

170. On 5 January 2021 I received a submission recommending that I agree not to pursue the staff movement regulations given the following context (**HW3/37 - INQ000328029**):

“Staff capacity problems now appear acute and widespread as increasing numbers of social care workers self isolate.

Against this backdrop, even stakeholders who should support the regulation (like ADASS) are concerned that the exception will have to be used so widely, it won't be effective, or will be disruptive

HMT ministers have yesterday decided not to fund a compensation scheme, saying it is the wrong mechanism but that they are open to options to support increased staff supply.”

171. On 7 January 2021, I indicated that I agreed with the submission (with reluctance) and on the same day the proposal was dropped (**HW3/38 - INQ000328031; HW3/39 - INQ000328032**).

Reports of care home staff working whilst testing positive:

172. Around January 2021 I received reports of care home staff continuing to work in care homes after testing positive for COVID-19. These reports came from staff in a team that I set up (with the support of Michelle Dyson) to increase the operational capacity in the social care team in DHSC. We created a team of individuals specifically recruited from a social care delivery or local authority social care background and they were each allocated a region. They liaised with care providers directly during the pandemic to understand what was going on on the ground. Had this team not been established then I do not think that we would have been aware of this practice.
173. I asked for the matter to be investigated and there was a senior level meeting on 22 January 2021 across DHSC, NHSE/I, Public Health England, Association of Directors of Adult Social Services, Association of Directors of Public Health and the Care Quality Commission (CQC) to consider how to approach the matter.
174. As at 23 January 2021, it was confirmed in a note to No.10, prepared by Michelle Dyson, that the cases were in Southend, Essex, Peterborough, Cambridgeshire, Gloucester, Lincolnshire and Southampton. No link had been identified between the cases and it was thought that local decisions had been taken as a result of acute staffing pressures.
175. It was agreed that the CQC would issue a statement emphasising that: