect and public health colleagues from across Wales.
56. In Powys, it was agreed that Agricultural workers adherence to safe Covid behaviours and risk reduction around social isolation should be a focus, by encouraging farmers to habitually test themselves for COVID-19 and isolate if they tested positive. In Cwm Taf Morgannwg the focus was on encouraging young males to test and isolate if they tested positive. In Gwent, the agreed priority was peer support and a comms campaign for 16-18yr olds to get a PCR test at first symptoms and to self-isolate.

57. A final report on this phase was produced and a second phase initiated; I was not involved in the second phase. The key findings were that: KWS was particularly effective for lower risk individuals in increasing the understanding of how to avoid catching or spreading coronavirus. KWS helped people identify the efficacy of Ventilation, Vaccination and Isolation more often than the other interventions. On the back of these findings, the group accepted the recommendations which were to supplement the Keep Wales Safe video with more information on how coronavirus is most commonly spread and the importance of ventilation; continue to emphasise the importance of vaccines, ventilation and isolation and to target high risk individuals.
58. The Steering Group, as set out in para 45, ran throughout 2021, developing into the Covid Transition Programme Board in December 2021. A Transition programme brief was tabled for the Steering Group meeting on 11 November 2021, an initial draft of which I exhibit at **M2BLL01/12-INQ000227959**. Discussion of the brief was deferred until the following meeting, on 1 December 2021, the minutes of which I exhibit at **M2BLL01/13-INQ000227753**.
59. The role of the Covid Transition Programme Board was to manage an orderly closure of the Restart and Recovery division, identify areas of work that would need to continue in different parts of the organisation and enable policy owners across the organisation to collectively plan and consider transition arrangements. Reg Kilpatrick was the Senior Responsible Owner of the programme; I exhibit the terms of reference at **M2BLL01/14-INQ000227698**, which describes the role and membership of the Board, which met for the first time on 10 December 2021. I exhibit the agenda of that meeting at **M2BLL01/15-INQ000227695**, and the minutes at **M2BLL01/16-INQ000227564**.
60. The transition programme's work was set out in the Transition Programme Brief which I exhibit above, and which evolved in the light of feedback from the Board. Delivery was monitored through a Transition Programme Delivery Plan, which set out the Transition programme commitments, and the progress being made against them. I exhibit a version of this plan at **M2BLL01/17-INQ000227771**.

61. At its 10 December meeting, the Programme Board considered a paper setting out proposals for a lessons-learned exercise. I exhibit the paper at **M2BLL01/18-INQ000227697**.

62. The Board met for the last time on 28 June 2022; I exhibit the agenda at **M2BLL01/19-INQ000227674** and the minutes at **M2BLL01/19a-INQ000227540**. The Board produced a Programme Closure Report, which I exhibit at **M2BLL01/20-INQ000227916**.

Intergovernmental relations: engagement across UK

63. Throughout the whole period, I was a principal point of contact for UKG and other devolved governments, taking part in regular four nation calls in which information was shared about each nation's response to Covid.

64. The First Minister expressed a preference for a four nations approach wherever possible, but with decisions rooted in the best interests of the people of Wales. This view made engagement with UK Government and other devolved nations an important element of our response to the pandemic.

65. Over the course of the pandemic, there were both common approaches and divergences. Welsh Ministers took a precautionary approach to protecting public health, very carefully balancing the health outcomes with wider harms, which the Ipsos Mori surveys suggested was broadly supported by most of the public in Wales.

66. I was involved in regular communications with UKG and the devolved governments in Northern Ireland and Scotland. My role was to share and gather information as appropriate and to help ensure there was a common understanding at official level of the Covid situation across the whole of the UK. I had a role in supporting the First Minister's preference for a four nations approach and in representing Wales's interests at official level on a UK-wide basis.

67. There were a number of official level fora for discussion: Covid Directors discussion; a X-UK Forum run by the constitution team in the Cabinet Office, attended by Covid

leads; and a UK-DA planning meeting, which supported these meetings and Ministerial level meetings,

68. From November 2020, director level calls began to consider the approach to the coming winter, as per paragraph 44. These discussions became routine and focussed on detailed discussions on issues such as Covid restrictions across the nations and forthcoming publications. These were attended by directors from the four nations and convened by a director in the Covid Taskforce (Emma Payne). These were often called on an ad hoc basis when there were particular developments, for example when UKG were making policy announcements or publishing documents. They settled into more of a routine rhythm from early 2021. We would often discuss, on a confidential basis, the potential likely direction of future Ministerial decisions about restrictions and publications, as it helped other nations brief their Ministers effectively, understand areas of commonality and prepare for any areas where potential differences could impact the public.

69. The X-UK forum also became a useful forum to share which approaches had been effective or less so; for example, in relation to where communication about changes had worked particularly well. These meetings would focus on ensuring a shared understanding of the situation, particularly restrictions in place across all the nations, and would deep dive into particular issues, for example social distancing or ventilation.

