

Witness name: Justin Tomlinson

Statement No.: 4

Exhibits: JT4/01 – JT4/90

Dated: 1 October 2025

UK COVID-19 PUBLIC INQUIRY
MODULE 9
WITNESS STATEMENT OF JUSTIN TOMLINSON

I, **JUSTIN TOMLINSON**, will say as follows:

SECTION 1: INTRODUCTION

1. I make this witness statement to Module 9 of the UK Covid-19 Inquiry ('the Inquiry') in response to the Request for Evidence dated 19 June 2025 and marked with reference 'M9/R9R/JT' ('R9R'). I have previously given written evidence to the Inquiry in Modules 2, 4 and 7. I gave oral evidence to the Inquiry in Module 2.
2. I am providing this witness statement to explain my role as Minister of State for Disabled People, Health and Work during the period from January 2020 to 16 September 2021. Whereas in earlier Modules the focus of my evidence was in relation to my work overseeing the Disability Unit, which formed part of what became the Equality Hub, this statement addresses my wider portfolio of work within the Department for Work and Pensions ('DWP').
3. As I have previously explained to the Inquiry, I was elected as the Member of Parliament for North Swindon on 6 May 2010 and held this seat until 5 July 2024. During this time, I held the following four positions in His Majesty's Government ('HMG'):
 - a. Parliamentary Under-Secretary of State for Disabled People from 8 May 2015 to 17 July 2016;
 - b. Parliamentary Under-Secretary of State for Family Support, Housing and Child Maintenance from 9 July 2018 to 4 April 2019;

- c. Minister of State for Disabled People, Health and Work, also known as Minister for Disabled People, between 4 April 2019 and 16 September 2021; and
 - d. Minister of State for Energy Security and Net Zero between 12 April and 5 July 2024.
4. I make this statement from information and documents within my personal knowledge and information provided to me by former colleagues within the DWP, and my own experiences of the functions and operation of government. The content of this statement is true to the best of my knowledge and belief. Within the limited time and using those resources made available to me, I have endeavoured to give an accurate account of the key aspects of my involvement at DWP. I recognise that further documents and emails might be brought to my attention at a later date and I would, therefore, welcome the opportunity to supplement, clarify and/or to amend my evidence (if necessary) in the light of any such documents.
5. This statement will address the following topics:
- a. Section 2: Role and Responsibilities.
 - b. Section 3: Joint Working.
 - c. Section 4: Changes to Statutory Sick Pay Eligibility.
 - d. Section 5: Statutory Sick Pay Rebate Scheme.
 - e. Section 6: Changes to Universal Credit and Working Tax Credit.
 - f. Section 7: Kickstart.
 - g. Section 8: Job Entry: Targeted Support Scheme.
 - h. Section 9: Restart Scheme.
 - i. Section 10: 20 May 2020 Roundtable Discussion.
 - j. Section 11: Inequalities and Vulnerable Groups.
 - k. Section 12: Long Covid.
 - l. Section 13: Data and Modelling.
 - m. Section 14: Reflections and Lessons Learned.
6. For information regarding my informal communications, I refer to Annex A of this statement.

SECTION 2: ROLE AND RESPONSIBILITIES

Responsibilities

7. My wider responsibilities as Minister for Disabled People included **[Exhibit JT4/01 - INQ000187661]**:
 - a. financial support for those at risk of falling out of work, and disabled claimants including Statutory Sick Pay ('SSP'), Disability Living Allowance, Personal Independence Payment ('PIP'), Employment and Support Allowance ('ESA') and Carer's Allowance ('CA');
 - b. some specific disability policy and cross-government responsibility for disabled people;
 - c. oversight of the Disability Unit ('DU'), and convenor of Ministerial Disability Champions;
 - d. work and health strategy, including sponsorship of the joint DWP / Department for Health and Social Care Work and Health Unit, and disability benefit reform;
 - e. disability employment, and disability employment programmes;
 - f. managing the Serious Case Panel in conjunction with Thérèse Coffey, Secretary of State for Work and Pensions; and
 - g. the Devolution Framework.

8. In reality, the vast majority of my time was consumed by ensuring financial support for those at risk of falling out of work. Most of my work as Minister for Disabled People during the pandemic focused on the following:
 - a. Maintaining the disability benefit system to ensure payments continued to be processed and computer systems did not fall over. When COVID-19 hit, there was a significantly reduced work force due to illness, the inability of people to physically go into work, and the redeployment of many benefit assessors to the NHS. We needed to work out how we could make sure, with what limited capacity we had, that people with or needing benefits did not drop out of the system. To do this, we automatically extended benefits, consulted with stakeholder groups to ensure our online forms were not causing issues, and used effective communication to lessen public panic around benefits. We were also able to rapidly design a system for new claimants which switched

the process from a one hour assessment, to a telephone assessment, and then to a video assessment. To undertake this, we had a huge amount of stakeholder engagement for feedback which was overwhelmingly positive.

- b. 'Supporting Access to Work' - this was a government scheme that helped with the financial cost that goes beyond what an employer would have to do under the law. If a person had needs beyond this, DWP would have to step in to assist so we sped up the process and allowed money to be spent on home working. This system worked so well it became the new norm. It allowed a cohort of people who had never been able to work because of a lack of access to a physical workplace get a job, and change their future.
- c. Ensuring unpaid carers would be able to continue to claim CA if they had a temporary break in caring, because they or the person whom they were caring contracted COVID-19 or if they had to isolate because of it. Under the normal rules, there are restrictions on breaks in care, however these were lifted on 31 August 2021. Restrictions were also lifted on 31 August 2021 for emotional support, including by phone or video call, which would count towards the CA threshold of 35 hours per week. Previously, only traditional face-to-face care would count towards the threshold. This allowed carers to continue to receive payments when they were unable to provide face to face care, due to shielding, whilst also making sure that the vulnerable would continue to receive the necessary emotional support. This change for emotional support was not introduction by legislation, but was introduced via guidance, and was well received.

DWP Structure and my Office

- 9. The DWP corporate statement explains the structures of the DWP and the key individuals responsible for different areas of work undertaken by the department. I worked closely with the Secretary of State for Work and Pensions, Thérèse Coffey, with whom I had a very good working relationship. I was largely responsible for areas of work relating to disabled people, although I had some awareness of work which fell to other ministers. The Minister for Pensions and Financial Inclusion was Guy Opperman. The Parliamentary Under-Secretary of State for Employment, also known as the Minister for Employment, was Mims Davies. The Parliamentary Under-Secretary of State for Welfare Delivery, also known as the Minister for Welfare

Delivery, was Will Quince. A number of the questions in the R9R relate to areas of work outside my remit and the remit of these ministers.

10. My Office was run by a number of excellent staff, including my Private Secretary. I was grateful for the efficient and professional manner in which the whole of my team worked. They ensured that I was supported in all meetings and through correspondence, leading to a complete record of my work as a Minister.

