

OPUS2

Scottish Covid-19 Inquiry

Day 40

April 26, 2024

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1 Friday, 26 April 2024
 2 (9.30 am)
 3 THE CHAIR: Good morning, Mr Gale.
 4 MR GALE: Good morning, my Lord. There are two witnesses
 5 today. The first is Mrs Elizabeth Martin.
 6 MRS ELIZABETH MARTIN (called)
 7 THE CHAIR: Good morning, Mrs Martin.
 8 A. Morning.
 9 Questions by MR GALE
 10 MR GALE: Mrs Martin, good morning. Your full name, please?
 11 A. Elizabeth Martin.
 12 Q. You've provided us with a statement, Mrs Martin, and
 13 you're agreeable that that statement should be
 14 published. You're also agreeable that your evidence
 15 today should be broadcast and recorded?
 16 A. Yeah.
 17 Q. Can I remind you that we have in place a general
 18 restriction order so that please don't name other people
 19 as you're giving your evidence, please, otherwise we'll
 20 have to briefly stop our proceedings to remove reference
 21 to that, but if it happens, it happens. Don't worry
 22 about it, but if you can avoid that, please.
 23 Your statement, for the record, is
 24 SCI-WT0418-000001. You are employed as a private care
 25 branch secretary and representative of private care for

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1 the GMB union?
 2 A. Yes.
 3 Q. And you've been in that position for six years, I think;
 4 is that right?
 5 A. Yes.
 6 Q. You first joined the union as a workplace representative
 7 in 2007?
 8 A. Yes.
 9 Q. And your background is that you qualified and registered
 10 as a nurse in 1979?
 11 A. Yes.
 12 Q. Your work was initially in the NHS and after your second
 13 child arrived you continued to work but in a care home
 14 setting; is that right?
 15 A. Yes.
 16 Q. I think you've recently retired from a career working in
 17 care homes, the care home setting, and you'd been doing
 18 that for about 38 years.
 19 A. I definitely wanted a break from nursing really.
 20 Q. Right. Were you working in a care home during the
 21 pandemic?
 22 A. Yes.
 23 Q. Now, Mr Arkison has told us about the GMB so we can take
 24 what you've said about the background and overview of
 25 the GMB as read. But, as you say in paragraph 19 of

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1 your statement, your role in the union and therefore the
 2 role that you're going to tell us about today focuses on
 3 those workers who were employed in private care homes --
 4 A. Yes.
 5 Q. -- like yourself.
 6 Now, if we go to paragraph 23 of your statement and
 7 indeed following, you tell us that during the
 8 pandemic -- it was really from the outset of the
 9 pandemic -- the issues apparently being raised by
 10 members that they were consulting you about were largely
 11 having regard to the guidance that was being produced
 12 and how it affected them in their own roles within care
 13 homes; is that correct?
 14 A. Yeah. Guidance, it was very difficult because it was
 15 changing constantly. Staff were working on shifts, they
 16 went on shift in the morning and by the afternoon the
 17 guidance had changed again. It was confusing for
 18 everyone.
 19 Q. I think you can rest assured that we've heard that from
 20 a number of people, Mrs Martin. From your point of
 21 view, in your union role, I think you describe this
 22 experience as somewhat frustrating.
 23 A. Pardon?
 24 Q. You describe this experience as somewhat frustrating for
 25 you as a union representative?

3

1 A. Yeah, it was frustrating. As well as the guidance
 2 changing constantly, the guidance wasn't very clear at
 3 times. Some of the guidance, from a care home point of
 4 view, you were looking at it and thinking, "That's an
 5 impossibility within a care home setting". Managers
 6 were interpreting the guidance different from staff and
 7 it just -- it was extremely confusing. Staff were
 8 having to deal with horrendous stuff as it was and then
 9 the guidance just being unclear and constantly changing
 10 had a massive effect on them.
 11 Q. From your own perspective, did you find it difficult to
 12 keep up with the guidance?
 13 A. Yes.
 14 Q. Did you find it difficult on occasions to interpret the
 15 guidance?
 16 A. Both as working in a care home and as a rep, because
 17 I was trying to keep up with the guidance to just sort
 18 of try and help the members within private care. They
 19 were phoning in because they were getting confused with
 20 the guidance. I don't suppose I was a great deal of
 21 help at times because I couldn't understand the guidance
 22 and where it was coming from, you know, and the best
 23 I could say to the members was, "Look, I appreciate it's
 24 frustrating, I appreciate you're angry, I will try
 25 and get some clarification in that", but that was the

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1 sort of best I could do. It was difficult .

2 Q. And also one of the issues you had was that — I get the
3 impression from having read your statement and having
4 met you that, prior to this, you were somebody who, if
5 you wanted to settle or resolve an issue, you went to
6 the workplace and did so. You were now having to do
7 this all on Teams or Zoom or some remote means of
8 communicating with your members?

9 A. Yes. That was just another sort of difficulty . As
10 I say, prior to that, if there were difficulties , we
11 could arrange to visit the home, speak to staff, speak
12 to managers, try and resolve issues , but then we
13 couldn't. We had to learn how to use Zoom and Teams,
14 which was all at that time very new, and it's no ideal
15 trying to reassure people over a screen. It's
16 difficult .

17 Q. Yes. Can I ask you to go to I think paragraph 25 of
18 your statement? One of the issues that you mentioned
19 members were seeking clarity about was the
20 self—assessment that members were having to make
21 regarding the use of face masks. Can you just tell us
22 a little about that, please?

23 A. Again, that's — it just kind of goes back to the
24 guidance a wee bit and how sort of we needed clarity —
25 at one time the guidance came out — and I can't

5

1 remember the exact date because there was loads of
2 them — but there was one particular one that said that
3 staff were to self—assess whether they needed to use
4 a face mask or not, which —

5 Q. Did that rather beg a question —

6 A. It was just a bit confusing. You either need a face
7 mask or you don't. You know, and asking carers that
8 weren't used to working in that kind of environment to
9 self—assess just didn't make a great deal of sense, to
10 be honest.

11 Q. This is not meant as any criticism of carers in that
12 situation but was that something about which carers in
13 care home settings had a great deal of experience of
14 using face masks?

15 A. No, I would say the only staff within a care home
16 setting that maybe had some sort of experience of face
17 masks, et cetera, was possibly trained nurses who had
18 done their training in a general setting. A lot of the
19 care staff had just — hadn't worked in a National
20 Health Service setting, a hospital setting, so the use
21 of face masks just was very rare.

22 Q. So what you presumably would have been looking for would
23 have been guidance as to the circumstances in which
24 a face mask should have been worn rather than leaving it
25 to the discretion of care workers as to when they might

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1 choose to wear it?