70. These official level groups were forums for the sharing of information rather than decision making. The groups did play a role in preparing the ground for the regular Ministerial meetings held by the Chancellor of the Duchy of Lancaster with the devolved governments, (see paragraph 72), which were predominantly an information sharing forum and an opportunity for devolved Ministers to raise any concerns.

71. The UK – DA Group discussed the preparation of agendas for the Covid Operations Committee (Covid O), which became the decision-making forum for international travel. I did not attend Covid O, but my colleagues working on international travel did

attend in support of the Minister for Health and Social Services and so flagged any items they wanted to see picked up on the agenda for me to convey to UKG.

Intergovernmental relations: CDL Meetings

72. From October 2020, four nations Ministerial calls were held, chaired by the then Chancellor of the Duchy of Lancaster, Michael Gove. These were held weekly until April 2021, then fortnightly until the end of September 2021 (with a break over August). There were then more occasional calls, though to February 2022. I normally coordinated the briefing for the First Minister by calling in advice from colleagues across the organisation on the agenda items and bringing the advice together into briefings. For example, there would usually be a situational update from each nation, which required input from health colleagues. Other issues considered included international travel, where the FM wanted to reiterate points made by the Minister for Health and Social Services in Covid O, and vaccinations or behavioural response to the developing situation. I regularly attended in support and as note taker. I exhibit an example of briefing for these meetings (for the meeting on 2 December 2020) at **M2BLL01/21-INQ000227780**.

73. These discussions were predominantly about sharing information, but occasionally made decisions, such as in relation to coordinated four nations communications. One example of this was agreeing a coordinated approach to families mixing over Christmas 2020, which I describe above. This was discussed in a call between the First Minister and the Chancellor of the Duchy of Lancaster on 18 November, and I exhibit at **M2BLL01/22-INQ000227947** the briefing note I prepared to support the First Minister during the call. The First Minister updated Cabinet colleagues on the emerging proposals discussed during the call at the meeting of the Cabinet on 19 November.

74. The proposal for a coordinated approach was discussed again at a call between the First Minister and the Chancellor of the Duchy of Lancaster on 21 November, and I exhibit at **M2BLL01/23-INQ000227955** the briefing note I prepared to support the First Minister during the call.

75. On 25 November, the First Minister issued a statement confirming the agreement of a common four-nation plan for the festive period. I exhibit the statement at **M2BLL01/24-INQ000198604**.

Intergovernmental relations: Prime Ministerial chaired summits

76. Three virtual, Prime Minister chaired summits were held during the pandemic. These were not decision-making meetings, but occasions in which the Prime Minister engaged in Covid discussions with the devolved governments during the pandemic.

77. The “Winter Summit” on 12 October 2020, covered the current situation, data, operational and delivery issues, and concurrent risks. I worked with officials across the four nations to agree an agenda and coordinated the briefing, bringing together inputs from colleagues in public health, those leading on the establishment of the Joint Biosecurity Centre and testing. I exhibit at **M2BLL01/25-INQ000227836**, **M2BLL01/26-INQ000227838** and **M2BLL01/27-INQ000227840** a series of emails sent by me to colleagues across the Welsh Government, which reflect the development of the agenda for the summit through discussions on a four-nation basis. I exhibit the final agenda at **M2BLL01/28-INQ000227973**, and the briefing pack which I produced for the First Minister at **M2BLL01/29-INQ000228022**. I then observed at the meeting.

78. The virtual “Recovery Summit” on 3 June 2021, covered ways of working together, the Covid context and an assessment of the impact of Covid on the economy and public services.

79. The Prime Minister had written to the First Minister on 8 May 2021, in which he congratulated the First Minister on his impending re-election and invited him (along with the First Minister of Scotland and the First and deputy First Ministers of Northern Ireland) to a summit meeting to discuss Covid recovery. I exhibit the letter at **M2BLL01/30-INQ000227542**.

80. In his response, the First Minister said that he would be happy to take part in a meeting to take stock of and discuss a collective approach to Covid recovery, but

argued that the agenda should be broader, including a comprehensive reset of intergovernmental relations. I exhibit the First Minister's letter at **M2BLL01/31-INQ000227541**.

81. Following this exchange of correspondence, the content of the summit was then discussed by the First Minister and the Chancellor of the Duchy of Lancaster at their call on 12 May 2021. I dialled into this call, and I exhibit the briefing I prepared for the First Minister at **M2BLL01/32-INQ000227850** and my emailed note of the call at **M2BLL01/33-INQ000227848**. At that point, the UK Government were proposing to hold the summit the following week.

82. On 25 May, the First Minister and the First Minister of Scotland wrote jointly to the Prime Minister. I exhibit the letter at **M2BLL01/34-INQ000228006**. The Chancellor of the Duchy of Lancaster responded on 26 May, confirming that the Prime Minister had agreed that the summit would be delayed, to allow additional preparatory work to be undertaken. I exhibit the letter from the Chancellor of the Duchy of Lancaster at **M2BLL01/35-INQ000227845**.

