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UK COVID-19 INQUIRY
MODULE 7

CORPORATE WITNESS STATEMENT OF THE DEPARTMENT FOR WORK AND PENSIONS

FIFTH WITNESS STATEMENT OF NEIL COULING CB, CBE

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Section 1: Introduction

1.1. I, NEIL COULING, Director General (DG) for Fraud, Disability and Health and Senior Responsible Officer (SRO) for Universal Credit at the Department for Work and Pensions (DWP), Caxton House, 6-12, Tothill Street, London, SW1H 9NA, WILL SAY as follows:

1.2. I make this statement on behalf of the Department for Work and Pensions ('DWP' or "the Department"). My address and date of birth are known to the Inquiry.

1.3. I am providing this statement in response to the Inquiry's draft Rule 9 request dated 21 January 2025 (the 'Rule 9 request') on behalf of the Department. The Inquiry has requested information on DWP's role, function, powers and responsibilities in relation to the test, trace and isolate ("TTI") system, insofar as such information is held by DWP.

1.4. I was appointed the Director General for DWP Services & Fraud on 17 March 2025, with responsibility for the Fraud, Error and Debt (FED) Programme, FED delivery and policy, as well as leading the delivery of Disability Services with responsibility for the Health Transformation Programme, the delivery of Child Maintenance and Pensions. In addition, until 31 March 2025, I was the Senior Responsible Owner (SRO) for Universal Credit, a role I have held since October 2014 with accountable to Parliament for implementing the Government's main welfare reform programme. Prior to this I was the Director General of DWP's Change and Resilience Group. In April 2020 I was appointed as SRO for DWP's COVID-19 response.

1.5. While I have a good personal recollection of some of the events or processes described in this witness statement, I have also co-ordinated and liaised with colleagues that have the relevant knowledge and experience across the Department. Their contributions have been used to respond to the questions in the Rule 9 request. My statement therefore relies upon those contributions

to form the responses in this statement. I am also reliant on document archive searches conducted by colleagues.

1.6. My statement should be read subject to the caveats above. I have done my best to assist the Inquiry on behalf of the Department against these limitations. If further material is made available to me, I would be happy to add to or clarify this statement to take it into account.

Section 2: Overview

Introduction to the Department for Work & Pensions (DWP)

2.1. DWP is responsible for welfare, pensions and child maintenance policy. As the UK's biggest public service department, it administers the State Pension and a range of working age, disability and ill health benefits to around 20 million customers.

2.2. DWP is responsible for:

- The development of policy and delivery of services on work, welfare, pensions, and child maintenance to millions of customers.
- Understanding and dealing with the causes of poverty rather than its symptoms.
- The payment of benefits and pensions.
- Supporting those out of work to find employment and those in work and on benefits to find higher-paid employment.
- Encouraging disabled people and those with ill health to work and be independent.
- Providing a decent income for people of pension age and promoting saving for retirement.
- Providing value for money and reducing levels of fraud and error.
- Reducing work-related death and serious injury in workplaces through the Health and Safety Executive.
- The rules for some statutory payments which are made by employers.

2.3. DWP provides its services in a number of ways, including through:

- Jobcentre Plus.
- The Pension Service.
- The Child Maintenance Service and partner organisations.

2.4. Jobcentre Plus helps people move from benefits into work and helps employers advertise jobs. It also administers benefits for people who are unemployed or unable to work because of a health condition or disability.

2.5. The Pension Service provides pensions, benefits, and retirement information for current and future pensioners in the UK and abroad.

2.6. Child maintenance is financial support that helps towards a child's everyday living costs when the parents have separated. For people who cannot make their own family-based arrangements, the Child Support Agency and Child Maintenance Service calculate how much maintenance the paying parent should pay to the receiving parent and collect the maintenance payments, if necessary. DWP's Child Maintenance Options service provides impartial information and support to help both parents make informed choices about child maintenance. It can also help them to set up their own, family-based arrangements.

2.7. The main benefits provided by DWP include:

- Universal Credit ('UC'): benefit for people who are on a low income, out of work or unable to work.
- Employment and Support Allowance ('ESA'): benefit for those who have a disability or health condition that affects how much they can work.
- Personal Independence Payment ('PIP'): benefit to help with extra living costs if a person has a long-term physical or mental health condition or disability and difficulty doing certain everyday tasks or getting around because of their condition.
- Industrial Injuries Disablement Benefit ('IIDB'): benefit to support those who have become ill or disabled because of an accident or disease either at work on an approved employment training scheme or course.
- Carers' Allowance ('CA'): benefit for those who are providing unpaid care for 35 hours a week or more to someone in receipt of a disability benefit.
- State Pension: State Pension is a regular payment most people can claim when they reach State Pension age. A person's State Pension age depends on when they were born.

2.8. DWP is also responsible for Statutory Sick Pay (SSP) policy, although HMRC handles disputes between an employer and employee in relation to statutory

payments like Maternity Pay, Paternity Pay and SSP through its Statutory Payment Dispute team.

2.9. SSP was introduced in 1983, as the basic minimum statutory payment to which qualifying employees are entitled for periods where they were incapable of work because of an illness. It is not a social security benefit funded by the State. It is a mandatory provision under Social Security law, paid by employers to their eligible employees.

2.10. To qualify for Statutory Sick Pay (SSP) an individual must:

- Be classed as an employee and have done some work for their employer.
- Earn an average of at least £118[1] per week (known as the Lower Earnings Limit (LEL)).
- Be sick or incapable of work for at least 4 consecutive days (including non-working days)

[1] The LEL increased to £120 per week in April 2020 and stayed at that level until it increased to £123 in April 2022

Section 3: DWP's Role in Test, Trace and Isolate

3.1. The Inquiry has requested an overview of the role that DWP played with regard to the Test, Trace and Isolate system (TTI). It may be helpful to clarify that the main role of DWP in TTI was to assess and determine the financial support for individuals asked to self-isolate or shield. DWP had no direct role in the development and delivery of, or communication of, Public Health England measures, such as testing for infection or contact tracing. Where the Department engaged with other government departments (OGDs), it is discussed in the relevant paragraph.

3.2. As part of the Government's strategy to support people affected by Coronavirus (COVID 19), DWP made a number of changes to ensure people self-isolating could access financial support if needed.

3.3. For example, DWP introduced measures to remove SSP waiting days for COVID-related illness and extend eligibility to those required to isolate or shield in line with Government advice in March and April 2020, prior to TTI. This eligibility was widened further to include people who were asked to isolate via a contact tracing scheme in May 2020, as a new measure specifically designed to support TTI.

3.4. From March 2020 onwards, DWP made a number of changes to SSP rules and eligibility under powers exercised through the Coronavirus Act 2020, as well as through existing powers under SSP legislation (The Social Security Contributions and Benefits Act 1992). The purpose of these changes was to ensure that, where appropriate, eligible individuals could access financial support to comply with Public Health England guidance, for example on self-isolation and shielding. Further details on the specific measures can be found in Section 5 and a chronology detailing these legislative changes can be seen at Annex A.