2 A. Yeah, you either wear a mask or you don't wear a mask.
3 To self—assess just didn't make sense.

4 Q. It probably arises out of that type of situation — and
5 indeed it's something you mentioned just a short while
6 ago — but you go on at paragraph 27 of your statement
7 to observe that guidance was, as you put it, seen to be
8 written by people who did not know or understand how
9 a care home works. Again, this is something we've heard
10 from a number of people. Was this your impression, that
11 there was a degree of — or a lack of appreciation of
12 the particular circumstances in which care home workers
13 had to operate when guidance was being written?

14 A. Yeah, it did. I think they didn't appreciate the
15 environment of a care home setting. They didn't
16 appreciate sort of what's involved in a care home; sort
17 of an example of that being, you know, the guidance
18 saying to keep people — people in their own rooms,
19 which — that's fine because we're trying to stop the
20 spread of infection, but telling vulnerable old people
21 that's got severe dementia, that's mobile, that they've
22 got to stay in their own room just didn't work.

23 Q. No.

24 A. Somebody with dementia disn't understand self— isolation.
25 They don't understand everything that was going on.

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1 That was very difficult because then that led to
2 a member of staff having to walk around a care home with
3 somebody with dementia and somebody had to clean every
4 surface the person with dementia touched. Staff were
5 working under severe pressure as it was. In that team,
6 one member of staff, they go off the floor, wandering
7 about with somebody with dementia that didn't
8 understand, and that's why I think a lot of the guidance
9 was written from somebody that really didn't understand
10 care homes.

11 Q. Yes. I think one of the things we have heard about
12 people who have or had dementia is that there was
13 a tendency on the part of many to wander around the care
14 home. That presumably is one of the difficulties ?

15 A. Yes. And, again, somebody with dementia, trying to keep
16 them in their own room if they didn't want to stay in
17 their own room, that can just lead on, you know, to
18 distressed behaviour and that's no what we're there for.
19 You know, we're there to try and stop distressed
20 behaviour.

21 Q. If I can take you briefly — because it's one of the
22 points you make in your section of your statement on
23 lessons to be learned at paragraph 72. I wonder, just
24 so that we have it in your own words — perhaps you've
25 already given it — perhaps you'll just read out

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1 paragraph 72. It will be on the screen in front of you.
 2 A. Well, I would like to hope, if anything like this ever
 3 happens again -- I hope it never does -- but the lessons
 4 learned from it and the outcomes and the feedback that
 5 comes back from this Inquiry and staff that were
 6 involved in that -- should it ever happen again, that
 7 representatives of the workforce are consulted on
 8 guidance, which would have saved a lot of frustration,
 9 confusion, stress.
 10 Q. I think just looking at what you actually say in
 11 paragraph 72 -- and it's from your perspective but we've
 12 heard it from others -- you say:
 13 "Any guidance to be issued in future should only be
 14 sent out after discussion with the people who are
 15 actually doing the job, not the managers, but the people
 16 who carry out the role from day to day."
 17 A. Yeah.
 18 Q. Thank you. Another example you give about some of the
 19 issues relating to guidance is in paragraph 35 of your
 20 statement. You'll be aware of this. This is in
 21 relation to instructions that were being given to staff
 22 who -- the instruction was that they should not
 23 car-share. Obviously we are conscious that some care
 24 homes are in remote locations and car-sharing
 25 pre-pandemic would have been a normal activity for care

1 home staff, but instructions were being given, as you
 2 say, that they should not car-share. Was that an
 3 instruction that came locally from management or was
 4 that something that came more generally from the
 5 Government, do you know?
 6 A. Right, that one was quite hard to find out exactly where
 7 it came from. A lot of the companies made it their
 8 company policy, tied in with infection control --
 9 Q. Right.
 10 A. -- policy. If I remember correctly, there was some kind
 11 of vague guidance, but again it all came back to how
 12 managers and above, senior managers, were interpreting
 13 the guidance because everybody seemed to be interpreting
 14 it differently at times and the car-sharing was one of
 15 them. That just takes us back to just something else
 16 that come out that didn't seem to make a lot of sense to
 17 staff. Staff were working alongside a colleague for
 18 a 12-hour shift, sometimes in quite close proximity, if
 19 it was somebody that needed the assistance of two
 20 members of staff, but then were told they couldnae share
 21 a car to come into work for a five-minute journey. That
 22 didnae sort of -- staff couldnae sort of get their head
 23 round why that made sense. They cannae be in a car
 24 together for five minutes but it's okay to work
 25 a 12-hour shift together.

1 It led to a lot of difficulties as well with people
 2 getting transport to work. A lot of care homes are
 3 quite rural, they're not all on bus routes and, again,
 4 having to use public transport wasnae an ideal situation
 5 either.
 6 Q. You also tell us about rules and guidance on infection
 7 control. Now, again, going back to what you said
 8 a little earlier, was that something that carers within
 9 care homes would have been particularly aware of
 10 pre-pandemic?
 11 A. Very basic infection control, you know, sort of around
 12 norovirus, that type of infection control, but nothing
 13 on the scale of COVID. I don't think actually any of us
 14 had the sort of knowledge of COVID because it was sort
 15 of a progressive thing.
 16 No, I would say again it takes us back to carers had
 17 basic infection control knowledge, but this sort of --
 18 COVID infection control was on a different scale. It
 19 was just huge -- quite overwhelming for them to begin
 20 with.
 21 Q. You use the words at paragraph 38, "Staff were bombarded
 22 with [various instructions on] extra infection control
 23 training". Is that --
 24 A. Yes. It just seemed to be -- staff would just be having
 25 all this extra infection control training, then they

1 were having to pull on and off PPE in the correct order.
 2 It all seemed to happen at once. You know, a lot of
 3 infection control -- extra infection control training
 4 was done online via e-learning, things like that.
 5 Again, staff -- there was not the time for staff to do
 6 this within their working hours. They were having to do
 7 it at home in their own time. And actually it just got
 8 to the point where staff felt they were never getting
 9 away from COVID. It was either at their work or at home
 10 doing extra training, just -- it was huge.
 11 Q. One of the points you make is that the pressure of these
 12 additional infection control measures, taken together
 13 with Public Health inspections and also the
 14 Police Scotland investigations in the event that there
 15 was a care home death, that these all added pressure to
 16 care home workers, who felt, as you put it, under
 17 scrutiny. You were working in a care home. Is that how
 18 you felt?
 19 A. Yeah. Just sort of -- it felt as if everybody, whether
 20 it be Public Health, Police Scotland, whatever, wanted
 21 to blame the staff for the deaths in care homes and it
 22 wasnae our fault. We'd done the best we could.
 23 Q. You go on to say that -- I suppose reading into what you
 24 say, it was a public perception that care home workers
 25 were to a certain extent to blame for the spread of the