11. For completeness, the DU, which I oversaw, was formed in November 2019. It brought together the Office for Disability Issues and other experts from across government. In September 2020, the Equality Hub in the Cabinet Office was created, when the Race Disparity Unit, the DU and the Government Equalities Office were brought together. The Director of the DU was Marcus Bell. The stated aim of the DU was to: “break down the barriers faced by disabled people in the UK. We’re creating an evidence-based disability strategy that understands the lived experience of disabled people.” **[Exhibit JT4/02 - INQ000187662]**. The DU was responsible for:
 - a. the national strategy for disabled people (renamed National Disability Strategy on publication);
 - b. bringing the views, insights and lived experience of disabled people to the centre of policy making;
 - c. helping departments to develop and monitor policies that remove barriers faced by disabled people;
 - d. supporting me as Minister for Disabled People;
 - e. the coordination of cross-government engagement on policies relating to disabled people;
 - f. co-ordinating the implementation of the UN Convention on the Rights of Persons with Disabilities across government; and
 - g. helping to ensure businesses support their disabled customers by appointing Disability and Access Ambassadors.

SECTION 3: JOINT WORKING

12. As stated above, I was a Minister of State within the DWP. I had a very good working relationship with the Secretary of State for Work and Pensions, Thérèse Coffey. I considered that she was hard working and took her job incredibly seriously. She was always immersed in the detail of the policies and the legislation emanating from the Department. I felt my strengths lay in meeting with stakeholders, which she was more

than happy to allow me to undertake. I kept the Secretary of State for Work and Pensions informed of my work with a weekly summary through my Private Office.

13. As explained above, I was fortunate to have a hard working Private Office who kept me apprised of issues as they arose and ensured I considered submissions and made decisions in good time.
14. The Secretary of State for Work and Pensions was responsible for decisions made by ministers and officials within the department. She attended Cabinet and any necessary meetings with the Prime Minister's Office and the Treasury, along with any inter-ministerial work. This was not something I was involved in although I often briefed her before Cabinet and other meetings when the topic of her discussions would touch on my team's work. On occasion I sat in for the Secretary of State for Work and Pensions at Covid O meetings when she had to be at another meeting, but this was rare. There were some other occasions where the subject matter might be technical and specific to the work undertaken by my officials and I, and so I would attend in her place.
15. Ultimately, the then Secretary of State for Work and Pensions is better placed to inform the Inquiry about the working relationships between DWP and other Government Departments. The corporate statement can also give information in relation to those relationships.

SECTION 4: CHANGES TO STATUTORY SICK PAY ELIGIBILITY

Collaboration with the Chancellor of the Exchequer

16. I have been asked about SSP being part of a potential package of economic support measures sought by the Chancellor of the Exchequer on 27 February 2020. I have no specific recollection that I was personally consulted or informed about this at the time. SSP was the subject of constant policy debate prior to the pandemic. The Secretary of State for Work and Pensions and officials through the corporate statement are better placed to advise the Inquiry regarding the Department's potential policy changes in this area of work in the context of COVID-19 and the initial stages of the pandemic.
17. I have also been asked whether I attended a meeting between the Prime Minister and the Chancellor on 5 March 2020 regarding changes to SSP. I did not attend a meeting

involving the Prime Minister and the Chancellor and cannot assist the Inquiry as to what was discussed.

Key Decisions

Eligibility for SSP

18. As part of the government's financial support package for businesses, an SSP Rebate scheme was introduced, which allowed small and medium employers with fewer than 250 employees to claim back the costs of two weeks' SSP for absences related to coronavirus. The extent of my involvement in that scheme is explained below. Temporary changes to SSP were also introduced to support individuals to self-isolate, or to shield, in line with public health guidance. This entailed the temporary suspension of waiting days for absences related to COVID-19 so that SSP was payable from the first day of work missed, rather than the fourth.

19. Proposals for SSP-related reforms were mostly subject to inter-departmental discussion and co-ordination among the Department for Business, Energy and Industrial Strategy ('BEIS'), DWP, Department of Health and Social Care ('DHSC') and HM Treasury. Generally speaking, on the one hand, you had BEIS seeking to protect costs to business and HM Treasury maintaining a grip on funding, whereas on the other, you had DHSC keen to expand spending on SSP. Following these inter-departmental discussions with their competing interests, DWP were the Department that had to put agreements reached into action. This was also the case during the pandemic. I had limited involvement in the decision-making process relating to the changes to SSP eligibility. I was more actively involved in the discussions surrounding the wider SSP reform proposals. Where I had some involvement in decision-making relating to the Covid-related temporary extensions of eligibility, it was limited to overseeing, approving or signing decisions on behalf of the Secretary of State for Work and Pensions, usually on the advice of DWP officials and senior civil servants, and always subject to the views of the Secretary of State for Work and Pensions. On 30 March 2020, I initially agreed with officials that the rules in relation to SSP should not be amended to allow those shielding at home to claim. Instead, the advice I received, and which I accepted, was that businesses should make use of the furlough scheme [Exhibit JT4/03 - INQ000626478].

20. Most key decisions in this area of work were not made by me, although I did on occasion take a more active role in the process. For example, my initial decision on 30

March 2020 was re-confirmed in a decision by myself and the Secretary of State for Work and Pensions in April 2020 **[Exhibit JT4/04 - INQ000626479]**, although it was agreed at the time that this decision would be kept under review.

21. The rationale for encouraging businesses to furlough their shielding staff was that it would reduce or eliminate the need for SSP to be extended to those clinically vulnerable and shielding. However, as there were concerns that many businesses failed to furlough those shielding, I supported a decision as early as 7 April 2020, to approve a recommendation by officials to extend entitlement to SSP to those shielding, on the condition that it would be made clear in communications that this was intended as a safety net and that employers should be furloughing employees where possible **[Exhibit JT4/04 - INQ000626479]**, **[Exhibit JT4/05 - INQ000626480]**, **[Exhibit JT4/06 - INQ000626481]**.

LEL and extending SSP

22. In 2019, the then Government had proposed removing the Lower Earning Level ('LEL') and making SSP more flexible to enable employees to receive a combination of SSP and their usual wages and so facilitate phased returns to work. The proposed changes formed part of an ongoing discussion, which continued throughout the period of the pandemic and culminated in the next government deciding not to make any changes.
23. I was involved to some degree in the ongoing discussions surrounding the possible extension of SSP to employees below the LEL, although I did not make any decisions regarding the relevant proposals **[Exhibit JT4/07 - INQ000626482]**, **[Exhibit JT4/08 - INQ000626483]**, **[Exhibit JT4/09 - INQ000626484]**. In July 2021, I received advice from DWP officials that primary legislation was required in order to extend SSP to employees below the LEL **[Exhibit JT4/10 - INQ000626485]**. I was aware that the proposal was likely to run into some opposition from other government departments **[Exhibit JT4/10 - INQ000626485]**. I left my ministerial role in September 2021 but am aware that a decision was taken not to make any changes to LEL because to do so would have placed immediate additional costs on businesses, many of which were already struggling due to the pandemic.

