

BY E-MAIL: [contact@covid19.public-inquiry.uk](mailto:contact@covid19.public-inquiry.uk)

Rt Hon Baroness Heather Hallett DBE  
Chair, UK COVID-19 Inquiry

7<sup>th</sup> April 2022

Dear Lady Hallett,

I am writing as Chief Executive of the Professional Standards Authority for Health and Social Care ('the Authority') to provide some comments on the published draft terms of reference for the COVID-19 Inquiry.

The Authority is the oversight body for the ten health and care professional regulators. We report annually on their performance to Parliament, appeal final decisions about professionals that don't protect the public and advise the four UK governments on regulatory issues. We also have a statutory duty to operate the Accredited Registers programme which assesses registers of unregulated practitioners to ensure they protect the public.

As you will be aware, during the pandemic health and care professional regulators played an important role in the response, creating emergency registers of professionals to provide additional health and care sector capacity at a time when the health service was under immense pressure.

As the oversight body we were in a unique position to assess the professional regulatory response to the pandemic and help to ensure that the regulators remained focussed on protecting the public alongside having to make significant changes to their policies and procedures within a short space of time.

In April 2021 we published *Learning from Covid-19: a case-study review* which provided an overview of the actions taken by the professional regulators during the first wave of the pandemic.<sup>1</sup> As well as the creation of temporary registers this included the operation of virtual fitness to practise hearings, deferral of revalidation/continuing fitness to practise requirements for registrants, accelerated registration processes, online assessment of

---

<sup>1</sup> Professional Standards Authority 2021, *Learning from Covid-19: A case-study review of the initial crisis response of 10 UK health and social care professional regulators in 2020*. Available at: [https://www.professionalstandards.org.uk/docs/default-source/publications/thought-paper/learning-from-covid-19-a-case-study-review-of-the-initial-crisis-response-of-professional-regulators.pdf?sfvrsn=c6ad4920\\_6](https://www.professionalstandards.org.uk/docs/default-source/publications/thought-paper/learning-from-covid-19-a-case-study-review-of-the-initial-crisis-response-of-professional-regulators.pdf?sfvrsn=c6ad4920_6)

education and training provision and virtual quality assurance visits, online investigation and emergency rule changes to facilitate remote working.

The report also included our observations on some of the positive and negative effects of actions taken by the regulators. It made recommendations seeking to maintain the longer-term benefits of pandemic response actions and ensure preparedness for future crises.

A key challenge for regulators has been ensuring that genuine misconduct and lack of competence by professionals can be dealt with fairly and consistently whilst taking account of the huge pressures imposed on professionals by the pandemic.

Many of the Registers that we accredit reported significant challenges faced by their registrants particularly during the first wave of the pandemic when as part of the response there were restrictions in place which limited their ability to practise.

A key concern for us regarding the response to the pandemic has been the diminished involvement of patients, service users and the public due to the rapid development of policy, procedure and guidance. Whilst this was in some cases unavoidable, we are keen to ensure that this does not permanently impact on proper involvement of patients and the public in policy development in relation to health and care delivery and regulation.

We have reviewed the draft terms of reference published and would suggest the following additional areas for consideration by the Inquiry:

- The long-term effect of the response to the pandemic on patient and public involvement in health and care service planning, delivery and regulation
- The adequacy of the systems in place for utilisation of professionals on emergency registers by health and care providers
- The effect of restrictions on independent practitioners and providers of non-health service treatments and therapies and members of the public utilising these services
- The long-term impact of pandemic pressures on service provision, patient safety and quality of care across health and care in the UK.

We welcome the opportunity to provide comments and would be very happy to provide any further information that would be useful. We look forward to responding to the Inquiry in due course.

Yours sincerely,



**Alan Clamp**  
**Chief Executive**