1 virus. Was that something you felt?
 2 A. Yeah, that's how it did feel.
 3 Q. Obviously somebody — a group of people that you and
 4 your care home worker colleagues would be interacting
 5 with would be families of residents within the care
 6 homes. Normally, as I understand what you say — this
 7 is really 39 and 40 of your statement — normally time
 8 would be taken to talk to members of families, to give
 9 families an update on how their relative was and, as I'm
 10 reading what you say, there was a limitation on how that
 11 could be done during the pandemic; is that correct?
 12 A. Yes. During normal circumstances, you know, if we're
 13 phoning families for an update or just to tell them what
 14 was going on, you know, there would be a bit of
 15 chit-chat and a bit of social chat, sort of, you know,
 16 "How are you doing? How's your family doing?", blah
 17 blah blah, but during the pandemic, staff were so
 18 overstretched with the workload that these sort of
 19 conversations didnae happen. The only conversations to
 20 have with the families was sort of very brief and to the
 21 point, you know, because you were maybe sat with a list
 22 of about five or six families to phone one after the
 23 other, you know. And staff would have liked to have
 24 spent more time, but you were sort of looking at the
 25 list and thinking, "Oh, I've still five more people to

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1 phone and then I've got this to do and that to do", so
 2 conversations were cut shorter than probably normally
 3 would have been.
 4 Q. There was also I suppose the other circumstance, which
 5 I think we're probably all aware of, of residents who
 6 had no family or, if they did, their family lived
 7 a considerable distance away and couldn't get to see the
 8 relative who was in a care home. In your experience and
 9 from your own personal experience, was it important for
 10 care home workers to act — I won't say as a quasi
 11 family member, but to assist in those circumstances to
 12 alleviate the isolation that that resident might feel?
 13 A. That I don't know.
 14 Q. You don't know?
 15 A. I don't know.
 16 Q. Did you feel sorry for people who didn't have any family
 17 to come to see them?
 18 A. Yeah.
 19 Q. Obviously many of your members who are working in care
 20 homes would have to deal, during the pandemic,
 21 particularly in the early months of the pandemic, with
 22 the deaths of residents. Inevitably in a care home,
 23 elderly residents, death is an inevitable occurrence,
 24 but this obviously was very different. How did your
 25 members find coping with that?

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1 A. They done very well. In a care home setting you're used
 2 to dealing with deaths but not on the scale that we were
 3 dealing with. I mean, you know, there was some homes
 4 were having five/six deaths per shift, you know, as
 5 opposed to one now and again, which was quite
 6 overwhelming. It was also quite sad that staff couldnae
 7 spend the time that they normally would providing
 8 end-of-life care. The circumstances of providing
 9 end-of-life care — you know, this kind of contact was
 10 missing because you had to wear gloves. To me, that
 11 makes a huge difference to somebody at end of life. If
 12 you can feel somebody holding your hand, feel a bit of
 13 skin against yours, having a glove while you're holding
 14 somebody's hand just wasnae the same. So as well as
 15 having to deal with all the deaths, staff are having to
 16 deal with all these small things that normally they
 17 would have done that they couldnae do and they sort of
 18 felt a bit guilty because they couldnae provide the care
 19 that they normally gave.
 20 Q. You do make the point at paragraph 42 that staff also
 21 had to deal with families who were angry following upon
 22 the death of their relative and took it out on members
 23 of staff. Is this something you heard about on
 24 occasions?
 25 A. That was in one particular place. Yes, families were

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1 angry at times. Again, like grief does a lot to people
 2 and — but we were all living in strange times which was
 3 putting a strain on everybody. I thought it was
 4 understandable to a certain extent if a relative lashed
 5 out at staff because it was staff that were phoning
 6 them, saying, "Look, I'm sorry, your relative has passed
 7 away", blah blah blah. So, yes, there was times they
 8 lashed out at staff because I think staff were the only
 9 ones they could lash out at at the time. But there was
 10 a couple of instances where maybe relatives had taken it
 11 a wee bit too far with staff in particular settings.
 12 Q. Right.
 13 A. You know, standing outside a care home with media there,
 14 going on about the staff having killed your relative,
 15 that's never nice for staff when they've tried to do
 16 their best.
 17 Q. Another aspect we maybe don't appreciate so much is that
 18 staff members would have their own families and there
 19 would be presumably an impact on those staff members and
 20 their relationship with their own families. Is that
 21 something you were encountering?
 22 A. Yeah, it had a huge impact. You know, there was —
 23 staff were having to have very difficult conversations
 24 that they never ever thought they were going to have —
 25 you know, conversations regarding putting measures in

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1 place for your children to be looked after should
 2 something happen to you. You know, for younger staff
 3 members that shouldnae have been a conversation they
 4 should have been having at that time.
 5 The fact that there's also — other than close
 6 immediate family, there was kind of extended family
 7 people werenae having contact with and, again, it was
 8 very difficult for the family members as well because
 9 staff were having to deal with illness during their
 10 shift, come home either angry or despondent or emotional
 11 and, because of confidentiality issues, they really
 12 couldnae discuss a great deal with their family. So
 13 sort of staff's families didnae know how to deal with
 14 things at times, so it was a strain on them as well.
 15 Q. You do make the point, Mrs Martin, that care home staff
 16 did consider that they were perhaps wrongly compared
 17 with staff in the NHS; that perhaps they weren't as
 18 appreciated as NHS staff. Is that something you were
 19 coming across in representations being made to you?
 20 A. Now I'm not decrying the NHS, they're just doing their
 21 job, but at the beginning of the pandemic care home
 22 staff were seeing NHS staff getting free meals, coffee,
 23 special shopping hours in supermarkets, even sort of
 24 hubs that they could go to during a break for
 25 psychological support. Care home staff didnae get any

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1 of that, and that sort of hurts quite a bit because we
 2 were dealing with people with COVID as well. The free
 3 coffees and meals, that wasn't so bad, but the
 4 shopping — the supermarket shopping hours was a big
 5 thing to begin with. NHS were getting in early in the
 6 morning at special times that nobody else could get in,
 7 just NHS staff. Care home staff didnae get that, so by
 8 the time they finished their shift, I mean,
 9 supermarkets, at the beginning there was nothing left.
 10 That became difficult. There probably was at that time
 11 a bit of resentment. Sort of, as time went on, these
 12 things kind of levelled out a wee bit, but initially
 13 there sort of was.
 14 Q. You mentioned just a moment ago about the absence of
 15 what I think are called "well-being hubs", which were
 16 available for NHS staff but similar hubs weren't
 17 available for care home staff. One of the points you
 18 make at paragraph 55 of your statement is the concern
 19 for the mental health of care home staff. Now, you tell
 20 us a little bit about that in paragraph 55 and in
 21 particular you tell us that the union was eventually
 22 able to point staff whose mental well-being had been
 23 impacted during the pandemic and what they had been
 24 experiencing to various organisations that could assist.
 25 Is that something you were doing?