3.5. People on casual, short-term or zero-hours contracts may have been eligible for SSP as long as they met the other criteria, such as earning at or above the Lower Earnings Limit (LEL) and being classed as an employee. Those who did

not meet those criteria, including anyone with an income below the LEL, could still have been eligible for alternative financial support such as UC and ESA.

3.6. A number of easements were applied to ESA, UC and other DWP benefits and welfare support elements to make them easier to claim in compliance with Public Health England advice. See '**Section 5 - DWP measures in support of TTI**' for more information.

System readiness

3.7. The Inquiry has asked the Department to explain its role in the development of a scalable and rapidly deployable TTI system. The main role of DWP in TTI was to assess and determine the financial support for individuals asked to self-isolate or shield. The Department was not directly involved in the Test and Trace component.

3.8. In order to be able to fulfil its responsibilities and commitments during the pandemic, including its support for TTI, the Department used its business continuity and resilience plans, adapting them and supporting infrastructure to ensure the continuity of DWP services.

3.9. For the whole period covered by the Rule 9 Request between 1 January 2020 and 28 June 2022, DWP had extensive Business Continuity plans in place, underpinned by a Departmental Business Continuity Framework to ensure continuity of service.

3.10. DWP had prepared extensively for a pandemic; developing plans over a 20-year period, honing them, for instance, during and following the Swine Flu pandemic of 2009, and subsequently testing them via both across Whitehall and through internal DWP exercises at regular intervals.

3.11. Throughout the period under review, the plans were revised to reflect lessons learned and the changing nature and shape of the Department. In addition, given the vagaries of the economic cycle, which can lead to surges in demand for

benefits in an economic slowdown, the Department has well-tested plans to cope with that eventuality.

3.12. When COVID-19 hit in early 2020, those plans became the bedrock of our successful response. They had to be adapted quickly to take into account the full impact of social distancing, rapidly increasing unemployment and stay at home orders, but our longstanding thinking on easements and contingencies and reshaped command structure were fundamental to the response.

3.13. From mid-February 2020, the Government had identified that there was an emerging threat from the spread of Coronavirus internationally which had the potential to have a significant impact in the UK and required an urgent cross-Government policy response (led by DHSC). It was initially expected that this would be a short-term emergency policy response. The measures that DWP developed for its financial support policies, such as SSP, UC and ESA, were designed to help people to follow Public Health England guidance and self-isolate where appropriate. Although they had not been designed with contact tracing through the TTI system specifically in mind, these existing measures supported public adherence to TTI guidance following the system's roll out in May 2020.

3.14. A further amendment to The Statutory Sick Pay (General) Regulations 2020 on 28 May was specifically designed to support the new TTI system. It added a new category of person to the Schedule; a person who has been notified that they have had contact with a person with coronavirus, and who is self-isolating for 14 days from the latest date on which that contact occurred, or a date specified in the latest notification.

Communication

3.15. Although DWP had no direct role in the development and delivery of, or the communication of, Public Health England measures such as testing for infection or contact tracing, the Department worked closely with other government departments to ensure consistent messaging and contributed information to

cross-Government communications about the financial support available to people who were self-isolating due to testing positive for COVID-19.

3.16. DWP informed and contributed to other departments' guidance where there were references to financial support, as well as amending SSP guidance and other guidance relating to financial support that DWP owned. For example, the Department supported DHSC in producing guidance for local authorities in England on the operational process of the NHS Test and Trace Support-Payment Scheme.

3.17. DWP's external communication to customers and claimants, such as websites (understandinguniversalcredit.gov.uk) provided information and advice on the support available via DWP services and included information supplied by DHSC/UKHSA regarding TTI measures. **[Please see NC/M7/01 - INQ000575848 for an early example of customer communications]**

Section 4: Decision-making

Decision-making structures

4.1. In response to the COVID-19 pandemic, the Department drew on its business continuity planning to develop, implement and adapt a plan with three phases - Response, Run, and Restore - which ran to the end of 2020-21. The Department used this 3-stage plan to deliver on the following priorities, which it had identified across all its policy areas:

- Keeping our people and citizens safe by adhering to Public Health England guidance.
- Providing society's financial safety net by ensuring benefits are processed quickly and paid on time.
- Minimising the effect on unemployment.
- Minimising fraud and error, whilst transforming services and reducing costs.

Response

4.2. In the early part of the pandemic, DWP adopted a "Gold Command" approach to respond, in line with DWP's normal approach for managing serious incidents.

4.3. The Gold Commander (Nick Hamer) invoked the DWP Business Continuity Plan. DWP's Gold command, which comprised senior leaders drawn from across DWP's service delivery areas, oversaw the management of the Response phase, with delegated authority to implement and instigate any or all the contingency measures agreed in the plan or take alternative action within the scope of the Incident Management Framework.

4.4. Gold Command reported to the DWP Executive Team (ET) and Ministers, informally through verbal and written updates and by daily Situation Reports ('SitReps'). **[see INQ000103144 - DWP SITREP 23 31 March 2020]**

4.5. Many of DWP's policy easements and changes were introduced during the Response Phase to ensure that claimants were able to access financial support whilst adhering to Public Health England guidance on isolation. These formed a basis for later policy regulations to support TTI.

Run

4.6. The "Run Phase" followed immediately after the initial response, when DWP's ET judged that because the incident required longer term handling, the response needed to take the form of a programme response during which the delivery mechanisms of the organisation could be re-evaluated and decisions made.

4.7. DWP ET set up the Implementation Planning and Delivery Executive (IPDE) to manage the Run Phase. This group initially met on a daily basis, 7 days per week and was chaired by Ian Wright as Programme Director for the Run phase.

4.8. IPDE had delegated responsibility from DWP ET to plan and make decisions on the interim delivery model for DWP. I was appointed as IPDE's Senior Responsible Officer (SRO) and regularly reported to DWP ET on IPDE activities, obtaining sign-off by DWP ET where appropriate.

Restore

4.9. As the Department came out of the Run Phase and started to return to business as usual (BAU) process and/or adapt or adopt new COVID-19 ways of working, into normal business practices, the IPDE was replaced by the Portfolio Management Executive ('PME') on 1 August 2020, which was chaired by Paul McKeown, Deputy Director for Project and Programme Management. This again had some delegated authority and saw me as the ongoing SRO, reporting to DWP ET.

4.10. The COVID-19 approach was specific to the nature, length and impact of the pandemic and while lessons have been learned, the implementation of forums such as IPDE and PME were designed to enhance DWP's standard Gold Command arrangements, specifically for the pandemic.

TTI decision making

4.11. The Inquiry has asked for a high-level outline of the decision-making structures and processes within DWP with regard to TTI.

4.12. In parallel to the business continuity decision making structures, DWP's policy and strategy teams worked on developing specific measures to support the Government's and the Department's objectives. An example of the decision-making process to deliver a measure that directly supports TTI can be seen in the extension of SSP eligibility to include people advised to self-isolate via the contact tracing service.

