



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 10 - DECEASED MANAGEMENT ADVISORY GROUP

Introduction

1. In my [Opening Statement](#) on 21 July 2022, I explained that modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On 17 September 2024, the Inquiry opened Module 10 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 15 October 2024.
2. On 15 October 2024, the Inquiry received an application from the Deceased Management Advisory Group ('the Applicant') for Core Participant status in Module 10.
3. I made a provisional decision not to designate the Applicant as a Core Participant in Module 10 on 12 November 2024. The Applicant was provided with an opportunity to renew the application in writing by 4pm on 19 November 2024.
4. On 19 November 2024, the Applicant submitted a renewed application for Core Participant status in Module 10. This notice sets out my final determination of the Applicant's application for Core Participant status in Module 10.
5. The Inquiry has published the [Provisional Outline of Scope](#) for Module 10, which states that this Module will examine the impact of Covid-19 on the population of the United Kingdom with a particular focus on key workers, the most vulnerable, the bereaved, mental health and wellbeing.

Application

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

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

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

(a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;

(b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or

(c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.

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

(a) the date specified by the chairman in writing; or

(b) the end of the inquiry.

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 10.

Summary of Application

8. The Applicant is an organisation of representatives from various groups who work together to represent funeral directors and those who manage, provide and work in cemeteries and crematoria. The original application did not specify under which criterion the application was made, but indicated that it was on the basis that the Applicant played a 'significant role' in the response to the pandemic and that the Applicant has a 'significant interest' in the Inquiry.
9. The original application stated that the Applicant seeks to define the impact of the pandemic in relation to three relevant but distinct groups, namely funeral directors, cemetery/crematoria operators and suppliers to the death care sector. In addition, the application explained that death care workers were on the 'front line' during the

pandemic and that both the physical health and mental wellbeing of funeral workers, their staff and external contractors were subject to extreme stress as a result.

10. The original application listed a number of ways in which the death care sector was impacted by the pandemic and highlighted that the Applicant's representatives provided a list of issues for weekly meetings convened by the Cabinet Office and Civil Contingencies secretariat during the pandemic.
11. In its renewed application, the Applicant clarifies the application is made pursuant to Rule 5(2)(a), (2)(b) and (2)(c) of the Inquiry Rules 2006.
12. The Applicant explains that the UK funeral sector includes a multitude of different agencies and operators in the public, private and third sectors, that work together to ensure that deaths are effectively managed, bereaved people are cared for and to protect public health. The Applicant states that it is the only organisation that represents multiple associations who work across the death management pathway.
13. The Applicant's renewed application reiterates its direct involvement during the pandemic with the Cabinet Office's Covid-19 Death Management, Civil Contingencies secretariat, and the wider UK death management process. This includes engagement with local resilience forums and various stakeholder groups. It further states that heavy reliance was placed on the Applicant to share and disseminate guidance and information across the death care sector, as there was no other form of central communication.
14. The renewed application specifies that since the closure of the Cabinet Office Death Management Programme on 31 March 2022, the Applicant has continued to play a central and critical role, liaising with multiple government departments, as well as across the devolved administrations. The Applicant considers that had it not formed at the start of the pandemic and played an active role in the absence of any other overarching sector organisation, bereaved families would have been even further affected by the lack of consistent guidance and information. The renewed application also highlights that the work of the death care sector has been recognised elsewhere, with an OBE being awarded in 2022 to the Past President of the DMAG for his service

to the funeral profession during the pandemic and his detailed input in relation to drafting government Covid-19 guidance.

15. The renewed application states that the death care sector was disproportionately impacted during the pandemic due to the nature of the role, caring for the deceased and supporting the bereaved. It also provides further information as to its membership. Two of its members, NAFD and SAIF, represent approximately 80% of the funeral sector, whilst the FBCA, ICCM and APCC represent approximately 95% of crematoria/cemeteries; all major national and international funeral suppliers are members of the FSA. Consequently, the Applicant claims a direct and significant role in relation to representing funeral key workers.
16. In its renewed application, the Applicant states that its significant interest extends to the lessons learned from the pandemic and further relies on Rule 5(2)(c), namely that it may be subject to “explicit or significant” criticism.