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1 A. Yeah. Again, as I said earlier, the NHS seemed to have
 2 sort of well-being hubs that they could go to during
 3 their break or whenever they felt the need to speak to
 4 somebody. Within the care home setting, that wasnae
 5 available. If I was speaking to any of my members that
 6 were sort of experiencing stress, distress, whatever,
 7 I was no mental health trained, I wasnae trained to deal
 8 with any of that. I could listen to them but that was
 9 as far as it could go, and what we then would — we sort
 10 of put together various different organisations that we
 11 could sort of signpost them to for help.
 12 As things moved on and nearer the end of the
 13 pandemic, a lot of the companies actually set up
 14 employee assistance programmes, but that wasnae
 15 available right at the beginning. That's when these
 16 things were needed. So maybe if staff were able to lift
 17 the phone at the end of the shift and speak to some
 18 counselling service, maybe mental health within the
 19 social care setting wouldnae be as bad as what it is
 20 now.
 21 Q. Right. That's what I was going to ask you. In your
 22 experience as the union rep, is this something that has
 23 had an ongoing effect on members within the care home
 24 staff sector?
 25 A. Yeah. I think there's been a major increase in mental

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1 health problems within care home staff.
 2 Q. I'd like to ask you just very briefly about PPE. We
 3 note what you say about this. It's really at around
 4 about paragraph 52. You tell us about a situation
 5 which — well, a situation that you became aware of,
 6 where in one care home there was a re-using of masks
 7 that — after a care home worker had been into a room
 8 perhaps with somebody who had COVID, they were asked to
 9 take their mask off, bag it up, but then subsequently,
 10 when they went back into that room, they were expected
 11 to use the same mask. Can you tell us just a little bit
 12 about that?
 13 A. Yeah, it's disgusting. Yeah, there was a home where
 14 that's what staff were told to do. They were told if
 15 they were wearing a mask, they were to take it off, put
 16 it in a polythene bag, tie it up, leave it in the room,
 17 and when they went back into the room later on, re-use
 18 the same mask.
 19 Q. What was your attitude towards that as the union
 20 representative?
 21 A. Well, I was horrified and I went, "No, that's just
 22 disgusting". That in itself is an infection control
 23 issue. Again, that was — might come down to managers
 24 that I think panicked possibly due to the lack of PPE to
 25 begin with, right, but it cannot be things like putting

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1 a used mask in a poly bag and then re—using it again,
2 which was a bit ridiculous, to be honest.
3 Q. Okay. Can I ask you just a little bit about what you
4 say about testing? You say this at paragraph 61 of your
5 statement. You indicate some of the difficulties that
6 could occur when testing became mandatory for care home
7 staff. Could you just explain what — some of the
8 timing difficulties that were causing problems in that
9 regard?
10 A. Right, when it became mandatory — right, testing in the
11 care home was only getting done on certain days. Say if
12 staff were off duty, they had to go into their work on
13 their days off. Again, it takes us back to another
14 issue of where they were just never getting away from
15 COVID.
16 Initially, as well, there was loads of issues with
17 the results coming back. The results didn't come back
18 very quick to begin with, so it was actually at the
19 stage where some staff were actually halfway through
20 their shift and they would get the result back saying
21 they had tested positive, you know, but they'd already
22 done, you know, sort of half a shift. So they'd
23 immediately leave. Obviously then trying to get
24 somebody to cover that shift was very difficult, so most
25 times it ended up staff were working short because

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1 people had to go home. As time went on, the results
2 came back a bit quicker, but initially — you know,
3 sometimes it could take two days for the result to come
4 back.
5 Q. Now, another matter that we've heard about in the
6 Inquiry, which you tell us about from your perspective
7 at paragraph 63, and that's about the difference that
8 existed between guidance applicable in England and
9 guidance that was applicable in Scotland and the
10 difficulty presented when the care home management
11 company was based in England.
12 A. Yeah, that was ...
13 Q. Was that a problem —
14 A. (overspeaking — inaudible).
15 Q. Sorry, we're talking across each other. Was that
16 a problem that cropped up in your experience?
17 A. Right, again, it just caused more confusion. A lot of
18 the care home companies are English based, they were
19 going with what was happening in England, but the care
20 homes were actually in Scotland and it just caused even
21 more confusion for the staff because policies that were
22 coming out were based on what was happening in England.
23 You know, the likes of the vaccine being mandatory in
24 England but it wasnae mandatory in Scotland, that just
25 caused confusion and, you know, some of the

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1 English—based companies were saying, "The vaccine is
2 mandatory", and up here we're saying, "Well, in Scotland
3 they've made it quite clear it's not mandatory". So
4 that just added to confusion.
5 Q. Now, Mrs Martin, we've got your lessons to be learned —
6 some of them — well, one of them certainly we've looked
7 at — and we have also your hopes for the Inquiry.
8 I think you say at paragraph 77 — I think possibly one
9 of the important points you make, looking at the work of
10 the Inquiry, is that you would "like to hope that
11 someone, somewhere acknowledges [that] they", and
12 I assume by that you mean the Government, "did not
13 properly understand life working in a care home and that
14 we also carried out an equally important role as the NHS
15 staff". Is that one of your real important points that
16 you want to get across?
17 A. Yeah. Yeah, for somebody to stand up and acknowledge
18 that they didn't understand what life in a care home —
19 it would probably make a huge difference to staff in
20 a care home for somebody to just acknowledge it.
21 Q. Mrs Martin, thank you very much. Those are all the
22 questions that I have to ask you. As with all
23 witnesses, I ask at the end of their evidence if there's
24 anything else that you would like to tell us that we
25 haven't perhaps touched on in your evidence so far. If

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1 there's anything else, this is your opportunity to do
2 so.
3 A. I don't think there is anything else of a great deal
4 I want to say. The only thing I'll say is that I find
5 it very hard to find the correct word to describe what
6 it was like working in a care home during the pandemic.
7 I've thought of various different descriptive words but
8 they don't quite seem to fill what it was like — a bit
9 like a rollercoaster at times, up and down, but that
10 really disnae get across how bad it was. Horrific —
11 yeah, it was horrific, but that doesn't totally describe
12 it either. I don't have the words to describe what it
13 was like. I don't.
14 MR GALE: Right. I think that probably says a lot in
15 itself. Mrs Martin, thank you very much indeed for your
16 evidence. Thank you, my Lord.
17 THE CHAIR: Yes, thank you, Mrs Martin. I appreciate that.
18 Right, a quarter to 11 then. We'll have a slightly
19 extended break today.
20 MR GALE: Thank you, my Lord.
21 (10.20 am)
22 (A short break)
23 (10.45 am)
24 THE CHAIR: Good morning, Ms Bahrami.
25 MS BAHRAMI: Good morning, my Lord. Our next witness is