Other relevant changes

24. Regarding the other key decisions in relation to SSP eligibility changes, I recall that the decision to remove the waiting period for SSP was made by the Secretary of State for Work and Pensions following advice by DWP officials who advised that individuals who were in receipt of SSP from the first day they were off work would ensure that those who were unwell or who were self-isolating as a precaution could do so without fear of losing income **[Exhibit JT4/11 - INQ000592912]**.
25. In early March 2020, the government committed to bringing forward changes through emergency legislation, which included - among other things - the removal of the four-day period of incapacity for work requirement. The subsequent changes applied retrospectively from 13 March 2020 and upon the introduction of the Statutory Sick Pay (Coronavirus) (Suspension Of Waiting Days And General Amendment) Regulations 2020 2020 No. 374. I do not recall being involved in a decision-making capacity regarding this amendment, although in April 2020 I was asked to approve a submission by officials which advised, among other things, sending a letter and Explanatory Memorandum to the Social Security Advisory Committee ('SSAC'), along with the relevant Equality Analysis, following the urgent introduction of the regulations without previously consulting with SSAC. I approved the submission and agreed to the letter, Explanatory Memorandum and Equality Analysis being sent to SSAC **[Exhibit JT4/12- INQ000626486]**.
26. The decision not to extend SSP to self-employed individuals arose from the fact that they were instead eligible for other economic support measures such as the Self-Employment Income Support Scheme, Government loan schemes, various business grants, and changes to Universal Credit ('UC'). I do not recall being involved in any relevant decision-making on this issue.
27. The decision not to increase the rate of SSP was made following advice by DWP officials, who observed that this would increase the incentive to stay off sick beyond any required isolation period. This again was not a decision I recall being personally involved in any decision-making capacity **[Exhibit JT4/13** INQ000655333**]**.
28. Finally, the decision to revoke the changes to SSP in England, Wales, Scotland and Northern Ireland were made in March 2022. Whilst I was no longer in post, I understand that these were decisions taken by the Secretary of State for Work and

Pensions following advice by her officials. Changes in Northern Ireland were delayed until September 2022. This was a decision made by the then Minister for Communities in Northern Ireland, Deirdre Hargey MLA. Again, I was not in post at the relevant time, so I was not involved in any decision-making capacity at that stage.

29. In late April 2020, I agreed to support a recommendation to introduce regulations to discount any periods of Emergency Volunteering Leave from the relevant eligibility period for SSP **[Exhibit JT4/14 - INQ000626487]**. I was also consulted on matters which related to the urgent referral of advice relating to regulations issued at pace **[Exhibit JT4/15 - INQ000626488]**. As a number of coronavirus-related SSP Regulations were made under urgency provisions, allowing the Department to make these Regulations without the normal advance consultation with the SSAC, I was asked to approve subsequent referrals to the SSAC, which I did promptly **[Exhibit JT4/15 - INQ000626488]**.
30. During the relevant period, I was also actively involved in the wider discussions surrounding the 'Health is Everyone's Business' ('HiEB') consultation - this related to the broader proposals for SSP reform, which continued in the background during the pandemic, but were mostly relevant to post-Covid reform. The HiEB put forward a number of proposals to minimise the risk of ill-health related job loss through better workplace support for disabled people and those with long-term health conditions. It explored changes to SSP, Occupational Health, information and advice, and employer guidance **[Exhibit JT4/16 - INQ000626489]**, **[Exhibit JT4/17 - INQ000626490]**. The stream of work arising or relating to the HiEB consultation was primarily concerned with broader discussions on reform in the post-Covid era, separate from the immediate and urgent need to make pandemic-related eligibility changes. In this context, I was sometimes asked to support submissions relevant to the ongoing discussion on reform in this area. For example, as the Secretary of State for Work and Pensions and I were both in agreement that SSP was in need of broader reform, in March 2021 I approved a submission which recommended the launch of a new consultation for the wider reform of SSP, which would be announced in the response to the HiEB consultation **[Exhibit JT4/18 - INQ000626491]**, **[Exhibit JT4/19 - INQ000626492]**, **[Exhibit JT4/20 - INQ000626493]**.
31. In May 2020, I agreed with the Secretary of State for Work and Pensions that SSP should be made available to people advised to self-isolate through whatever specific policy DHSC decided to put in place **[Exhibit JT4/21 - INQ000626494]**. In August

2020, I approved a submission on behalf of the Secretary of State for Work and Pensions which recommended that SSP should be extended to individuals undergoing planned or elective surgery. I was of the opinion that this was necessary, as the number of operations had significantly fallen given that the NHS was concentrating on COVID-19. I was of the view that by the time the NHS was back to normal, people would probably no longer need to self-isolate for 14 days, and we did not want to put up any barriers to people following the guidelines [Exhibit JT4/22 - INQ000626495].

32. I was often asked to give my view on whether amendments were needed to existing regulations. For example, in September 2020, officials sought my view on whether to amend the Statutory Sick Pay (General) Regulations 1982 in respect of employees returning to work after being furloughed who subsequently fell sick or had to self-isolate. Officials recommended not making the relevant change because only a few thousand employees could potentially be impacted by this scenario, employees had already been returning from furlough with no related disputes raised with HMRC, the level of complexity for an employer in calculating which weeks to disregard in calculating eligibility, and there had been limited interest in the effects of the furlough scheme on an employee's eligibility for SSP. Officials warned that any deviations from our primary objective of introducing Covid-specific reforms posed a risk to the integrity of the wider reforms under discussion - thus, making such changes could raise questions about why they hadn't been previously introduced. I agreed that the changes were not necessary in the circumstances, and recommended not introducing them [Exhibit JT4/23 - INQ000626496] [Exhibit JT4/24 - INQ000655334].

33. In November 2020, I received an update from officials regarding the Scottish Government's approach to those shielding. In particular, officials informed me that letters issued by the Scottish Government for individuals who were shielding because their workplace could not be made covid-secure could also be used for the purpose of applying for SSP. The advice from officials was that the way the relevant letters were formulated could create issues with SSP eligibility, with employers refusing to pay out SSP on the basis that the letters did not expressly tell the recipient to follow shielding measures where their workplace could not be made covid-secure. I agreed with officials that the Scottish Government needed to amend the content of the letters to ensure that recipients could rely on them to claim SSP where their workplace could not be made covid-secure and where they were expressly advised to shield for this reason. The advice was also shared with the Scottish Government. I concurred with the advice of officials and took the view that the Scottish Government needed to

introduce the relevant amendments in order to fit with the already laid regulations [Exhibit JT4/25 - INQ000626497].

34. I have been asked a number of other questions by the Inquiry, some of which I am unable to answer, particularly bearing in mind that I was not the minister ultimately responsible for SSP and was not the decision-maker of any changes to that system. My view is that the changes that were brought about as a result of the pandemic were pragmatic, sensible and necessary, with those receiving the benefit clearly in mind. The Department was responding to feedback from those receiving the benefit and we responded. I thought that the SSP changes were a part of a large package of changes to assist the individual and businesses in a time of crisis.
35. I have been asked about eligibility for SSP not being widened to parents and carers looking after children who were not in school. This was not an issue that I dealt with at the time and am unaware of the reasoning behind this. The same applies for groups of people not covered by SSP such as the self-employed and gig economy workers. It was not something that I considered at the time and do not feel able to comment upon the same in retrospect.
36. I have no comments to make in relation to the suitability of the implementation of the changes through the Coronavirus Bill. I was unaware of any issues with this at the time that it was happening but again was not involved in the Bill. I assume that it was the quickest and most efficient way of dealing with it at the time.
37. I am unaware of the methods of communicating with employers and employees regarding the changes to SSP, and so cannot comment on the success or otherwise of the same. I would refer the Inquiry to the corporate statement on this point. I would also suggest referral to the corporate statement in relation to DWP's approach to fraud and error in SSP changes. It was not something that I was dealing with at the time and thought that this was an issue for HM Treasury ('HMT') in any event.
38. Stakeholders I met with did not suggest further changes were necessary to the SSP system. Had they raised such issues I would have raised it with officials and indeed they would have raised it with officials and the minister responsible for SSP. The changes to SSP eligibility being removed were not a matter for me and so I do not feel able to comment on whether the timing of their removal was appropriate. I would give the same response in relation to whether the changes were value for money or not.

