



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 10 - THE INDEPENDENT AMBULANCE ASSOCIATION

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 5 December 2024, the Inquiry received an out of time application from the Independent Ambulance Association (the “Applicant”) for Core Participant status in Module 10. This Notice sets out my final decision on the application.
3. 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

4. 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.*

5. Applications for Core Participant status made outside the Inquiry's timescales are considered in line with paragraph 10 of the Inquiry's [Core Participant Protocol](#) which provides:

When inviting applications, the Inquiry will set a timeframe for applications to each module, or part of a module. Applicants are asked not to submit applications outside the timelines given by the Inquiry. The Inquiry will not consider applications that are outside the timescales provided by the Inquiry, unless the applicant provides an acceptable explanation as to why they did not submit their application within the relevant timeframe.

6. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the Applicant has provided an acceptable explanation as to why it did not submit its application within the relevant timeframe and I have 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

7. The application states that the Applicant and its members were key workers who assisted the most vulnerable and often the bereaved, and that the Inquiry must consider the mental health and wellbeing of those workers who contributed invaluable during the pandemic. As such, the Applicant states that it should be allowed to participate in Module 10 by being granted Core Participant status.

8. The Applicant states that it is the leading trade association representing UK independent ambulance providers. The Applicant states that its members should be recognised as the same level as NHS workers and the Inquiry should have consideration to job roles rather than employing companies.
9. The Applicant states that private ambulance services operated for a large number of patients during the pandemic, attending people's homes, workplaces and nursing homes for people with or without Covid related symptoms. In addition, the Applicant states that its members were operating an emergency service with critical and direct contact with patients, which it says was an integral part of the overall service provided by the NHS. The Applicant further states that it has an interest in the impact of any recommendations made by the Inquiry.
10. The Applicant states that despite being a Core Participant in Module 3, further consideration must be given to those working within the ambulance sector and paramedics and ambulance workers must be recognised for their outstanding contribution. The Applicant states that due to a shortage of ambulances during the pandemic, ambulance workers, paramedics and hospitals faced increased stress, which caused mental health issues for those working in the sector throughout the pandemic.
11. The Applicant does not provide any explanation for why it made its application outside of the Inquiry's timescales. It refers to a recent discussion about making an application and that time was needed to evaluate the position and discuss further.

Decision for the Applicant

Whether the application should be considered out of time

12. The deadline for applications for Core Participant Status to Module 10 was 15 October 2024, meaning that this application was received almost two months after the deadline expired.
13. I remind myself that paragraph 10 of the Inquiry's Core Participant protocol states:
"...The Inquiry will not consider applications that are outside the timescales provided

by the Inquiry, unless the applicant provides an acceptable explanation as to why they did not submit their application within the relevant timeframe.”

14. The aim of this Inquiry is to provide prompt and useful reports and recommendations. To achieve that aim, I must impose firm deadlines at different stages of the Inquiry. Compliance with those deadlines is important to ensure that the challenging timetable will be met. I also have to consider the need to be fair to all applicants who have made their application for Core Participant status within the time period available as well as those who have made applications outside the application window and more generally that there is no unfair advantage obtained by a late application.
15. I therefore have first considered whether the Applicant has provided an acceptable explanation for the failure to comply with the deadline imposed for the application.
16. The Applicant states that its significance to Module 10 is apparent from the Provisional Outline of Scope for Module 10, which was published on 17 September 2024. I consider that the Applicant had an opportunity to consider the Provisional Outline of Scope for Module 10 and could have applied for Core Participant status for this Module within the set timeframe. I note that the Applicant did apply, on time and successfully, for Core Participant Status in relation to Module 3. The Applicant therefore had sufficient opportunity to make an application and I consider that it has not provided an acceptable explanation for the significant delay in doing so.
17. If I accept the reasons given as acceptable explanations then, in effect, the deadline has no force. I also bear in mind that this is not a situation where material identified in the course of the Inquiry has come to light or circumstances have changed so it is appropriate for an application to be made outside the initial window. I have also taken into consideration the need to be fair to all applicants.
18. Accordingly, I consider that the Applicant has not provided an acceptable explanation as to why it did not submit its application within the relevant timeframe and I have decided, in my discretion, to decline the Applicant Core Participant status for Module 10 for the reasons set out above.

19. I also bear in mind that simply because an applicant has been refused Core Participant status in Module 10, that does not bar them from providing relevant evidence to the Inquiry.
20. For completeness, I will also go on to provide my conclusion on whether the Applicant would have been granted Core Participant status in Module 10 had its application been received during the application window.

The substance of the application

21. Module 10 of the Inquiry is focused on the impact of the Covid-19 pandemic on society with a particular focus on key workers, the most vulnerable, the bereaved and mental health and wellbeing. It will investigate the impact of the pandemic and the measures put in place to combat Covid-19.
22. I have considered the application in full and with great care against the criteria set out in Rule 5(2) of the Inquiry Rules 2006. Having done so, I consider that even if the Applicant had submitted its application within the relevant timeline, I would have decided, in my discretion, not to designate the Applicant as a Core Participant in Module 10.
23. 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. While I do recognise that the Applicant will have been impacted as a result of the Covid-19 pandemic and also recognise that the Applicant will have played an important part in the provision of ambulance services, 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.
24. I have also considered whether the Applicant has a "significant interest" in an important aspect of the matters to which the Inquiry relates. In exercising my discretion, it is important for me to consider 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. I recognise that it could be said that the Applicant falls into this category.

25. 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. This requires me to consider contributions made by those designated as Core Participants for previous modules with a view to avoiding duplication and associated costs. I am mindful that the Applicant has been granted Core Participant status in relation to Module 3, in which my investigation has considered the impact of the Covid-19 pandemic on healthcare systems. This includes the capacity of ambulance services to respond to a pandemic and how this evolved during the Covid-19 pandemic. Taking into account these contributions, I do not consider that I will be greatly assisted by also designating the Applicant as a Core Participant in Module 10. Accordingly, had the application been received in time, I would have decided, in my discretion, not to designate the Applicant as a Core Participant in Module 10.

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
18 December 2024