24

1 Graham Pirie of the Royal College of Podiatry, and his
 2 statement reference, for the record, is
 3 SCI-WT0238-000001.
 4 MR GRAHAM PIRIE (called)
 5 THE CHAIR: Thank you. Good morning, Mr Pirie.
 6 A. Good morning, Lord Brailsford.
 7 THE CHAIR: Right, good. Now, all ready to go? When you're
 8 ready, Ms Bahrami, off you go.
 9 MS BAHRAMI: Thank you, my Lord.
 10 Questions by MS BAHRAMI
 11 MS BAHRAMI: Good morning, Mr Pirie. Please could you start
 12 by telling us briefly about your own background and
 13 about the Royal College of Podiatry?
 14 A. Yes. My name — full name is Graham Stuart(?) Pirie.
 15 I qualified in 1984 as a chiropodist, as was the
 16 official term in those days. I moved on to using the
 17 word "podiatrist". I worked in the NHS. I have done
 18 some private work as a podiatrist and in 2001 I started
 19 work for the Royal College of Podiatry as an employment
 20 relations officer and I cover Scotland and
 21 Northern Ireland.
 22 Q. Thank you. Could you tell us a bit about the
 23 Royal College as well?
 24 A. The Royal College is both a professional body and
 25 a trade union, so we are two aspects. The office is

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1 based in London where we have round about 40 members of
 2 staff in total. And we have different departments, one
 3 around education, because one of our primary goals is
 4 around educating not only our members but educating
 5 governments and educating the general public around foot
 6 health; we also have a communications team; we have
 7 a membership team, which encompasses employment
 8 relations and the professional support officers; and we
 9 have a finance department, and this is all overseen by
 10 the council. We have a chair of council and the council
 11 members vary between 12 and 15. The minimum is 15 — is
 12 12, sorry.
 13 Q. Thank you. Could you tell us a bit about the range of
 14 work that podiatrists carry out and the type of health
 15 conditions that require podiatrist input?
 16 A. There's a whole range of podiatrists that we have who
 17 are members of the Royal College of Podiatry and they
 18 work in different sectors. So our members work in the
 19 NHS, they work in independent practice, the retail
 20 sector, charities, research and higher education. So
 21 there's a broad range where we work.
 22 The types of conditions that we see across the board
 23 is from simple problems with nails, Ingrown toenails,
 24 musculoskeletal conditions, such as plantar fasciitis.
 25 A lot of people complain about that. We deal with

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1 corns, callus, and then problems relating to diabetes
 2 and peripheral vascular disease, which could include
 3 ulceration and wounds. I think that would cover
 4 about — you know, the broad spectrum of that. We also
 5 have individuals who work as podiatric surgeons, so they
 6 do surgery on the feet.
 7 Q. Okay, thank you. At the point of the first lockdown,
 8 could you tell us what the immediate impacts were on
 9 your organisation and on the members?
 10 A. For our organisation we had — I think it was the Friday
 11 before the announcement of the official lockdown our
 12 chief executive had locked down the office, so he had
 13 moved in advance of it. So he'd asked everybody to work
 14 from home, which — before that, he wasn't keen on
 15 people working from home. We had the — we were
 16 fortunate that most of our communications with members
 17 is either through email or through the phone or our
 18 website, and our phones were linked to our IT system so
 19 that allowed a seamless transfer. So we had already
 20 moved into working from home before the actual
 21 announcement came that we were moving into lockdown and
 22 everyone to stay at home.
 23 For our members working, there was a difference
 24 between those who worked in the independent sector, in
 25 higher education, as opposed to those who worked in the

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1 NHS. Those who worked in the independent sector were
 2 basically told to close their businesses. The NHS,
 3 because it was key workers or essential workers,
 4 whatever the terminology was used at the time, they were
 5 to go back into work. But that caused a bit of
 6 a problem because, even going back into work, the main
 7 types of patients that were to be seen had changed
 8 because, within the NHS, prior to COVID-19 was that they
 9 saw mainstream podiatry patients, so that would include
 10 general MSK conditions, it would include those with, you
 11 know, pain from corns and callus, you know, problems
 12 with their nails, and it would — I mean, like real
 13 problems, not just, "Oh, my nails need cut", because
 14 we'd moved away from social nail care.
 15 What happened was that it was determined that only
 16 urgent and emergency care would be delivered, so those
 17 who were mainstream podiatry. Those appointments were
 18 cancelled and patients were informed of that and we
 19 concentrated mainly on wound care or those who had
 20 potential difficulties with their feet, as in possible
 21 infections or conditions that might cause future
 22 ulceration.
 23 Q. Thank you. At paragraphs 32 to 34 of your statement,
 24 you talk about vaccinations. Initially podiatrists
 25 hadn't been included in the priority group of healthcare

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1 professionals , but through the college being part of the
 2 Vaccination Service Delivery Group, as it was called
 3 then, you were able to change that. Do you know why
 4 podiatrists weren't initially included and on what basis
 5 was it agreed that they should be included?
 6 A. I don't know if I could answer why we weren't included
 7 and I suppose the problem has always been around —
 8 within the NHS, it's always seen that it's doctors and
 9 nurses, so, you know — and we do value the work that
 10 they do, but when they start producing a list, it's easy
 11 to miss somebody out and I'm hoping it was just that we
 12 got missed out. And at one of the meetings I suggested
 13 that podiatrists should be included in that because of
 14 the direct patient contact that podiatrists have. And
 15 it is — I mean, most podiatry appointments range from
 16 between 20 to 50 minutes, depending on the condition
 17 that you're seeing, so there is a fair time of exposure
 18 with each patient.
 19 Q. Yes. Thank you. In your opinion, if podiatrists hadn't
 20 been included — if the Royal College hadn't been
 21 included in that group, do you think making
 22 representations as a non-member would have had the same
 23 effect? If you're not able to comment, that's fine.
 24 A. Well, I think — to speculate, I think it would be
 25 harder to have had podiatrists included because it would