4.13. At the outset of the pandemic, HMT officials and Ministers had asked DWP what measures could be introduced to support people who were isolating.

4.14. SSP Policy was part of the portfolio for the Minister for Disabled People, Health and Work, and responsibility for the Policy sat with the Employers, Health and Inclusive Employment Directorate (EHIE). Jonathan Mills was the Director General responsible, and Tabitha Jay was the Director with responsibility for SSP policy.

4.15. In March 2020, DWP Ministers and officials worked on the design of a number of measures, including extension of SSP rules to extend eligibility for SSP to those isolating due to experiencing symptoms of Coronavirus, deeming them incapable of work. This measure pre-dated TTI and did not include provision to deem employees isolating following notification through a contact tracing service as incapable of work.

4.16. On 7 May 2020, a draft policy paper on self-isolation options for contact tracing was shared by the Department of Health and Social Care (DHSC) with other departments, including DWP. **[Please see NC/M7/02 - INQ000575849 and NC/M7/03 - INQ000575850, which are an e-mail chain with attachment from DHSC, containing options for voluntary and mandatory approaches to isolation]**

4.17. On 15 May the Secretary of State for Work and Pensions agreed that SSP should directly support TTI by being made available to people advised to self-isolate via the contact tracing service. This extension was consistent with her

earlier steer that SSP regulations enabled Government and DHSC Public Health policy and advice to be followed.

4.18. DWP senior leaders and policy leads worked with DHSC officials to understand their respective guidance and objectives, and this work informed the options for delivery of this measure. **[Please see NC/M7/04 - INQ000575851, which is an email chain between DWP officials discussing issues to be addressed regarding the SSP framework and the developing TTI policy]**

4.19. DWP owns the relevant legislation, including regulations, that sit behind SSP. For TTI, the changes were taken forward through a series of regulations (see Annex A) under the Social Security and Contributions Benefits Act (SSCBA) 1992 and the Coronavirus Act 2020.

Data and Modelling

4.20. The Inquiry has asked us to explain DWP's role in the collection of data to assist in the response to the COVID-19 pandemic in relation to TTI.

4.21. DWP was the recipient but not the provider of information about the nature of the disease and the measures being taken to contain it. Information from DHSC in particular, helped inform the development of policy and our understanding of the impact on particular groups. Understanding the Public Health England advice was important to how the Statutory Sick Pay ('SSP') regulations were framed.

4.22. DWP used data modelling to plan for the impact of the pandemic — and related impacts such as increased unemployment — on our business. This helped us consider the best use of our staff resources and the need for focused easements and contingencies. However, no data modelling was carried out on the spread or impact of COVID-19.

4.23. DWP deployed data modelling to consider the cost burden on employers when drafting expanded SSP eligibility regulations based on data shared by DHSC on estimates of how many people would be required to isolate. There was significant uncertainty with regards to how many people would be required to isolate, as

such this modelling was provided to give the Secretary of State for Work and Pensions further context of low, medium and high estimated costs on employers, rather than to inform policy design. Policy design was informed by the current Public Health England (now known as UKHSA) guidance available at the time on who would be required to isolate at a given time. **[Please see NC/M7/05 – INQ000575852, which is a submission to the Secretary of State for Work and Pensions and includes modelling on the initial estimate SSP costs in Annex B and NC/M7/06 – INQ000575853 which is an email chain that provides an example of cross government communications and data sharing in the design of TTI policy]**

4.24. The Department did not make any specific requests for scientific advice regarding the spread of Coronavirus, but Ministers and officials attended cross-Government meetings, including COBR meetings, where the scientific advice was discussed, and were copied into relevant advice, Public Health England guidance and statistical information.

Section 5: DWP Measures in Support of TTI

Statutory Sick Pay

5.1 The Inquiry has asked about changes to the SSP framework between 1 January 2020 and 28 June 2022 to support TTI systems.

5.2 DWP made a number of amendments to the SSP framework between 1 January 2020 and 28 June 2022, using a combination of powers under the Social Security Contributions and Benefits Act 1992 (SSCBA92) or the Coronavirus Act 2020 (CVA 2020) to ensure that financial support was available to employees who were unable to work due to being incapable or isolating in line with Government Advice.

5.3 Some of these amendments had been in place since March 2020, including making SSP payable from the first day of a Coronavirus related absence, extending SSP eligibility to those asked to isolate in March 2020 and to those asked to shield in April 2020, and introducing the SSP Rebate Scheme in May 2020 to reduce the financial impact on Small and Medium Employers (SMEs), allowing them to reclaim up to two weeks' of SSP for absences related to Coronavirus. Further amendments to support TTI built upon these earlier amendments.

5.4 Following the announcement of TTI, in May 2020 SSP eligibility was expanded further to include contacts of an index case with a positive Coronavirus test. (see paragraphs 4.17-4.19). This expansion in eligibility mirrored the new cohort of people who were to be asked to self-isolate under the TTI strategies adopted by the four nations.

5.5 The notice period where an employee may self-certify illness was temporarily extended from 7 days to 28 days from 17 December 2021 to 26 January 2022. This coincided with the peak of the Omicron outbreak and was intended to reduce pressure on GPs to provide 'fit notes' and focus their efforts on the vaccine booster programme. Whilst this measure was not directly related to TTI

policy, helping to support the delivery of vaccine programme would prepare the UK for when TTI systems came to an end.

5.6 The Living with COVID-19 Plan announced the decision to end the legal duty to self-isolate from 24 February 2022. From 25 March 2022 the Statutory Sick Pay (General) Regulations 1982 were amended to remove COVID-19 provisions which deemed people to be incapable of work where they were isolating or shielding, returning to pre-pandemic rules. Section 40 of the Coronavirus Act expired at midnight on 24 March 2022, meaning that Regulation 2 of the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020, which suspended waiting days for Coronavirus periods of incapacity, also expired.

5.7 A full chronology of amendments to the SSP framework and the legal mechanisms through which they were delivered can be found in Annex A.

SSP volumes

5.8 The Inquiry has asked us to provide data on the number of applications for SSP, whether they were granted or rejected, and the demographic and geographical distribution of SSP payments.

5.9 SSP is the minimum amount an employer must pay an employee during a period of sickness from work and is paid wholly by the employer.

5.10 DWP does not require employers to disclose when SSP is paid to an employee. Therefore, DWP does not hold data on the number of applications for SSP or the demographic or geographical distribution of SSP payments.

SSP Inequalities

5.11 The Inquiry has asked us to explain what inequalities were identified or highlighted with regards to TTI and how they were mitigated.

5.12 TTI policy was the responsibility of the Department of Health and Social Care and the Devolved Governments. DWP did not have data on who would be traced

and therefore require financial support for isolation, but provision of income replacement to all those required to isolate recognises and addresses that loss of earnings due to isolation is likely to affect people with protected characteristics disproportionately.

5.13 Self-employed people and some in low paid work earning less than the Lower Earnings Limit (LEL) are not eligible for SSP. Depending on their individual circumstances, they could apply for Universal Credit or new style ESA.