SECTION 5: STATUTORY SICK PAY REBATE SCHEME

39. I was not responsible for the key decisions, core policy design, implementation, delivery, and monitoring and evaluation of this scheme, as such I did not conduct any stakeholder consultation for it. I understand that whilst the rebate scheme was a DWP policy, the Chancellor of the Exchequer made the decision to introduce the scheme following discussions with the Prime Minister, and with the agreement of the Secretary of State for Work and Pensions. The details surrounding the architecture of the scheme is explained in the DWP corporate statement. If stakeholders raised issues regarding this or any other DWP scheme I would have ensured that my officials passed those concerns on to the relevant minister and their team. However, I did consider some submissions from my officials on the Statutory Sick Pay Rebate Scheme ('SSPR') and signed regulations on behalf of DWP. It would often be the case that junior ministers would sign regulations on behalf of the Secretary of State for Work and Pensions. I summarise my involvement with matters relating to the scheme below.
40. On 27 January 2021, my Assistant Private Secretary sent me a submission on the future of SSPR. I was asked i) whether I agreed that SSPR should remain open beyond 31 March 2021 and ii) if I did agree, whether SSPR should remain in alignment with the suite of Government COVID-19 business support measures, subject to HMT's agreement. I noted the likelihood of continuing high numbers of self-isolations in 2021-22, and duly answered in the affirmative to both questions **[Exhibit JT4/26 - INQ000626498]**.
41. I received a further submission from my Assistant Private Secretary on 10 February 2021. This submission recommended that I agree to a planning assumption of a six-month extension of SSPR for the purposes of Spring Budget costings. I responded by confirming my agreement, noting that it was a sensible position **[Exhibit JT4/27 - INQ000626499]**, **[Exhibit JT4/28 - INQ000626500]**.
42. On 25 August 2021, I received an urgent box note **[Exhibit JT4/29 - INQ000626501]** from my Diary Manager regarding the closure of SSPR to any new claims after 30 September 2021. It was recommended that I agree to a three-month administrative window for retrospective claims only. I agreed to this course of action **[Exhibit JT4/30 - INQ000626502]**, based on my officials' advice that it was the best option at the time. In the event that further COVID-19 winter waves commenced then the scheme could

have been switched back on. I left my position in September 2021 and so cannot say whether these considerations took place during autumn 2021.

43. On 3 September 2021, I approved a submission from my officials which outlined the approach to be taken in closing SSPR, which also included consideration of an Equality Analysis **[Exhibit JT4/31 - INQ000626503]**. Subsequently, on 8 September 2021, I signed 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 on behalf of DWP **[Exhibit JT4/32 - INQ000626504]**.

Reflections

44. As I was not directly responsible for the key decisions regarding SSPR, I am unable to give my personal reflections on the specific parameters of the scheme. However, in terms of any recommendations I would ask the Chair of the Inquiry to consider from an overarching perspective, I would like to suggest that if the Government were to expend public funds for a similar purpose to SSPR, these funds should be spent on supporting small businesses themselves and equipping them with the adequate knowledge and expertise in order to prevent people with deteriorating health conditions from dropping out of work in the first place. I outline my reasoning as follows:

- a. For an individual with a deteriorating health condition, they are already having to deal with the challenge of the condition itself; losing their job, therefore, is an additional challenge altogether. This means these individuals are already contending with two difficult separate challenges.
- b. As a consequence, it is significantly more challenging for individuals with deteriorating health conditions to return to work than if small businesses were able to retain them in the first place. Instead of expensive support programmes to assist people back into work, from which we have seen poor outcomes, more support could have been given directly to small business employers for significantly less money, which would have prevented job loss.
- c. For example, if an employee had worsening back pain, they may believe that they can no longer function appropriately in their job. However, if the employer, with requisite support from the Government, had a human resources department which had a full understanding of how to manage back pain by adjusting office furniture, they would likely still be able to continue working.

45. In light of the above, although SSPR might have been a sensible decision at the time to support employers, I am of the view that it did not fix the fundamental issue that small businesses did not have the means to adequately support employees with deteriorating health conditions.

46. Beyond these views that I have expressed, I am unable to comment further on the merits of the scheme per se, the policy design of the scheme, the accessibility of the scheme, and the adequacy of safeguards in place to prevent fraud. I would refer the Inquiry to the corporate statement on these matters.

SECTION 6: CHANGES TO UNIVERSAL CREDIT AND WORKING TAX CREDIT

47. I was not involved with the policy design, implementation, delivery, monitoring and evaluation of the uplift to UC and Working Tax Credits ('WTC') – this was under the remit of Will Quince, the then Minister for Welfare Delivery. During the policy design process, Mr. Quince would have been responsible for considerations on whether the uplift equivalent to that made to UC from April 2020 should also have been provided to individuals on legacy benefits.

Consultation on whether UC uplift should be extended to individuals on legacy benefits

48. Although I was not involved with the policy design of the UC and WTC uplift itself, in my role as Minister for Disabled People, I was aware of the issue of not extending the £20 uplift to UC to individuals on legacy benefits, and this was raised in meetings with relevant stakeholders. All their feedback would then be passed onto the then Minister for Welfare Delivery, Will Quince.

49. For example, on 2 February 2021, the Secretary of State for Work and Pensions and I received an email from Matthew Harrison of the Royal Mencap Society [**Exhibit JT4/33 - INQ000626505**], [**Exhibit JT4/34 - INQ000626506**] which enclosed a report from the Disability Benefits Consortium ('DBC') titled 'Pandemic Poverty: Stark choices facing disabled people on legacy benefits' [**Exhibit JT4/35 - INQ000626507**]. This report called for the £20 per week uplift to UC to be extended to legacy and similar benefits (and backdated to April 2020), and for the £20 uplift to be also renewed in 2021-22, above the normal inflation uprating. In my role as Minister for Disabled People, I responded to Matthew Harrison on behalf of the Secretary of State for Work and Pensions and I offered to hold a meeting [**Exhibit JT4/36 - INQ000626508**].

50. On 10 March 2021, I attended the meeting with Matthew Harrison, Geoff Fimister and **NR** representing the DBC regarding the above-mentioned report **[Exhibit JT4/37 - INQ000626509]**. In readiness for this meeting, my Assistant Private Secretary sent me a briefing which, among other things, helpfully noted the following **[Exhibit JT4/38 - INQ000626510]**:

- a. *“There are no plans to extend a benefit increase to legacy benefits”*
- b. *“Support has been focused on UC and Working Tax Credit claimants because they are more likely to be affected by the sudden economic shock of COVID-19 than other legacy benefit claimants”*
- c. *“Legacy benefit claimants can make a claim for UC if they believe that they will be better off”*
- d. *“A two-week run on of Income Support, Employment and Support Allowance (IR) and Jobseeker’s Allowance (IB) is available for all claimants whose claim to UC ends entitlement to these benefits to provide additional support for claimants moving to UC”*

51. On 12 March 2021, in my weekly note to the Secretary of State for Work and Pensions, I confirmed that I met with the chairs of the DBC on 10 March 2021 to discuss their recent report. It was one of a number of topics covered at the meeting - whilst the discussion was initially aimed at the extension of the £20 uplift to UC for those on legacy benefits, it covered a wider range of other current topics. The discussion was productive and seemed to be well received, but it did not result in any changes to the UC policy in line with the recommendations set out in the relevant DBC report **[Exhibit JT4/39 - INQ000655335]**.