Decision for the Applicant

17. Module 10 of the Inquiry is focused on the impact of the Covid-19 pandemic on society, examining how various sectors, groups, and communities were affected by the pandemic and how they were impacted by the measures put in place to combat Covid-19.
18. I have considered with great care everything that is said in the Applicant’s original application and in its renewed application. Having done so, I remain of the view that the Applicant does not meet the criteria set out in Rule 5 of the Inquiry Rules and in my discretion, I have decided not to grant the Applicant Core Participant status in Module 10 of the Inquiry.
19. As I set out in my provisional determination, I consider that for an applicant to satisfy the criteria of playing “a direct and significant role”, they must be able to demonstrate not only that they themselves were impacted by the pandemic or decisions made in response to it, but that they played an active role, such as engaging with decision makers on behalf of individuals or specific groups to address the extent of the impact at the relevant time. I have noted the Applicant’s role in engaging with the

government, disseminating guidance and information across the death care sector and the role death care workers played in caring for the deceased and supporting the bereaved during the pandemic. Having considered the Applicant's role in full, while the Applicant clearly played a valuable role, it is one which I consider to be more focused on the way in which they would execute their roles rather than on advocating for a particular interest or to address the extent of the impact of the pandemic. As such, I remain of the view that the Applicant does not appear to have played a "direct and significant role" in relation to Module 10 matters for the purposes of Rule 5.

20. I am also required to consider whether the Applicant has a "significant interest" in an important aspect of the matters to which the Inquiry relates. In exercising my discretion, I have in mind the broad scope of Module 10 and that a very large number of organisations and individuals could be said to be impacted in a way that would give rise to an interest in this investigation. As indicated in my provisional determination, I recognise that it could be said that the Applicant falls into this category.
21. However, while I am bound to consider the factors set out in Rule 5, it is also open to me to take into account other relevant factors. I am mindful of the need to run this module effectively and efficiently in light of the number of organisations and individuals who could be said to have a "significant interest" in the Module. I am not obliged to designate any particular person or organisation as a Core Participant and I have carefully considered who would be able to provide most assistance to me in my investigation of these matters by being so designated.
22. In its renewed application, the Applicant states that its significant interest extends to the lessons learned from the pandemic. However, while it may be that the Applicant has an interest in learning lessons and any recommendations made in this Module, the Applicant, like all interested parties, will have an opportunity to consider the final report and its recommendations once published. This ensures the Applicant can still review and respond to any findings that may impact future policy, without the need for Core Participant status. In addition, the focus of this Module is on understanding the impact of the pandemic therefore, I am of the view that Rule 5(2)(c) does not apply to the Applicant.

23. I note that in relation to this Module's investigation of the impact on the bereaved, the Inquiry will hear directly from various bereaved groups who have been designated as Core Participants. The Inquiry has also designated the Trade Unions Congress who will be able to provide a perspective of key workers in the death care sector as well. I consider that these organisations and groups will be better placed to assist me as a Core Participant in this module given that they can also provide the perspective of a wider range of key workers and bereaved individuals.
24. I have assessed the merits of the application in its totality and I am grateful to the Applicant for taking care to set out more detail in its renewed application. However, the scope of Module 10 is very broad and goes to many aspects in which the Applicant does not have an interest as a representative body. I have reminded myself of the need for the Inquiry process to be rigorous and fair and note that the death care sector is but one part of one sub-topic in Module 10. As such, I do not consider it necessary for the Applicant to be designated as a Core Participant across this Module in its entirety, although I recognise that the Applicant has useful contributions to make to this specific aspect of the scope.
25. Accordingly, while I have decided not to designate the Applicant as a Core Participant in Module 10, as indicated in my provisional determination, the Inquiry remains committed to engaging with those who may have relevant evidence to contribute. I have instructed the Module 10 team to consider whether there are different ways in which the Applicant could contribute to the module's investigation.
26. I will keep the scope of Module 10 and the designation of Core Participants under review.

Rt Hon Baroness Heather Hallett DBE
Chair of the UK Covid-19 Inquiry
04 December 2024