5.14 Groups who would have to absorb the complete loss of income from 2 weeks for self-isolation included those whose household income or savings would result in a nil award for UC and those with no recourse to public funds.

5.15 SSP policy was under regular review during the pandemic to ensure that eligibility mirrored the rapidly changing Public Health England advice. Equality analyses were completed in respect to the Coronavirus Act 2020 and SSP regulations.

5.16 SSP regulations were subject to Social Security Advisory Committee statutory scrutiny. During this scrutiny process, regulations are considered from a wide range of perspectives including whether the consequences of the proposals had been analysed and understood, and whether equality impacts had been properly considered.

5.17 DWP's SSP analytical, supported by the policy team, team prepared Equality Assessments for the changes made to regulations relating to SSP. For example:

- **NC/M7/07 - INQ000575855 - Equality Analysis for Statutory Sick Pay (General) (Coronavirus Amendment) regulations dated 11 March 2020**
- **NC/M7/08 - INQ000575856 - Equality Analysis for TTI isolation deeming rules dated 20 May 2020**

Employment and Support Allowance (ESA)

5.18 The Inquiry has asked for information on any changes to ESA between 1 January 2020 and 28 June 2022 and requested information covering volumes of applications and the average time to make an award.

5.19 Entitlement to health and disability benefits such as ESA is determined by the customer going through an assessment process. These assessments are delivered by third party providers contracted by DWP. In response to the COVID-19 pandemic, the Department made a number of changes to assessments for health and disability benefits, to comply with Public Health England's guidance on isolation and social distancing, and to safeguard the health of customers and staff, while also ensuring eligible new customers received their benefit, and ensuring continuity of existing awards.

5.20 On 17 March 2020, DWP suspended face-to-face intervention for assessments for health and disability benefits, to protect vulnerable people (and assessment centre staff) from unnecessary risk of exposure to COVID-19. However, DWP continued to complete paper-based assessments where possible. Where a customer reported a change in their condition, DWP continued to refer for a reassessment.

5.21 Telephone assessments were introduced incrementally across health and disability benefits from April 2020.

5.22 ESA was made accessible from day one of a claim for COVID-19-related cases; DWP made it easier to access ESA by launching a portal for new style ESA online claims.

5.23 Between 1 January 2020 and 28 June 2022 there were 440,000 applicants for ESA, of which 290,000 were granted and 120,000 were rejected.

5.24 On average, it took 14 days to make an award of ESA.

Universal Credit (UC)

5.25 The Inquiry has asked for information on the changes made to Universal Credit (UC) between 1 January 2020 and 28 June 2022 and requested information covering volumes of applications and the average time to make an award.

5.26 An individual or household may be able to get UC if they are on a low income or need help with living costs. They could be out of work, working (including self-employed or part time) or unable to work, for example because of a health condition.

5.27 Making a claim is the first step for an individual to receive UC. Not everybody that makes a claim will go on to receive a UC payment. The amount of UC received depends on a person's circumstances and income. For example, there's no limit to how many hours someone on UC can work and still get UC. But, if their income increases, the amount of UC received will reduce. Likewise, if their income reduces, UC will increase.

5.28 It usually takes around 5 weeks for an individual or household to receive their first payment. UC is calculated based on a person's circumstances each month. These are called 'assessment periods'. Claimants will usually get their UC payment 7 days after each monthly assessment period ends. If a person is unable to wait for their first UC payment, they can request an advance of their first payment and repay this via a monthly deduction from their future payments.

5.29 The percentage of new claims paid on time from January 2020 to June 2022 remained consistently high, with full payments on time ranging from 82.85% to 94.49%. This helped people receive the support they needed when they needed it.

5.30 During the pandemic, DWP made a number of changes to UC which helped provide financial support for those required to isolate, many of which were included in the Social Security (Coronavirus) (Further Measures) Regulation 2020, including:

- The temporary increase in the standard rate of UC by £1000 per year or £20 per week, more details below.
- The suspension of work search and availability requirements, ensuring no work search or work availability requirements were imposed on UC claimants.
- Additional support for the self-employed, such as removal of the Minimum Income Floor (MIF), suspension of the Gainful Self-Employment (GSE) process, and an extension to the start-up period.

5.31 During the pandemic, there was an unprecedented level of demand for UC. From January 2020 to June 2022 there were nearly 11,000,000 declarations (claims) made to UC. New claims to UC peaked in March 2020 at nearly 1,400,000 declarations that month, compared to 270,000 in March 2021 and 260,000 in March 2022. During this period 8,200,000 were later paid and 2,500,000 were closed without payment. Please note that these figures may include multiple declarations from the same household.

5.32 In response to this increase in demand DWP implemented a number of operational changes, which also helped support those required to isolate, including:

- The "Trust and Protect" regime, which meant accepting information from claimants over the phone and verifying evidence later via case reviews. This approach allowed for quicker payments while ensuring that necessary checks were conducted later.
- On 19 March 2020, it was determined that people receiving benefits, such as UC and ESA did not need to attend Jobcentre appointments and on 24 March 2020, Jobcentres closed for face-to-face appointments unless necessary. In April 2020, the "Don't Call Us, we'll call you" campaign began. A bolstered front-line team proactively called customers if they needed to check any of the information provided as part of the UC claim, as well as messaging them on their online journal.
- DWP suspended all face-to-face assessments and most award review / reassessments for health and disability benefits, including for the additional health-related amount of UC.

5.33 A chronology of amendments made to UC can be found in **Annex A**.

Benefit Rates

5.34 The Inquiry has asked for information on the rationale for the rates of SSP, ESA and UC. The rates of benefits including SSP, ESA and UC are a result of successive rounds of welfare reform and choices made at periodic benefit uprating reviews.

5.35 Under the Welfare Reform and Work Act 2016, most discretionary benefits and tax credits for working age people, including UC were frozen at the April 2015 rates for four years. In April 2020 the Benefit Freeze ended and benefits were uprated by 1.7%, in line with Consumer Price Index (CPI) price inflation. Benefits have been uprated in line with CPI price inflation every April since then.

5.36 In addition to this, from April 2020 the Social Security (Coronavirus) (Further Measures) Regulation 2020 was introduced to temporarily increase the standard rate of UC and the basic element of Working Tax Credits (WTC) by £1000 per year or £20 per week for 12 months. The increase was introduced to provide stability to the labour market during the pandemic and facilitate economic recovery once it had passed by cushioning the impact of a sudden loss of employment. In March 2021 the UC uplift was extended for a further 6 months and WTC received an equivalent one-off payment of £500.6 months later it was removed as planned.

5.37 As SSP is paid entirely by employers, the rate of SSP is not subject to departmental spending decisions. The rate of SSP is reviewed as part of the annual uprating process. The weekly rates for SSP under section 157 SSCA were:

- 06/04/2019 – 05/04/2020 - £94.25
- 06/04/2020 – 05/04/2021 - £95.85
- 06/04/2021 – 05/04/2022 - £96.35
- 06/04/2022 – 05/04/2023 - £99.35

Other measures

5.38 The Inquiry has asked the Department to provide information on the development of the Adult Social Care Infection Control Fund (ASCICF)

5.39 The Department was not involved in the Adult Social Care Infection Control Fund (ASCICF). This was the responsibility of the Department of Health & Social Care (DHSC).