52. I had sympathy with the argument that stakeholders on legacy benefits should have had the equivalent uplift, notwithstanding the difficulties and complexities in delivering that. The Inquiry has asked whether the decision not to provide that equivalence was influenced by the fact that the UC uplift could be leveraged as a potential incentive to encourage legacy claimants to transfer to UC. I do not think that that was the primary reason. UC was operated using a modern computer based system which could be tweaked overnight affecting hundreds of thousands of people. Legacy benefits were administered on an individual manual process basis and there wasn't the staff to deal with those claims, not least because many had been re-deployed to assist with the vaccine effort. Logistically, I think it was too big a challenge but I repeat that I certainly

had sympathy with those claimants. No doubt the corporate statement will deal with this issue.

53. More information on DWP's actions regarding the uplift to UC and WTC can be found in DWP's corporate witness statement.

Further involvement in matters relating to UC/WTC

54. The extent of my decision-making in the context of UC and WCT-related matters was limited to the approval of submissions relating to the dispensation of the relevant benefits, such as publishing the findings of research reports into claimant experience of telephone-based health assessments for PIP, ESA and UC **[Exhibit JT4/40 - INQ000626511]**. In addition, in March 2021, I was asked to approve a submission recommending that Fit For Work decisions in respect of PIP, Work Capability Assessments ('WCA'), UC and new style ESA and Industrial Injuries Disablement Benefit were conducted via video call **[Exhibit JT4/41 - INQ000626512]**. It was recommended to me by officials that this change take place from 25 March 2021. I approved this. The feedback from claimants/stakeholders I spoke to was that these changes were welcomed. The Inquiry has asked a number of specific questions surrounding easements relating to UC. Will Quince, the then Minister for Welfare Delivery, is best placed to comment on these matters.

55. In addition, I was sometimes asked to approve submissions on behalf of the Secretary of State for Work and Pensions. For example, in early 2020, I approved a submission regarding the pausing of WCA during the pandemic. The submission was subsequently returned to me with substantial amendments by the Secretary of State for Work and Pensions, who had raised some concerns regarding the proposal to pause certain WCAs. The Secretary of State for Work and Pensions wanted to continue with WCAs where there was enough medical evidence, and was keen to continue with WCA referrals as normal for ESA only claims, but wanted to pause WCAs for UC only claims, whilst marking the latter as priority for when things were 'up and running' again **[Exhibit JT4/42 - INQ000626513]**. I subsequently agreed and fully supported the Secretary of State for Work and Pensions' proposed approach. On the issue of why the Secretary of State for Work and Pensions was content to pause WCAs for UC only claims, but wanted to continue these as normal for ESA only claims, I recall that this decision would have been made to balance the capacity that we had to

conduct these assessments. I do not recall being involved with the issues surrounding fraud and error with respect to this decision.

56. Sometimes I approved responses to various communications from stakeholders regarding UC, such as DBC and various Mental Health charities **[Exhibit JT4/43 - INQ000626514]**, **[Exhibit JT4/44 - INQ000626515]**, and was also asked to approve press releases on matters relating to changes which concerned or pertained to disabled individuals and access to benefits, such as a press release on the extension of a Video Relay Service to all DWP services in late 2020 **[Exhibit JT4/45 - INQ000626516]**. For example, in April 2020, I approved a post for publication on the government website regarding the roll out of a video relay service providing British Sign Language interpreters for those with hearing loss seeking to access UC **[Exhibit JT4/46 - INQ000626517]**. At the end of April 2020, and following the urgent introduction of the Social Security (Coronavirus) (Further Measures) Regulations 2020 and The Social Security (Coronavirus) (Further Measures) Amendment Regulations 2020 on ESA and UC which had been made without approval from SSAC, I approved a letter and explanatory memo to SSAC explaining the positive nature of the regulations and showing that the public sector equality duty had been followed. This was done on the advice of officials **[Exhibit JT4/47 - INQ000626518]**. However, officials were reluctant to share Equality Analyses with SSAC regarding UC, due to the concerns of disclosing sensitive information in the public domain; in response to these concerns, I personally directed officials that we should be ready to send these Equality Analyses if the SSAC was not satisfied **[Exhibit JT4/48 - INQ000654175]**.

57. I was often asked to provide my opinion on the advice of officials prepared for the benefit of the Secretary of State for Work and Pensions. Whilst I didn't actively engage in a decision-making capacity, I was often asked to give my views and thoughts on various matters relating to pandemic-related changes to UC and other benefits **[Exhibit JT4/49 - INQ000654176]**, **[Exhibit JT4/50 - INQ000626519]**, **[Exhibit JT4/51 - INQ000626520]**, **[Exhibit JT4/52 - INQ000626521]**, **[Exhibit JT4/53 - INQ000626522]**, **[Exhibit JT4/54 - INQ000626523]** including on more substantial decisions, such as on the content of DWP's submissions to HMT on Departmental Expenditure Limits and Annually Managed Expenditure funding requirements for 2020-2021 **[Exhibit JT4/55 - INQ000626524]**.

58. I also expressed my disagreement with a proposal to remove access to UC for disabled students on the basis that it would have prevented them from reaching their full

potential. I took the view that the potential cost savings would not justify the level of public backlash this would provoke in the circumstances, and it was not a proposal that I felt comfortable supporting **[Exhibit JT4/56 - INQ000626525]**. Regulations allowing disabled students to access UC were ultimately brought forward and came into force on 5 August 2020 (Universal Credit (Exceptions to the Requirement not to be Receiving Education) (Amendment) Regulations 2020), breaching the 21 day convention, as they were introduced on an extremely urgent basis. In September 2020, I was asked to approve a retrospective consultation with SSAC on this topic, given that the regulations had been introduced with such urgency, leaving no time to consult with the SSAC **[Exhibit JT4/57 - INQ000626526]**. The decision to introduce the relevant regulations on an urgent basis was subsequently questioned by the Secondary Legislation Scrutiny Committee ('SLSC') - in September 2020, I approved a draft response to the SLSC, explaining the need for the urgency in the circumstances **[Exhibit JT4/58 - INQ000626527]**.

59. In May 2020, I received submissions from officials regarding the natural migration ('NM') to UC and tax credit claimants moving to UC during the pandemic, prepared for the benefit of the Secretary of State for Work and Pensions and Minister for Welfare Delivery. The submission considered the feasibility of reducing the numbers of NMs to alleviate pressure on UC delivery, given the massive increase in claims for UC since the beginning of the crisis. Officials' advice was that this would not alleviate the pressure - it would simply transfer it over to the team dealing with legacy benefits, and so there would be no value in changing the NM triggers. This would also potentially undermine a natural cornerstone of UC. In relation to tax credit claimants moving to UC, officials advised not to implement changes in this area. I was supportive of the advice provided by officials to the Secretary of State for Work and Pensions and Minister for Welfare Delivery, and I was in agreement that no changes were necessary in the circumstances **[Exhibit JT4/59 - INQ000626528]**.