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1 have been trying to find out who to write to, who to
 2 take the issue to. So from that point of view, yeah,
 3 I think it would have been more difficult. I still
 4 think we would have been included but it might have
 5 taken longer.
 6 Q. Thank you. At paragraph 38 you speak about key worker
 7 status — and you touched on that briefly before — and
 8 the uncertainty of who was included. You then state:
 9 "Many felt ignored by the Scottish Government and
 10 that there was no clear guidance or support."
 11 Others have also told us about the fact that they
 12 found the guidance to be unclear, but please could you
 13 expand on what you mean when you say that members felt
 14 ignored and why it was that they felt ignored?
 15 A. Well, I think because of the variety of locations that
 16 podiatrists work in, whether it's private or NHS, and
 17 there was that discrepancy between podiatrists working
 18 in the NHS were seen as key workers or essential workers
 19 and yet those who worked in private practice, who are
 20 podiatrists, weren't seen. And there seemed to be very
 21 little information coming out, and particularly if you
 22 watched the television, there was so much focus on
 23 hospitals and the NHS and there wasn't enough for those
 24 in the independent sector or the third sector to get the
 25 same level of information. And members were — because

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1 of access to the internet, members were out looking for
 2 anything that they could and there was very little
 3 there. So they just felt as if they hadn't been given
 4 the same due care that those who worked for the NHS had
 5 been given.
 6 Q. Okay. Thank you. You then, at paragraph 42, explain
 7 that — and you've touched on this again in your answer
 8 earlier that those in the NHS were deemed key workers
 9 while those in private practice weren't and had to close
 10 their practices for four to six weeks. You also explain
 11 that NHS podiatrists treat patients with wounds while
 12 those in private practice do not. To your knowledge,
 13 was that the sole basis for designating NHS podiatrists
 14 as essential or key workers and not private practice,
 15 the treatment of wounds?
 16 A. No, I think the definition for key workers — I wasn't
 17 there when the decision was made, but I think the
 18 definition is based on the fact that it was NHS, so
 19 therefore NHS — everybody who worked for the NHS was
 20 therefore a key worker, and that was really the basis
 21 for it.
 22 Q. Okay. So it may be that enough consideration wasn't
 23 given to the exact nature of podiatry work because is it
 24 not the case that, while those in private practice don't
 25 treat wounds or provide emergency care, the nature of

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1 their work is that it prevents conditions from
 2 escalating to becoming wounds?
 3 A. Yeah, I would say that there's a lot of work done not
 4 only in private practice but also within the NHS with
 5 podiatrists and other AHPs around preventative care, and
 6 the prevention is to prevent patients from being
 7 admitted to hospital. So there is a lot of that gets
 8 done and, you know, painful foot problems can lead to
 9 trips and falls which ends up as an admission. So the
 10 lack of care that was given — you know, being able to
 11 be given by those in private practice will have had an
 12 impact. It's not something that I've got any figures
 13 on.
 14 In private practice they do come across wounds but
 15 I can't — the SIGN guidelines — and I can't remember
 16 what "SIGN" stands for. It's similar to the NICE
 17 guidelines in England — does recommend that, if you
 18 have a patient with a wound, that it is referred within
 19 24 hours to a multi-disciplinary team. That's
 20 particularly important not only for patients with
 21 diabetes but also those with peripheral arterial disease
 22 as well.
 23 Q. So the consequence of suspending preventative podiatry
 24 care could potentially be an increase in demand on NHS
 25 resources and services?

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1 A. Yes. Yes.
 2 Q. Thank you. Now at paragraph 43 you state that, while
 3 NHS — sorry — you state that the majority of your NHS
 4 members work in the community but — and because of that
 5 they carry out a lot of home visits, but there was
 6 a lack of information and guidance which they found
 7 confusing. Could you tell us where the confusion arose
 8 in relation to home visits and perhaps give examples of
 9 information and guidance that members would have liked
 10 to see?
 11 A. Yeah, well, I suppose it goes back to what I was
 12 mentioning about, if you watched anything on
 13 television — and I still do and I always have done —
 14 if you see anything about the NHS, it's always round
 15 hospital base. You don't generally have camera crews at
 16 health centres or around patients' homes, so it's a very
 17 different setting. And I suppose what our members would
 18 have liked was some guidance around, you know, home
 19 visits because that's — within health centres and
 20 hospitals the NHS can control the environment, but when
 21 you're going into a patient's home, that is an
 22 environment that you can't control.
 23 So they were looking for advice on how do they
 24 transport instruments and materials that they use, for
 25 example, for dressings; what about going in there with

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1 their PPE on, whether it was supposed to be worn on the
 2 way in and what do you do on the way out; and, you know,
 3 what happens if a patient has COVID and you're going in;
 4 what about other people being in the house. So the
 5 Royal College of Podiatry issued some guidance and it
 6 was — and it came — some of this guidance came from
 7 what we heard from what some of the local — what some
 8 of the health boards were doing or some of the trusts in
 9 England were doing, and that was around phoning the
 10 patient in advance to get some information from them.
 11 But there wasn't clear guidance on what to do for home
 12 visits. There was more guidance — there was an awful
 13 lot of guidance around, you know, if a patient was
 14 coming to the hospital, in particular, or coming to
 15 a health centre.
 16 Q. Thank you. You go on at paragraph 45 and then later at
 17 paragraph 54 to state that your members had concerns
 18 about safety, a real fear of going to work, catching
 19 COVID-19 and dying, and this is again something that we
 20 have heard from other professional healthcare bodies as
 21 well. Did you find that that was the case across your
 22 membership or was that concern more prevalent amongst
 23 members working in a particular setting?
 24 A. I think it was — it was members who worked in the NHS
 25 in particular because they were in full-time and they

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1 were in environments where patients were coming and
 2 potentially had COVID. So they were just concerned that
 3 they were putting themselves at risk by going into work
 4 and had a variety of concerns raised about, "Well, I'll
 5 just not go in". One member asked if she could be
 6 furloughed, to which I said, "You can't because you're
 7 a key worker". So it was mainly the NHS, just concerned
 8 going into that environment on a daily basis and being
 9 exposed — potentially being exposed to the COVID-19
 10 virus whereas everybody else is being told to stay at
 11 home. And when the message is, "Stay at home, this is
 12 around your health, safety and well-being, but you have
 13 to go into work", yeah, it added an awful lot of stress
 14 on to our members.
 15 Q. In paragraphs 50 and 51 you talk about the NHS
 16 Attend Anywhere system and, as many will be aware,
 17 that's the NHS video call system that allows patients to
 18 call their allocated health professional at a set time
 19 and date to have a virtual consultation. You state that
 20 members found this system unhelpful and that it was
 21 better than nothing but not as good as it would have
 22 been face to face. Firstly, can you tell us about the
 23 things that could be done or picked up at an in-person
 24 assessment that couldn't be done by video call?
 25 A. Podiatry is very much — it's hands-on, and that's not