Section 6: Devolved Governments

6.1. Most of DWP's policies operated across Great Britain during the pandemic. Policy and delivery responsibility is transferred for all DWP policies in Northern Ireland, though by the parity principle the Northern Ireland assembly usually mirrors arrangements in Great Britain.

6.2. SSP is a reserved matter in Great Britain, with responsibility for policy residing with the Secretary of State for Work and Pensions. However, since health is a devolved matter, and the SSP regulations were designed to reflect Public Health England advice, DWP worked closely with the Department for Health and Social Care (DHSC)/Public Health England (PHE) and the Devolved Governments throughout the pandemic to understand and influence the evolving Public Health England guidance and to ensure that DWP considered and, as appropriate, changed, SSP policy and regulations in response.

6.3. The Inquiry has asked the Department to provide details on any divergence between England, Scotland, Wales and Northern Ireland, and the Department's involvement in the decision making in respect of payment made to those required to isolate.

Wales

6.4. Social security, including SSP, is reserved in Wales. All COVID-19 related legislative easements made by DWP applied equally to Wales as they did to England.

6.5. Throughout early May in 2020, SSP regulations were being drafted in line with the agreed position of the 4 Chief Medical Officers (CMOs) that in some cases, contacts of a symptomatic case (the index case) would be asked to self-isolate in advance of a positive test result.

6.6. On 20 May 2020, the Prime Minister announced that the TTI policy in England would be asking contacts of an index case with a positive Coronavirus test to isolate.

6.7. Officials from the Welsh Government notified DWP that they were continuing to consider different TTI policies, including the previous CMO position that contacts of a symptomatic index case could be asked to isolate in some cases. This policy proposal would mean that some people in Wales could be asked to isolate, but released following a negative test result in less than 4 days, therefore would not be eligible for SSP. **[See NC/M7/09 - INQ000575857 for an example of communications between DWP official and the Welsh Government regarding financial support for different TTI policy options.]**

6.8. On 23 May 2020, DWP officials presented two sets of draft SSP regulations to the Secretary of State for Work and Pensions to consider different TTI policies across the UK. The first expanded SSP eligibility to people who were asked to isolate by a contact tracing service because they had been in contact with somebody who has tested positive for coronavirus, which was in line with the DHSC strategy. The second set of regulations expanded SSP eligibility to people who were asked to isolate because they had been in contact with somebody who had either tested positive for coronavirus or with symptoms of coronavirus, which would accommodate the Welsh policy proposal.

6.9. On 26 May 2020, the Secretary of State for Work and Pensions gave her steer that SSP regulations should be made based on contacts of PCR positive cases only. **[Please see NC/M7/10 - INQ000575858, which is an email chain communicating the policy proposal agreed by the Secretary of State for Work and Pensions].**

6.10. The Statutory Sick Pay (General) (Coronavirus Amendments) (No. 4) Regulations 2020 came into force on 28 May 2020[2]. This option reflected official policy established by all four nations at the time of launch of Test and Trace in June 2020, and considered advice from scientific experts, including the Scientific Pandemic Influenza Group on Behaviours (SPIGB) and the Scientific Advisory

[2] The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 4) Regulations 2020

Group in Emergencies (SAGE). **[Please see NC/M7/11 - INQ000575861 which contains a letter from the Secretary of State of Work and Pensions to the Welsh Government, explaining the rationale for the SSP policy to and its role in supporting TTI policy.]**

Scotland

6.11. In Scotland, the Scotland Act 2016 provided, amongst other things, that ten DWP benefits would be replaced in Scotland by Scottish Government provision. Subsequent decisions by UK and Scottish Ministers meant that most of these benefits would be devolved before being replaced.

6.12. By the end of April 2020, executive competence for ten disability related benefits had passed to the Scottish Government as planned. During the pandemic, DWP continued to deliver these benefits on behalf of the Scottish Ministers under temporary Agency Agreements while the Scottish Government built its capacity to replace them with new, Scottish benefits. The Agency Agreements operated on a "business as usual" basis, to deliver the relevant benefits as they were being delivered in England and Wales.

6.13. Universal Credit is a reserved benefit and paid by DWP, however the Scottish Government has devolved powers to determine how claimants are paid (regularity of payments) and the choice to have relevant housing costs in their award paid to themselves or to their landlord.

6.14. SSP is a reserved policy in Scotland, therefore SSP regulations applied equally to Scotland as they did to England. Officials from the Scottish Government confirmed that they would commence contact tracing on 28 May 2020 on the basis of a positive Coronavirus test. This was in line with the policy in England, and meant that SSP regulations would provide financial support to Scottish people required to isolate

Northern Ireland

6.15. In Northern Ireland, social security is a transferred matter. However, in April 2020, DWP was already legislating for certain social security changes in

Northern Ireland as part of an earlier agreement between the First Minister, Deputy First Minister and Secretary of State linked to welfare reform, and subsequent to the suspension of the Assembly between 2017 and January 2020. This arrangement continued until September 2020, when the relevant powers were returned to the Northern Ireland Assembly.

6.16. During this time, DWP was responsible for taking some regulations through the UK Parliament to ensure parity between the DWP and Northern Ireland social security systems. In addition, during the pandemic, the UK Government legislated to introduce relevant DWP measures within the Coronavirus Act 2020 in Northern Ireland, since that Act did not confer legislative competence to make those changes on the Northern Ireland Assembly.

6.17. This means that most COVID-19-related legislative easements made by DWP before September 2020, and any after that which were based on the Coronavirus Act 2020, were given effect in Northern Ireland through regulations taken through the UK Parliament by DWP Ministers. In most cases, only the equality assessments differed as between the relevant Great Britain and Northern Ireland regulations, the substantive changes were identical.

Other test and trace support payments

6.18. The Inquiry has asked for information regarding the inter-relation between UC and ESA and the Test and Trace Support Payment Scheme (TTPS) in England, the Scottish Self-Isolation Support Grant, the Discretionary Support Self-Isolation Grant in Northern Ireland and the Self-Isolation Support Grant in Wales.

6.19. The Test and Trace Self-Isolation Support Payment Scheme (TTPS) was announced on 27 August 2020 and initially piloted in three local authorities in England. TTPS was rolled out in England on 28 September 2020, the same date that the new legal duty to self-isolate came into force.

6.20. TTPS supported low-income workers on benefits who had been contacted by NHS Test and Trace and told to self-isolate for periods between 28 September 2020 and 24 February 2022. Eligible customers received a £500 support

payment from their local authority, who used HMRC data to check eligibility and also had secure access to Searchlight, DWP's system for accessing customer information.