60. I was also consulted on the introduction of new reciprocal arrangement regulations between Great Britain and Northern Ireland (Draft UC (Northern Ireland) Reciprocal Arrangement Regulations), aimed at ensuring that some UC claimants would not be missing out financially for moving location between NI and GB (their claim would be treated as new and they'd have to wait for the extra premiums that they'd previously been entitled to). On this occasion, the Secretary of State for Work and Pensions did not agree to the extension on the basis of her understanding that UC was a devolved area, which was incorrect. I agreed with officials that we needed new reciprocal

arrangement regulations and that the Secretary of State for Work and Pensions needed to be persuaded to accept the officials' advice, given the need for parity **[Exhibit JT4/60 - INQ000626529], [Exhibit JT4/61 - INQ000626530]**.

61. I was often asked to sign regulations on behalf of the Secretary of State for Work and Pensions, particularly in her absence. For example, in May 2020, I was asked to comment on a submission addressed to the Secretary of State for Work and Pensions in respect of several amendments to the Social Security (Persons of Northern Ireland - Family Members) Regulations (which entailed UC-specific amendments) and to approve the regulations being forwarded on to the SSAC and the Local Authority Association for scrutiny **[Exhibit JT4/62 - INQ000626531]**. In addition, in April 2021, I was asked to sign the Social Security (Coronavirus) (Miscellaneous Amendments) Regulations 2021 on behalf of the Secretary of State for Work and Pensions, which extended a number of measures relating to several benefits, including UC **[Exhibit JT4/63 - INQ000626532]**. In the absence of the Secretary of State for Work and Pensions, officials sometimes also asked me to approve reports for publication, such as the IGR quarterly report in July 2021, for example **[Exhibit JT4/64 - INQ000626533]**.

62. I have been specifically asked whether information about the uplift to UC was accessible to disabled people or people with a health condition and whether more could have been done by DWP in this respect. The corporate statement will no doubt deal with the information available to those groups on UC. My understanding is that the uplift was applied automatically and so in the vast majority of cases, recipients of UC would receive the uplift automatically without the need to apply for it.

SECTION 7: KICKSTART

63. In relation to the Kickstart Scheme, my involvement was limited to specific disability considerations regarding its design. I was not directly involved with the implementation, delivery, monitoring and evaluation of the scheme. Mims Davies, the then Minister for Employment, was responsible for the core aspects of Kickstart. My involvement is set out below.

64. On 30 July 2020, I received a submission from my Private Secretary regarding Kickstart's proposed eligibility criteria and the role of the 'Work Coach' within the scheme. The proposed eligibility criteria in the submission stated that, in order to be

eligible for a Kickstart job, an individual must be wholly unemployed (no earnings), assessed by a Work Coach as work ready (i.e. not needing support first to be able to meaningfully engage with the opportunity), and a good fit for an available placement as agreed by a Work Coach and the candidate [Exhibit JT4/65 - INQ000592929]. I was asked whether I wished to become involved in the scheme. Roundtables with charities and community groups were proposed. In response, I stated that Will Quince, the then Minister for Welfare Delivery, was fine covering this specifically, and agreed with suggesting that disability groups should be added to Will Quince's roundtables. [Exhibit JT4/66 - INQ000626534]. However, for the avoidance of doubt, Mims Davies was still comprehensively responsible for Kickstart as a whole.

Stakeholder consultation

65. I consider that there was sufficient consultation with stakeholders representing young disabled people during the policy design of Kickstart. As I was not directly involved with the policy design of this scheme, I am unable to comment exhaustively on concerns raised from stakeholders regarding Kickstart, save for the below information. More detail regarding stakeholder consultation can be found in DWP's corporate witness statement.
66. On 11 November 2020, I attended an employer roundtable led by the Royal Mencap Society ('Mencap'), which supports people with learning disabilities. During this discussion, we heard from employers and businesses, including Coca Cola, Clipper, and RHA News, on how Kickstart could help assist more people with learning disabilities into work [Exhibit JT4/67 - INQ000626535].
67. On 20 November 2020, Mark Capper, the Head of Development at Mencap, sent an email to my ministerial inbox thanking me for my engagement at the roundtable and also flagging that there was no incentive nor recommended adjustments within Kickstart to increase the likelihood of people with a learning disability accessing opportunities. In response, I ensured this was passed onto Mims Davies, the then Minister for Employment [Exhibit JT4/68 - INQ000626536].
68. On 15 March 2021, I attended a meeting with the National Deaf Children's Society, Leonard Cheshire, and the Youth Employment Group to discuss access for disabled people under the Plan for Jobs programmes, which included Kickstart. During this meeting, a young deaf disabled person who had recently started Kickstart was present,

which provided an ideal opportunity to learn about his experiences and hopes for the future. It was also suggested at the meeting that better advertising was needed to demonstrate that those with a long-term health condition or disability could work fewer hours than 25 as a reasonable adjustment. Subsequently, on 19 March 2021 in my weekly note to the Secretary of State for Work and Pensions, I acknowledged the Secretary of State for Work and Pensions' steers on the submission regarding expanding eligibility to Kickstart, which I will outline further in the below paragraphs, and asked my team to discuss linking up the narrative with communications colleagues **[Exhibit JT4/69 - INQ000626537]**.

Inclusivity of Kickstart for people with disabilities and health conditions

69. I can confirm that in or around February 2021, I requested advice on what more could be done to ensure Kickstart was inclusive for people with disabilities and health conditions.

70. On 20 January 2021, I received an email from a constituent who contacted me in my role as Minister for Disabled People in relation to the Kickstart scheme. The constituent noted that there was only one qualifying benefit for Kickstart, which was UC, and thus their son on PIP was missing out on employment opportunities. As such, the constituent emphasised that they had a strong desire for Kickstart to be accessible to young people in receipt of PIP. In response, on 21 January 2021, I asked my Private Office to look into this, mentioning that I was surprised PIP could not be a way to access Kickstart, and suspected that the Secretary of State for Work and Pensions would be disappointed to know that was not the case. This would have been passed onto Mims Davies, the then Minister for Employment **[Exhibit JT4/70 - INQ000626538]**.

71. On 8 February 2021, I met with Dr Kieran Mullan MP to discuss disability employment, particularly access for disabled people on Kickstart. This was acknowledged in my weekly note to the Secretary of State for Work and Pensions **[Exhibit JT4/71 - INQ000626539]**.

72. On 22 February 2021, the DWP Kickstart Policy Group provided a submission regarding the eligibility of the Kickstart scheme to claimants on Employment and Support Allowance, and those in receipt of Jobseekers Allowance and Personal Independence Payment, to the Secretary of State for Work and Pension's Private Office. I considered this submission on 25 February 2021 **[Exhibit JT4/72 -**

INQ000655336

INQ000592945]:

This submission noted the following [Exhibit JT4/73 -

‘Recipients can currently work and still claim PIP as it is not a means tested benefit – the policy intent would need to be clear re the scope of any programme and eligibility criteria. It is likely that those PIP claimants who would be eligible for Kickstart would also be claiming UC or a legacy benefit. Opening Kickstart up to this group would not bring in large volumes of additional young people.’