83. My team brought together various contributions from across the Welsh Government to form the briefing. I worked with colleagues across the Welsh Government to produce a paper on recovery, focusing on the economy, public services, travel and transport and a green recovery. I observed the meeting.

84. A third summit took place in October 2021 which covered shared challenges on Covid and COP 26.

Lessons learned

85. My team led on a lessons learned exercise for ExCovid in October 2020. Recognising that we were likely to face further waves in the pandemic, ExCovid agreed our recommendation that we should undertake a lessons learned exercise in order to inform how the organisation could improve its response going forward. The exercise asked for views on what went well and what worked less well in relation to

decision-making, external and internal coordination and communications, policy responses, staff resources and resilience, expenditure, legislation and regulations. It also allowed for general reflections and presented an opportunity to consider future challenges. Findings were presented to ExCovid on 1 December and a report was produced which I exhibit at **M2BLL01/36-INQ000299704**.

86. My team led a second lessons learned exercise as part of the transition programme, which sought to learn lessons in respect of the Welsh Government's civil service's approach to developing and implementing a cross-government response which would be capable of being used to manage a future crisis. The exercise considered both central and group level arrangements during the course of the pandemic, bringing into focus:

- Structures utilised
- Capacity to deliver, including impacts on less urgent work
- Input of expertise
- Arrangements for assessing impacts and adjusting
- Management of policy issues arising not linked to a Welsh Government team pre-pandemic
- Internal communication channels
- Co-ordination to administer in line with Ministers' individual and collective preferences
- Engagement and communication with external organisations – including the UKG, other devolved governments and delivery partners in Wales
- Implications of virtual working
- Potentially at a later stage, Special Advisers' perspectives and Ministers' perceptions of support provided.

87. A final report was put to Exco in June 2022. I exhibit a copy of the report at **M2BLL01/37-INQ000227671**.

88. Reflecting generally on the experience of the pandemic, it was very clear from the point I became involved that Welsh Government were taking this very seriously. The First Minister attended a meeting of key policy leads identified as having a role in the

response in early March to thank everyone for being there and ready to help. His intervention was striking to me; he was very clear that we were facing a very serious situation, which would be more challenging than anything any of us had previously experienced. I have no doubt that the First Minister fully grasped the gravity of the situation and expected us to take forward the necessary preparations to respond.

89. More generally, my reflection on what worked well and what issues arose during the pandemic response is that the initial response to the pandemic saw people within the Welsh Government step forward and respond with pace to extremely challenging situations. However, there was a reliance on a small number of staff working exceptionally long hours and it would have been preferable to spread the load among a greater pool of people.

90. In the context of a very high level of uncertainty around Covid, the very initial response was public health led, with civil contingency structures mobilised as the scale of the situation became clearer. The initial arrangements placed considerable responsibilities on health officials as well as others who were involved in big decision making early on while the situation was seen to be a public health matter. The more rapid establishment of wider structures earlier would have been effective.

91. Throughout the course of the pandemic we developed and implemented improved and streamlined governance and command structures, based on the well-established Gold-Silver-Bronze approach. Experience through the pandemic mean these would now be enacted from the onset of any crisis, and they would support all the elements identified above.

92. Another overall reflection, as supported by the two lessons learned exercises, is that there was good evidence of strong communication, engagement and partnership working with external stakeholders.

93. WLGA commented, "*The level of dialogue in particular around the 'firebreak'.... where Ministers engaged with leaders and chief executives through several meetings*

to help inform and prepare for decisions affecting their areas or services, has been a model of central-local relations.

94. In terms of information and advice, TAG was important in providing perspective from government analytical functions, alongside academic and other experts. The public health data was established very quickly and was a critical part of the advice that went to Ministers through the course of the pandemic. We grappled much more with data on wider harms. To some extent, that was inevitable as we understood that some of the social and economic harms would play out over a longer time frame and so would only become quantifiable at that stage. However, a lesson from the pandemic should be to consider our overall data capabilities so that we can respond as quickly as possible in the future.

95. Generally, I think the decisions taken in Wales were carefully considered based on the best interests of the population. However, feedback from communications colleagues, based on insights and behavioural science advice, does suggest that different restrictions in different nations were more complicated for people to retain and adhere to, particularly in border areas.

96. In the early days of the pandemic, roles and responsibilities could be blurred at times in the Welsh Government and it is important that there is visible leadership and strategic oversight. This has already been addressed in the Welsh Government through the embedding of a Gold, Silver, Bronze command model.

97. Overall, I am supportive of the views set out in the Final Lessons Learned exercise completed under the Transition Board for Exco.

Statement of Truth

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

Signe:

PD

Dated:

20-10-23