6.21. HMRC's approach was that these payments should remain taxable but not be subject to National Insurance contributions, and an eligible individual should be able to receive them on top of any Statutory Sick Pay or benefits they received. A number of DWP policy teams worked closely with DHSC, HMT and relevant local authorities, helping to define the eligibility criteria and implement 'disregards'[3] in the rules for DWP benefits to ensure that these payments would not be taken into account when determining benefit entitlements.

6.22. Similar test and trace support schemes were set up by Scotland (the Scottish Self-Isolation Support Grant), Wales (the Self-Isolation Support Grant) and Northern Ireland (the Discretionary Support Self-Isolation Grant), to support people on low incomes with a lump-sum payment if they were required to self-isolate.

6.23. DWP was not responsible for the policy or delivery of any of these schemes, but DWP officials worked with the Devolved Governments, DHSC and Local Authorities to ensure that TTI support payments would not have an effect on individuals' welfare benefit entitlement and that teams responsible for delivery had access to DWP benefits data to confirm applicants' eligibility.

6.24. Local authorities could support those outside the welfare system (such as immigrants with 'no recourse to public funds' (NRPF)) to self-isolate through discretionary or emergency funds, or by using local welfare assistance schemes to administer emergency support, such as food vouchers and utility top-ups.

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[3] A 'disregard' is the name applied to income or capital that is deemed by the benefit rules to not affect an individual's benefit claim

SECTION 7: FACING A FUTURE PANDEMIC

7.1. The Inquiry asked us to provide a chronological list of any internal or external reviews or lessons learned exercises that the DWP was involved with relating to any of the issues in the Module 7 Outline of Scope.

7.2. DWP conducted various internal and external reviews and lessons learned exercises related to its response to the pandemic. These reviews did not focus on DWP's role in TTI, they related to DWP processes and procedures (which enabled DWP's support for TTI) and covered how the Department should respond to a similar event in future to ensure that financial support is available when needed. For example:

- On 29 May 2020, **COVID-19 DOC Lessons Learned note** was shared across the DWP Business Continuity, Resilience & Emergency Response teams. BCRERT undertakes 'Lessons Learnt' activities as a matter of course following disruptions and exercises. The note highlighted the lessons learned in the standing up and running a fully operational COVID-19 Departmental Operations Centre (DOC, to manage the Department's emergency response, including the eventual transfer of the DOC's activities to IPDE to be managed as business-as-usual. It highlighted the need for better training, communications and leadership, which were reflected in the arrangements made when the DOC was stood up again in November 2020. **[NC/M7/12 - INQ000575862] - COVID-19 DOC Lessons Learned note**

- On 18 June 2020, the Business Continuity, Resilience and Emergency Response Team (BCRERT) submitted a 'lessons learnt' report to the IPDE on lessons from the initial Respond Phase, **"COVID-19 Initial Response - Lessons Learnt" [NC/M2/09 —INQ0000187740].** This built on the findings of the 29 May 2020, COVID-19 DOC Lessons Learned note and highlighted a number of BCRERT's achievements, as well as identifying improvements that were implemented in planning for future response phases, including the need to clarify the role of the Executive Team in decision-making and the

development of a decision log for the Gold Commander Incident Response toolkit.

7.3. The Inquiry has asked what lessons need to be learned by the Department for the future in respect of TTI and what is the legacy of the TTI system.

7.4. DWP's role within the TTI system was to provide financial support. Our internal lessons learned activities centre around business continuity and ensuring the Department is well positioned to provide support in the event of a future pandemic, including supporting future Test, Trace and Isolate (TTI) strategies. The Department was not heavily involved in the development of the test or trace strands of TTI; however, we are committed to the Inquiry process that lessons must be learned and would be open to any findings and recommendations that may ultimately be made.

ANNEX A:

Chronology

Chronology	
Date	**Content**
13 March 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2020. These Regulations amend regulation 2(1) (1982 Regulations) to provide that a person who is isolating himself from others in accordance with advice on coronavirus disease is deemed to be incapable of work.
13 March 2020	Employment and Support Allowance and Universal Credit (Coronavirus Disease) Regulations 2020 comes into force, regulation 4 legislates for the suspension of the minimum income floor (MIF) until 12 November 2020.
17 March 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 2) Regulations 2020. The Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2020 amend regulation 2(1) to provide that a person who is isolating himself from others in accordance with advice on coronavirus disease effective on 12th March 2020 is deemed to be incapable of work. These Regulations amend that date to 17th March 2020.
20 March 2020	The announcement on 20 March of the introduction of the £20 per week Universal Credit (UC) uplift in April, followed within days by the first national lockdown on 23 March.
25 March 2020	Coronavirus Act 2020 The bill contains 6 regulations pertaining to SSP: Section 39: The funding of employer liabilities. This power enables the implementation of the Coronavirus SSP Rebate Scheme (SSPR) which allows employers with fewer than 250

	employees to receive a rebate for absences related to coronavirus for up to two weeks per employee. Section 40: The power to disapply waiting period limitation. Before COVID-19, SSP was only payable from the fourth day of absence. This power enables Government to temporarily suspend waiting days where absences are related to coronavirus. The power aimed to support people to isolate in line with Government advice and reduce transmission of the virus by providing financial support, payable from day one, to eligible employees who are symptomatic and those who have been advised to self-isolate as a precautionary measure (including those who are asymptomatic but have tested positive). Section 41: The modification of regulation making powers. This section contains a power (s.41(1)) which permitted regulations to make reference to Public Health England guidance. This granted the power to refer to Public Health England guidance on shielding and symptoms as specified in guidance. This section also contains a power (s.41(2)) for the exercise of discretion in dealing with any matter under those regulations. This power was likely to be necessary to ensure that SSP eligibility can be dependent upon advice given, or notifications issued by, medical professionals or NHS Test and Trace. Having such a power ensured Government can make regulations which kept in step with the latest Government guidance by allowing entitlement to be linked to the issuing of a notification or advice to an individual by health authorities. Sections 42, 43 and 44 are mirrored regulations that have effect in Northern Ireland.
27 March 2020	The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations (Northern Ireland) 2020 were the equivalent regulations for Northern

	Ireland. They were also laid before Parliament on 27 March 2020 and came into operation on 28 March 2020.
28 March 2020	The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020 Regulation 2 disapplies the waiting days where an employee is incapable of doing the work the employee can reasonably be expected to do under the employee's contract of service, or where the employee is deemed to be incapable, because of coronavirus. This applied retrospectively from 13th March 2020. Regulation 3 amends the 1982 Regulations. It inserts a Schedule into those Regulations which specifies when a person is deemed to be incapable of work because the person is staying at home. This includes persons with symptoms of coronavirus staying at home for 7 days and persons living in the household of a person with symptoms of coronavirus staying at home for 14 days. Regulations 4 and 5 omit the provision that previous Regulations amending the 1982 Regulations will expire after 8 months.
30 March 2020	The Social Security (Coronavirus) (Further Measures) Regulations 2020 Regulation 2 replaces regulation 4 of the 13 March regs. Confirms MIF suspension and suspends Gainful Self Employment (GSE) Decisions. Regulation 3 introduces the £20 standard allowance uplift introduced, planned to expire in April 2021.
16 April 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 3) Regulations 2020.