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1 only in the treatment but it's also in the assessment
 2 and diagnosis. For example, one of the indications of
 3 infection could be heat in the foot, which you can only
 4 get if you are physically there with them. Sometimes it
 5 is around palpation of a deformity which requires the
 6 podiatrist to actually have their hands on the patient's
 7 feet.
 8 There's also, you know, feeling for pulses, which
 9 is — you know, and we use a machine called a "doppler",
 10 which assesses blood flow and therefore you can pick up
 11 early problems with a patient's circulation by doing
 12 this. And also, I know I put it in the statement and
 13 it's something that probably only podiatrists
 14 recognise — is that sometimes, when a patient takes off
 15 their shoe and sock, there's an unpleasant smell when an
 16 infection is present, and these kind of things you
 17 cannot do through a virtual call. And I did say, whilst
 18 it's not great, it's better than a phone call and it's
 19 better than nothing.
 20 Q. The second thing I wondered is whether it's — while
 21 members were aware of the risks of in-person
 22 consultations, whether it's the case that they would
 23 have preferred to at least see some patients face to
 24 face so that they could investigate these things. Would
 25 they have liked greater freedom to choose which patients

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1 they should be able to see in person?
 2 A. The answer to that would be "Yes" and "No". The "No" is
 3 in, "I want to have — I want to expose myself to the
 4 virus as little as I possibly can so therefore not
 5 seeing patients is good", but there is also that —
 6 there is that need of podiatrists to actually physically
 7 be there with the patient so that they can do a full
 8 assessment. They've got — podiatrists will have
 9 confidence in their ability to do the assessment
 10 properly when they can bring all the aspects to it, you
 11 know, all the senses, touching the patient's foot, you
 12 know, seeing what it is, feeling, and just being in the
 13 room with the patient gives a far better chance of
 14 accurate diagnosis and therefore assessment and a better
 15 treatment.
 16 I think we've — there's a lot of patients that we
 17 did see because we had provided a decision tree and
 18 a treatment grid that I think a lot of the NHS
 19 podiatrists also used, so they did see some patients who
 20 probably wouldn't have been under the emergency and
 21 wound care.
 22 Q. Thank you. I want to move on to long COVID. Could you
 23 tell us generally about the impacts of long COVID, both
 24 on the Royal College and on your members?
 25 A. Well, if you mean about how it's impacted the staff at

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1 the Royal College, it's probably more with those who
 2 deal with the members — you know, with their issues
 3 because a lot of members, you know, if they've had
 4 long COVID, come to the Royal College and they've got
 5 their issues that they want to discuss and it's — we
 6 don't actually have — we don't provide counselling. We
 7 do have a helpline, but when somebody phones and they've
 8 got an issue, you're not going to say, "Well, it's not
 9 my job. Off you go". So there is an impact on hearing,
 10 you know, some really sad stories about what's happened
 11 to members.
 12 The members that I know of in Scotland, you know,
 13 there's — one has had to leave the profession early —
 14 I think she's early 30s — and we've had some people
 15 who, with long COVID, have reduced hours or have done
 16 things just to try and keep themselves in employment,
 17 and another person retired before they wanted to because
 18 of long COVID, and just the absolute fatigue that it has
 19 and they weren't able to get up. And some days are
 20 better than others. So I think it's got — it has
 21 people worried about, if they've had COVID and they
 22 haven't really returned to what they felt like before,
 23 is there any long-term effects on it, and that's
 24 something that's unknown.
 25 Q. You mentioned early on in your statement that there has

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1 been a decline in your membership numbers. Is your view
 2 that long COVID is partly to blame for that or do you
 3 think that that's a separate issue?
 4 A. I think COVID and its impact on the NHS will potentially
 5 have had some downturn on it but there's a whole host of
 6 other factors because the NHS is one of the — it's the
 7 biggest employer of podiatrists and, if you see it as
 8 a career and then you see all the news headlines about
 9 the NHS, that's not really particularly inviting. But
 10 I do know — I think one of the universities down south
 11 did have quite a large increase in numbers for one year,
 12 and that was, you know — and I don't know whether that
 13 relates to, "Oh, well, if you're a key worker, then
 14 you'll be working should there ever be a pandemic
 15 again", but I don't know the answer to that completely.
 16 Q. Thank you. I want to move on now to PPE, please. Did
 17 your members in private practice have any difficulties
 18 in sourcing PPE?
 19 A. Yes, they did. There's various suppliers that provide
 20 to, those who work in the independent sector and, you
 21 know, once they were open again and if they were looking
 22 for PPE, they would send in an order form and they would
 23 just come back, "Out of stock". There was difficulties
 24 all round in getting PPE so I don't think it was
 25 a surprise to members, but there was quite a delay in

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1 getting this so therefore it caused problems on opening
 2 up their practices again, that we can't open and do, for
 3 example, five days a week because we don't have the
 4 personal protective equipment to do that. So, yes,
 5 there was difficulties.
 6 Q. And I understand there were issues with pricing as well,
 7 that pricing — the prices had gone up significantly?
 8 A. Yes. Prices for gloves is the one that I remember.
 9 That's because — well, my wife is a podiatrist in the
 10 independent sector and it had gone up from about £9 to
 11 £23 for the same amount of gloves. She was not
 12 particularly happy about that. And that was — that was
 13 across those in private practice. I don't know if the
 14 charge increased for NHS, but it did seem — it jumped
 15 massively when they became available and it was probably
 16 due to demand.
 17 Q. Thank you. Were NHS members provided with PPE? Did
 18 they have sufficient PPE?
 19 A. Yes. I mean, in podiatry we've always used some form
 20 of PPE, whether it's the disposable gloves, the
 21 disposable apron or face masks. We also have goggles
 22 that we use when we're doing nail surgery. So we've
 23 always had that. Yeah, there was interruptions with
 24 supply of this. I'm not aware that it created an awful
 25 lot of a problem because of the reduction in the

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1 caseload of --- in patients that they were seeing and
 2 also because I think the delivery of PPE was --- the NHS
 3 was prioritised for that.
 4 Q. Yes. You mention in paragraph 74 that the face masks
 5 that were provided to NHS staff were expired but they
 6 were told to use these. What was the situation there?
 7 Did they claim that these masks --- that the expiry date
 8 didn't matter? Did the Royal College raise issues with
 9 this --- about this with the health boards and what was
 10 the response?
 11 A. This actually came to light after the event so the
 12 Royal College of Podiatry weren't able to challenge
 13 this. But this situation was that there was
 14 out-of-date --- I think it was face masks in a cupboard
 15 and it was "Just use them" because --- and whilst members
 16 weren't happy about that, it was --- it's like, "Well,
 17 it's better than nothing", because there's still the
 18 need and the demand to see patients because of --- the
 19 nature of the work that we were doing in the NHS, it was
 20 pretty serious conditions, you know, open wounds and
 21 ulcers that needed treatment, so it's not --- you didn't
 22 really --- I suppose members felt they didn't really have
 23 a choice on that.
 24 THE CHAIR: Can I pick you up on a detail, Mr Pirie, and it
 25 may well be simply a matter of interpretation. You were