73. On 28 February 2021, my Assistant Private Secretary sent an email to the Secretary of State for Work and Pensions’ Private Office confirming that I had reviewed the above submission, and set out my position as follows [Exhibit JT4/74 - **INQ000655337**]:

- a. The key is making sure the narrative is lined up - for example, anyone with a disability aged between 16 and 24 years old who is on UC should be able to access Kickstart.
- b. I liked the fact that those on legacy benefits were encouraged to move over to UC and felt it was a good incentive. However, I wondered if it would be helpful to demonstrate a pro-active offer and questioned if we were already doing so - particularly, as this would allow us to say we were actively trying to, disproportionately, encourage additional young disabled people to take advantage.
- c. I understood the reasons regarding PIP, but wondered if a small trial could be done by offering the scheme to a cohort of 16-24 year olds to build evidence that being more pro-active with PIP claimants, rather than just paying money, did have outcomes.

74. On 6 March 2021, the Secretary of State for Work and Pension’s Private Secretary informed the DWP Kickstart Policy Group of the Secretary of State’s steers regarding the submission dated 22 February 2021, which are outlined as follows [Exhibit JT4/75 - **INQ000655338**]:

- a. The Secretary of State agreed that access to Kickstart should be an incentive to move to UC and we should keep this feature - therefore, we should not expand eligibility to JSA and ESA.
- b. The Secretary of State, however, recognised that there may be an opportunity to create a narrative around, and signpost to, the support already available

through a plan for jobs for claimants with disabilities and health conditions, but which they may not be aware of.

- c. The Secretary of State was supportive of promoting Access to Work and considering what further could be done through the Flexible Support Fund, if needed.
- d. The Secretary of State did not want Kickstart to be open to young people who had already been referred to other plan for jobs programmes.

On 11 March 2021, my Assistant Private Secretary sent an email to a member of DWP's Policy Group requesting a conversation regarding the above steers **[Exhibit JT4/76 - INQ000655339]**, which evidences that these steers did come to the attention of my Private Office.

75. On 15 March 2021, in response to a submission on the Kickstart scheme and options for extension **[Exhibit JT4/77 - INQ000626540]**, I informed my Assistant Private Secretary that I would personally like to see Kickstart open to PIP claimants under 25, as it would be a big boost for disability employment **[Exhibit JT4/52 - INQ000626521]**.

76. On 26 May 2021, I received an email from No 10's Policy Unit noting that the matter of having a route for disabled people to access Kickstart and Restart had arisen in a recent meeting with some of the disability groups; the email then queries whether individuals claiming PIP who are under 25, for example, could access Kickstart and, if not, whether advice could be obtained as soon as possible. In reply to this email, I agreed to obtain advice, and mentioned this was specifically raised on my visits on the preceding Monday. These visits were in Leeds and included Access Hospitality and Bradford Royal Infirmary **[Exhibit JT4/78 - INQ000655340]**. The team under Mims Davies, the then Minister for Employment, would have been ultimately responsible for this **[Exhibit JT4/79 - INQ000626541]**. As Mims Davies would have taken this forward, I do not recall receiving a direct formal response from her regarding this issue.

77. Later, on 26 May 2021, a DWP Special Adviser sent me an email reiterating the advice given to the Secretary of State for Work and Pensions on expanding eligibility some months earlier, as noted in paragraph 72 above **[Exhibit JT4/80 - INQ000655341]**.

78. In response to this email, I informed the DWP Special Advisers that this paragraph was nonsense. I stated that PIP was not means-tested, which meant there were plenty of young disabled people who qualified for PIP, but due to household income (i.e. living with parents), they did not qualify for Kickstart. I also observed that during my visits on the preceding Monday, I saw two schemes offering opportunities to young people with

learning disabilities, and they were frustrated that the numbers who could benefit were limited [Exhibit JT4/81 - INQ000626542]. I do not recall receiving a formal written response to this email; this scheme was ultimately a matter for Mims Davies, the then Minister for Employment.

Reflections

79. As I have set out above, I do consider that more changes should have been made to Kickstart to ensure it was more inclusive for people with disabilities and health conditions. It was unacceptable that people who were under 25 and claimed PIP, but were not on either UC or legacy benefits, could not access Kickstart.

80. As I was not comprehensively responsible for Kickstart, I am not in a position to make any further recommendations to the Chair on a job creation scheme. Mims Davies, the then Minister for Employment, would be better placed to assist the Chair in this regard.

SECTION 8: JOB ENTRY: TARGETED SUPPORT SCHEME

81. The design, implementation, delivery, monitoring and evaluation of the Job Entry: Targeted Support ('JETS') scheme was the responsibility of Mims Davies and her team. I had no direct involvement in the scheme.

82. However, for completeness, on 17 August 2021, I was asked to comment on the extension of the JETS programme in England and Wales and indeed JETS in Scotland. The JETS provision was due to end in September 2020, but further lockdowns meant this had been extended to September 2021 [Exhibit JT4/82 - INQ000626543]. Officials put before me the commercial outcomes enabling the department to proceed to formal signing, subject to HMT and Cabinet Office approval. I duly approved the submission. I do not recall any further involvement with JETS.

SECTION 9: RESTART SCHEME

83. As with JETS, the Restart Scheme was the responsibility of Mims Davies and her team. As such, I was also not personally involved with its design, implementation, delivery, monitoring and evaluation.

84. Again for completeness, in July 2021, I met with officials to discuss some initial ideas surrounding a Spending Review bid for funding to replace the Work and Health, and Restart programmes, which were due to end in 2024. However, this was just a high-level funding discussion, and I have no recollection of covering specific aspects of the Restart scheme itself **[Exhibit JT4/83 - INQ000626544]**.

SECTION 10: 20 MAY 2020 ROUNDTABLE DISCUSSION

85. On 20 May 2020, I attended a roundtable discussion which my Private Office organised with Disability Rights UK, a UK pan-disability charity that represents the needs and expectations of disabled people throughout the country. The planned attendees included Kamran Mallick (CEO) and Fazilet Hadi (Head of Policy) from Disability Rights UK, and the below CEOs of Disabled People's User Led Organisations ('DPULOs'):

- a. Lynne Turnbull, CEO of Cheshire Centre for Integrated Living;
- b. Sandie Burns, CEO of Disability Peterborough;
- c. Michele Scattergood, CEO of Breakthrough (Manchester);
- d. Laura Horton, CEO of Leicestershire Centre for Integrated Living; and
- e. Isabelle Clement, Director of Wheels for Wellbeing **[Exhibit JT4/84 - INQ000626545]**.

86. In addition to the above, various DWP officials and a representative from the DU also attended **[Exhibit JT4/85 - INQ000626546]**.

87. In advance of this discussion, my Assistant Private Secretary sent me a briefing **[Exhibit JT4/86 - INQ000626547]**. The objective of this roundtable discussion was to discuss Disability Rights UK and other DPULOs' concerns around economic recovery in light of COVID-19 and messaging around disability. Agenda items included:

- a. The shift in "culture" around disabled people during the pandemic, including the terminology being used and the involvement of disabled people.
- b. The recovery phase as we moved out of the pandemic – this included issues such as accessibility to transport, employment, benefits and social care.
- c. Confusion on the messages on self-isolation and shielding.

This roundtable discussion was productive - I responded to the various concerns raised to the best of my knowledge, and offered to meet with DPULOs again **[Exhibit JT4/87 - INQ000626548]**.