	Regulation 2 adds a new category of persons. These are persons defined in guidance issued by Public Health England, the Scottish Ministers or Public Heath Wales as being extremely vulnerable and at very high risk of severe illness from coronavirus because of an underlying health condition, and who have been advised, in accordance with that guidance, to follow rigorously shielding measures.
26 May 2020 (HMRC in concurrence of DWP)	The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2020. These Regulations provide for certain small and medium size employers to reclaim some or all of their Statutory Sick Pay (SSP) costs from Her Majesty's Revenue and Customs (HMRC). An employer could make a claim in respect of an employee's period of incapacity for work related to coronavirus where the first day of incapacity for work in that period arose on or after 13th March 2020.
28 May 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 4) Regulations 2020 Regulation 2 of these Regulations adds a new category of person to the Schedule. This is a person who has been notified that they have had contact with a person with coronavirus, and who is self-isolating for 14 days from the latest date on which that contact occurred, or a date specified in the latest notification.
6 July 2020	Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) (No. 2) Regulations 2020. The amendments in paragraphs (2), (3), (5), (7)(a) and (10) and the Schedule ensure that persons who are shielding themselves from other people in such a manner as to prevent infection or contamination with coronavirus will continue to be

	deemed to be incapable of work for the purpose of entitlement to statutory sick pay. The amendments in paragraphs (6), (7)(b) and (9)(a) ensure that persons deemed to be incapable of work because they or another person have the symptoms of coronavirus will remain entitled to statutory sick pay until the person with those symptoms receives notification that they have tested negative for coronavirus. The amendments in paragraphs (7)(a) and (9)(a) ensure that a person will be entitled to statutory sick pay if a member of a linked household (in England) or of their extended household (in Wales and Scotland) has the symptoms of coronavirus. Regulation 3 of these Regulations amends the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020 to ensure that those deemed incapable of work by virtue of the amendments made by regulation 2 of these Regulations do not have to serve waiting days for entitlement for statutory sick pay.
5 August 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 5) Regulations 2020. Regulation 2 of these Regulations amends Schedule 1 to the Statutory Sick Pay (General) Regulations 1982 to ensure that a person is entitled to statutory sick pay for the full period for which they are required to self-isolate and for the period a person is required to stay at home after testing positive for coronavirus.
26 August 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 6) Regulations 2020. Regulation 2(2), (4) and (5) of these Regulations amends Schedule 1 to the Statutory Sick Pay (General) Regulations 1982 to provide that a person is entitled to statutory sick pay if they:

	-Have been notified that they are to undergo a surgical or other hospital procedure; -Have been advised to stay at home for a period of up to 14 days prior to being admitted to hospital for that procedure; and -Stay at home pursuant to that advice.
15 October 2020 (HMRC in concurrence of DWP)	The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Amendment) Regulations and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) (Amendment) Regulations 2020. These regulations amend the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2020 and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) Regulations 2020. These amendments ensure employers can continue to access support with the costs of paying eligible Statutory Sick Pay (SSP) to their employees. Specifically, they reflect further changes made by the European Commission to the provision of State aid to small and medium-sized enterprises (SMEs) in difficulty (a SME is a business with fewer than 250 employees and either turnover below €50m or balance sheet total below €43m), ensure that SSP can be reclaimed by employers in line with the changes made by DWP to extend eligibility to receive coronavirus related SSP and change the notification mechanism for employers who realise they have mistakenly overstated the amount of a previous claim.
12 November 2020	The Social Security (Coronavirus) (Further Measures) (Amendment) and Miscellaneous Amendment Regulations 2020 extended the following measures for a further 6 months: • Removing the unpaid "waiting days" at the start of an ESA claim if the claimant were suffering from COVID-

	19, were required to self-isolate in line with Public Health England advice or were caring for a child. This meant that claimants were paid from day 1 of their claim as opposed to day 8. • Treating everyone infected with COVID-19, or who were required to self-isolate in line with Government guidelines, as having limited capability for work in ESA without the requirement for a fit note. • Removal of the Minimum Income Floor-postponement of the Gainful Self-Employment (GSE) test and a temporary period of Non-Gainful Self-Employment for UC claimants who are self-employed.
24 December 2020	The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 7) Regulations 2020. Regulation 2(1) to (6) amends Schedule 1 to the 1982 Regulations to reflect changes to the self-isolation requirements where a person has symptoms of coronavirus, tests positive for coronavirus or is a household contact of a person who has coronavirus. These provisions ensure that people who have to self-isolate for these reasons are deemed to be incapable of work for the full period for which they have to isolate. Regulation 2(7) allows relevant notifications to be given orally and expands the list of people who can issue relevant notifications to include the Scottish and Welsh Ministers.
25 March 2021	The Social Security (Claims and Payments, Employment and Support Allowance, Personal Independence Payment and Universal Credit) (Telephone and Video Assessment) (Amendment) Regulations 2021 comes into force.
6 April 2021	The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Amendment) Regulations and the Statutory Sick

(HMRC in concurrence of DWP)	Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) (Amendment) Regulations 2021. The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2020 and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) Regulations 2020 provide for certain small and medium size employers to reclaim some, or all, of their Statutory Sick Pay costs from Her Majesty's Revenue and Customs. These Regulations amend those instruments to increase the maximum amounts which can be claimed in line with the increase of the rate of Statutory Sick Pay from 6th April 2021.
6 April 2021	The Universal Credit (Extension of Coronavirus Measures) Regulations 2021 comes into force, extending the MIF suspension until 31 July 2021 and extending the £20 uplift until any assessment period that ends before 6 October 2021.
12 May 2021	The Social Security (Coronavirus) (Miscellaneous Amendments) Regulations 2021 comes into force, extended the following measures for a further 6 months: • Removing the unpaid "waiting days" at the start of an ESA claim if the claimant were suffering from COVID-19, were required to self-isolate in line with Public Health England advice or were caring for a child. This meant that claimants were paid from day 1 of their claim as opposed to day 8. • Treating everyone infected with COVID-19, or who were required to self-isolate in line with Government guidelines, as having limited capability for work in ESA without the requirement for a fit note.

31 July 2021	The Universal Credit (Coronavirus) (Restoration of the Minimum Income Floor) Regulations 2021 come into force, gradually reintroducing the MIF and GSE tests.
30 September 2021 (HMRC in concurrence of DWP)	The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Closure) Regulations and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) (Closure) Regulations 2021 No. 1013. The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2020 and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) Regulations 2020 provide for certain small and medium size employers to reclaim some, or all, of their Statutory Sick Pay costs from Her Majesty's Revenue and Customs. These Regulations amend those instruments to end employers' ability to reclaim Statutory Sick Pay costs with effect from 30th September 2021, with claims relating to periods prior to that date to be made by 31st December 2021.
6 October 2021	As per The Universal Credit (Extension of Coronavirus Measures) Regulations 2021, the £20 uplift is withdrawn from assessment periods ending after 6 October 2021.
12 November 2021	The Social Security (Coronavirus) (Further Measures) (Amendment) and Miscellaneous Amendment Regulations 2020 come into force, extending the following measures for a further 6 months: • Removing the unpaid "waiting days" at the start of an ESA claim if the claimant were suffering from COVID-19, were required to self-isolate in line with Public Health England advice or were caring for a child. This meant that claimants were paid from day 1 of their claim as opposed to day 8.

	• Treating everyone infected with COVID-19, or who were required to self-isolate in line with Government guidelines, as having limited capability for work in ESA without the requirement for a fit note.
17 December 2021	The Statutory Sick Pay (Medical Evidence) Regulations 2021 were laid before parliament on 16 December 2021 and applied from 17 December 2021 to 26 January 2022. These extended the period that an employee shall not be required to provide medical information from 7 days to 28 days. These regulations applied to spells of incapacity for work which either started during the period 17 December 2021 to 26 January 2022 or which commenced prior to the Regulations coming into force but which had not lasted more than 7 days on that date.
14 January 2022	The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2022. These Regulations provide for certain small and medium-size employers to apply to HMRC for a refund of the cost of paying Statutory Sick Pay (SSP) to their employees. The scheme refunds eligible employers the costs of SSP up to a certain threshold where an employee's incapacity for work is related to coronavirus. Refunds are payable in respect of days of incapacity for work occurring on or after 21 December 2021.
17 March 2022	The Statutory Sick Pay (Coronavirus) (Miscellaneous Amendments) Regulations 2022. This instrument amends the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2022 (SI 2022/5) and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) Regulations 2022 (SI 2022/9).

	The instrument closes the Statutory Sick Pay (SSP) Rebate Scheme with effect from 17 March 2022 so that any absence related to coronavirus occurring after 17 March 2022 will not be eligible for the rebate.
24 March 2022	The Coronavirus Act 2020 (Delay in Expiry: Inquests, Courts and Tribunals, and Statutory Sick Pay) (England and Wales and Northern Ireland) Regulations 2022. These Regulations extend five temporary provisions of the Coronavirus Act 2020. Provision section 43 will enable the disapplication of waiting days for absences related to coronavirus to continue, meaning that Statutory Sick Pay will be payable from day one for coronavirus-related eligible absences in Northern Ireland. The extension of this provision has been made on the formal request of the Department for Communities in Northern Ireland. The Secretary of State of Work and Pensions has agreed to this request as Statutory Sick Pay is a transferred matter for Northern Ireland. The legislative competence for this provision lies with the Department for Work and Pensions, with the territorial extent of the application for Northern Ireland only. The instrument will be reviewed regularly in line with broader policy in Northern Ireland.
25 March 2022	The Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2022. This instrument revokes deeming provisions related to coronavirus. It amends the Statutory Sick Pay (General) Regulations 1982 (S.I.1982/894) ("the SSP General Regulations") to revoke provisions which deem individuals to be incapable of work, and thereby allow for individuals to be eligible for Statutory Sick Pay (SSP), where they are self-isolating or shielding due to coronavirus but may only have very mild or no symptoms and would therefore otherwise be considered capable of work. This change came into effect on

	25 March 2022, in line with the expiry of most of the remaining temporary provisions of the Coronavirus Act 2020 at midnight on 24 March 2022.
25 March 2022	The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days) (Saving Provision) Regulations 2022. This instrument makes a saving provision following the expiry of section 40 of the Coronavirus Act 2020 at midnight on 24 March 2022. It makes provision for the disapplying of waiting days to continue in relation to periods of incapacity for work due to sickness from coronavirus that commence on or before 24 March 2022.
25 March 2022	ESA Coronavirus Act 2020 expired.
31 July 2022	As per The Universal Credit (Coronavirus) (Restoration of the Minimum Income Floor) Regulations 2021, the MIF and GSE are fully reintroduced and applied as normal.
25 September 2022	The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days) (Saving Provision) (Northern Ireland) Regulations 2022. This instrument makes a saving provision following the expiry of section 43 of the Coronavirus Act 2020 at midnight on 24 September 2022. It makes provision for the disapplying of waiting days to continue in relation to periods of incapacity for work due to sickness from coronavirus that commence on or before 24 September 2022.

ANNEX B:

DWP DECISION-MAKERS

Ministers

- At that time, the relevant ministers were:

    - Secretary of State - Therese Coffey (8 September 2019 - 6 September 2022)
    - Minister for Disabled People — Justin Tomlinson (4 April 2019 - 16 September 2021)
    - Minister for Pensions and Financial Inclusion — Guy Opperman (14 June 2017 and 8 September 2022)
    - Minister for Employment — Mims Davies (26 July 2019 and 6 July 2022)
    - Minister for Welfare Delivery —Will Quince (26 July 2019 to 16 September 2021)
    - Minister for Lords — Baroness Deborah Stedman-Scott (20 July 2019 — present)
    - Minister for Disabled People — Chloe Smith (16 September 2021 - 6 September 2022)
    - Minister for Welfare Delivery — David Rutley (17 September 2021 - 20 September 2022)

Key Individuals

- Key individuals included Nicholas Hamer (Director for COVID-19 Response) and those in the DWP Executive Team (ET). I am a member of the DWP ET and the other current members of the ET are set out below:

    - Permanent Secretary: Peter Schofield.
    - Chief Digital and Information Officer: Helen Wylie (Simon Mckinnon during the Pandemic).
    - DG Disability Health and Pensions: Katie Farrington (Jonathan Mills - 2020).
    - DG Finance: Catherine Vaughan (Nick Joicey during the pandemic).

- Labour Market and Poverty Policy: Katherine Green and Sophie Dean (Jonathan Mills during the pandemic - initially covering both policy roles).
- DG People Capability and Place: Julie Blomley (Debbie Alder during the pandemic).
- DG Service Excellence: Amanda Reynolds.
- DG Work and Health Services: Barbara Bennett (John-Paul Marks during the pandemic); and
- Corporate Transformation: Debbie Alder

- The IPDE Strand Partners are detailed in **[NC/M7/13 - INQ000575863] Implementation, Planning & Delivery Executive, Departmental Operation Centre (DOC) Overview, 06/04/2020**

SECTION 8: CLOSING SUMMARY AND STATEMENT OF TRUTH

8.1. DWP's use of its longstanding business continuity and resilience plans provided a platform to maintain the Department's vital infrastructure and ensure the continuity of DWP services.

8.2. The changes the Department made to its services, including Statutory Sick Pay (SSP), Employment Support Allowance (ESA) and Universal Credit (UC), ensured that crucial financial support was provided to those who needed it, helping people to follow Public Health England Guidance and assisting those advised to self-isolate or shield.

8.3. DWP's close collaboration with other government departments helped to promote cohesive communication and policy implementation, supporting the efficacy of the Department's response.

8.4. By examining its response to the COVID-19 pandemic in lessons learned exercises, the Department has ensured that it is even better prepared to handle future crises.

8.5. I believe that the facts stated in this witness statement are true.

Signed:

Personal Data

Dated: 13 May 2025