SECTION 11: INEQUALITIES AND VULNERABLE GROUPS

88. Throughout my statement, I have already touched upon how I took into account inequalities and economically vulnerable groups, including people with a disability or health condition, in the key decisions I made and actions I took during the pandemic in relation to the economic response. However, to summarise, I would like to reiterate the following:

- a. I considered Equality Analyses alongside ministerial submissions in relation to any key decision or action taken by HMG during the pandemic in relation to the economic response. One such example is the closure of SSPR - as mentioned in paragraph 43 above. Before signing the regulations actioning the closure of SSPR, I considered an Equality Analysis alongside the ministerial submission **[Exhibit JT4/31 - INQ000626503]**.
- b. I engaged with stakeholders representing people with disabilities or health conditions to ensure their views were heard and considered. Examples include the 20 May 2020 roundtable discussion I attended with Disability Rights UK **[Exhibit JT4/87 - INQ000626548]**, as stated in paragraph 87 above, and a meeting I attended with DBC on 10 March 2021 **[Exhibit JT4/37 - INQ000626509]**, as noted in paragraph 50 above.
- c. I valued correspondence from my constituents regarding issues affecting people with a disability or a health condition and would take steps to investigate significant concerns. As mentioned in paragraph 70 above, I was disappointed when a constituent expressed a grievance that their son on PIP could not access Kickstart and subsequently directed my Private Office to look into this **[Exhibit JT4/70 - INQ000626538]**.

89. On DWP's consideration of inequalities and economically vulnerable groups and subsequent lessons learnt, I refer the Inquiry to DWP's corporate statement.

SECTION 12: LONG COVID

90. As I stated in my Module 2 statement (paragraphs 18 and 19) to the Inquiry, I do not recall being involved in any work nor am I aware of any specific data captured or analysed concerning the risk of long term covid sequelae, including the condition known as Long Covid. My understanding is that the impact of Long Covid was not yet established at the time I left my role on 16 September 2021.

91. My only involvement in relation to Long Covid that I do recall was that in the latter period of my appointment when stakeholders began to raise questions as to whether Long Covid would be recognised in the benefits system. It is the collective impact of a claimant's condition(s) that unlocks (financial) support, rather than the specific name of the condition(s). So, if someone was suffering from the impact of Long Covid, that would already be picked up, even if the official name was not formally recognised.

SECTION 13: DATA AND MODELLING

92. I am of the view that the UK Government and, in particular, DWP did make adequate use of data, economic modelling and other scenario analysis in its economic response to the pandemic. I refer to DWP's corporate statement, which would outline a variety of specific examples.

93. Some specific examples were DWP's COVID-19 Employer Pulse Survey, conducted between 12 and 31 October 2020 [Exhibit JT4/88 - INQ000626549], and DWP and DHSC's joint Employee Research Survey, conducted between 24 September and 8 October 2020 [Exhibit JT4/89 - INQ000626550]. I personally considered the findings from these surveys on 4 February 2021 [Exhibit JT4/90 - INQ000626551] and found them helpful in providing an overview of the economic situation at the time.

94. I do not recall any issues of which I was aware that DWP encountered in sharing information with the devolved administrations and public bodies in the devolved nations in relation to the economic response to the pandemic.

SECTION 14: REFLECTIONS AND LESSONS LEARNED

95. I have provided some reflections throughout my statement.

96. The pandemic created significant challenges to the DWP but also opportunities to make changes for the better.

97. The main challenge was the speed at which the pandemic occurred. There was no time to undertake pilots of the changes that were initiated. Ordinarily, with such changes the Department might spend 18 months piloting, testing, consulting and then undertaking a managed roll-out. This could not happen. Change had to occur at pace.

98. By way of example, the bringing in of video and telephone assessments might have taken between 5-10 years to occur, in the absence of the pandemic. This was ultimately a great success and remains in place now but I was always conscious that there was added risk in making decisions at such speed.

99. I was always keen to see what stakeholders thought of initiatives under my remit as they were ultimately the people that would be using them. With any changes we made because of COVID-19, I was keen to hear whether these could be considered to become permanent, so encouraged stakeholders in my regular meetings to give feedback. For example, video and telephone assessments had no significant financial cost to either government or stakeholders, who were very much in favour of the changes. I refer to the DWP corporate witness statement for more information on how fraud and error was taken into account regarding this - however, I would like to reiterate that video and telephone assessments were the best possible option during the pandemic.

100. In terms of successes, our primary role was to maintain immediate financial assistance. We did that for millions of people. Our systems stood up. They were resilient. Where systems needed to be changed to facilitate an improvement in services, that was done.

101. If we had failed to maintain and automatically renew claims the consequences would have been unthinkable – with the financial support vital to some of the most vulnerable members of society.

102. In making sure financial support was both provided and maintained for millions of people, Treasury and DWP worked quickly and effectively.

STATEMENT OF TRUTH

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

Signed:

Personal Data

Name: Justin Tomlinson

Dated: 01/10/25

ANNEX A: INFORMAL COMMUNICATIONS

I had used WhatsApp as an informal messaging platform during the pandemic. Although I had used it to discuss several topics, I do not recall discussing pandemic response schemes in detail on any informal messaging platform. Below is a table which sets out my WhatsApp use and the extent of the discussions with my contacts:

Names of individuals	Credentials of individual on chat	Names of groups	Purpose of using this platform between 1/01/2020 – 28/06/2022
Boris Johnson	Prime Minister at the time of the chat.	Personal individual chat with Boris Johnson.	Congratulatory messages regarding my daughter and talks regarding the upcoming election. No mention of COVID-19. Mention of how the disability charities and stakeholders have received the establishment of the Disability Unit.
Hannah Rignell	Deputy Director of the Disability Unit in Cabinet Office from 2021-2023.	Personal individual chat with Hannah Rignell.	Congratulations to Ms Rignell for her work with a green paper and further messages regarding my leaving the team. Further correspondence on Ms Rignell's I&S leave. COVID-19 not mentioned.
Helen Whateley	Member of Parliament and Minister of State and Social Care in 2020-2021. Exchequer Secretary to Treasury in 2021-2022. Supporter of females becoming Conservative	Personal individual chat with Helen Whateley.	Messaging regarding Conservative Party candidature (as Ms Whateley's role included supporting women into becoming Conservative Party candidates). Following this, further messages regarding an association host dinner and preparations for the dinner. From 02/12/2020, discussion of DHSC removing national

	parliamentary candidates.		disabilities from COVID – O papers, and suggestion for DHSC to meet the already established main disabilities charities. Discussions regarding face masks with children amidst the pandemic.
Kemi Badenoch	Member of Parliament and Minister of State for Equalities in 2020-2022.	Personal individual chat with Kemi Badenoch.	Chats regarding work supporting Ms Badenoch's constituency; nothing COVID-19 related. Personal messages, which mainly consisted of talks about children and festivals.
Vicky Ford	Member of Parliament.	Personal individual chat with Vicky Ford.	Talks regarding children and sports for Special Educational Needs and Disabilities (SEND) kids. Conversations regarding the upcoming election campaigns, and about travel. Congratulatory messages. No chats on COVID-19.
Victoria Prentis	Member of Parliament.	Personal individual chat with Victoria Prentis.	Conversations about campaigning for the disability sector.