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1 giving an answer in relation to paragraph 74, which
 2 says:
 3 "Our members also came across masks that were out
 4 of date, after their best before date, but the Health
 5 Board [singular] (I can't remember which one) [again
 6 singular] ..."
 7 I appreciate your information on this is probably
 8 a little incomplete, but on the basis of what I read,
 9 does that mean that this problem appears to have been
 10 experienced only in one health board area?
 11 A. I can only tell you what I was told and I was only
 12 informed of this happening in one health board.
 13 THE CHAIR: Thank you. That's fine. The reason I ask is
 14 perfectly straightforward. I'm not condoning it at all,
 15 but plainly, if it's in one health board, it's
 16 a different magnitude of issue than it would be if it
 17 was across the board of all health boards.
 18 MS BAHRAMI: Do you recall if --- while you can't recall
 19 which health board, do you recall whether it was one of
 20 the larger ones or smaller ones?
 21 A. It was one of the larger ones. I wish I could recall
 22 now.
 23 Q. That's okay. Perhaps you could look into that and let
 24 us know post hearing.
 25 THE CHAIR: That would be reasonable.

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1 MS BAHRAMI: Yes. At any point --- after this, when you
 2 became aware of it, did the health board concerned refer
 3 to any studies or guidance on masks on which they
 4 were relying to say that these masks still provided
 5 a benefit?
 6 A. Not that I'm aware of, no.
 7 Q. Thank you. You mention at paragraph 69 that your
 8 members used FFP3 masks for work requiring a nail drill.
 9 Did they also use FFP3 masks prior to the pandemic for
 10 that type of work?
 11 A. Yes. Sorry if it's not clear. What I'm saying was
 12 that, before COVID, our podiatrists, if they were using
 13 a nail drill, were using that kind of mask and were
 14 familiar with it. It wasn't --- and a lot of health
 15 boards have since --- even before COVID had stopped using
 16 nail drills to reduce very thickened nails and they
 17 would just use it by using the nail nippers and
 18 a scalpel to reduce the thickness of the nail because of
 19 the concerns of nail dust.
 20 Q. You say that these masks tend to be designed for the
 21 average male face while the majority of your members are
 22 female. You say 78% there. I just wondered, prior to
 23 the pandemic, were they using a different brand that was
 24 suitable and during the pandemic was that brand of mask
 25 not available, thus making the mask unsuitable for your

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1 average member?
 2 A. It would depend on what the podiatrist was doing. We
 3 did use the surgical mask for nail surgery, but if it
 4 was for nail dust, where something would be --- it was
 5 more likely to be airborne rather than a particle coming
 6 towards your face, then you used or were encouraged to
 7 use FFP3 masks. The reason for that is that they are at
 8 least contoured to the face. And to use these masks
 9 properly you had to undertake some face-fit testing,
 10 which was done --- and it takes quite a while to do that
 11 because it's about basically putting on the mask,
 12 checking that it fits and --- I can't --- I'm not 100%
 13 sure of the process, but it's about, if you can smell
 14 something pretty noxious, then it doesn't fit.
 15 So podiatrists, certainly in a lot of departments,
 16 would be face-fit tested for these masks, so they knew
 17 that these were used for anything that was airborne.
 18 They were available as required and it wasn't a daily
 19 occurrence to be using the FFP3 mask, but if there was
 20 something that you were around, using the nail drill,
 21 then that is what members would use and that's what the
 22 Royal College of Podiatry would recommend using, either
 23 the FFP2 or FFP3 mask.
 24 Q. Okay, thank you. At paragraph 72 you state that the
 25 advice was to wear FFP3 masks when providing direct

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1 patient care in a hospital but not when providing direct
 2 patient care in the community. Are you aware of the
 3 basis for this difference in approach —
 4 A. No, no.
 5 Q. — and what did your members think about this?
 6 A. This was somebody who contacted me to say that they had
 7 seen this advice, and I have since gone back to find out
 8 where this individual had seen it and they said that,
 9 you know, the advice is that we've to use different
 10 masks, you know, in community as opposed to what they're
 11 wearing in hospital. I searched for that advice and,
 12 when these things were coming in — because there was
 13 a lot of phone calls coming in to myself and to the rest
 14 of the Royal College — you know, you'd get this
 15 information, and I have since tried to find out where
 16 that information came from and I couldn't personally
 17 find that — where he got the information from. So that
 18 is just a comment that somebody somewhere, because of
 19 probably going on the internet, found something that
 20 contradicted what was happening.
 21 Q. I want to ask you about the effect on your members'
 22 workload once services started to resume. Was there an
 23 increase in the number of people requiring NHS podiatry
 24 care?
 25 A. The —

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1 Q. So really I'm thinking about wounds and the more severe
 2 work that would be ordinarily referred to the NHS.
 3 A. I would say that there was a slight increase that had
 4 been reported, not a — there was no massive increase
 5 across the NHS in Scotland. What I've told — there was
 6 a slight increase in some areas and the reasons for that
 7 I don't know. But the NHS podiatry, the workload has
 8 always been pretty high because in some areas — and
 9 I think NHS Ayrshire and Arran — they weren't — or for
 10 quite a while weren't, like, having patients come to the
 11 health centre. They were doing more in the way of home
 12 visits, which is a bit more — it's more time-consuming.
 13 It's easier when patients come to you rather than you
 14 going out to them. So workload is — you know, was
 15 heavier in that respect.
 16 Q. Do you think the lack of private and NHS preventative
 17 care could have led to more severe issues that required
 18 more significant intervention?
 19 A. Well, it could but I don't have any evidence to back
 20 that up. Obviously prevention is always better than the
 21 cure so I'll stick with that, kind of, as an answer.
 22 Q. I have a few more questions about that, about the range
 23 of conditions that may have arisen following on from the
 24 lack of preventative care, but it's perhaps something
 25 that I should follow up with you later if that's an area

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1 where you don't have the information to hand.
 2 A. Yeah. Well, I wouldn't have the details. I know that
 3 podiatrists, they do a lot of work with patients with
 4 diabetes who have got potentially — with diabetes you
 5 can get lots of complications around circulation or, you
 6 know, sensation. They get something called "peripheral
 7 neuropathy", where they don't feel things properly in
 8 the soles of their feet, for example. A lot of the work
 9 that we do is — particularly if a patient has had an
 10 ulceration before is — there's a lot of treatment input
 11 to ensure that there isn't a breakdown in the future, so
 12 that prevents it. And also the treatment of ulcerations
 13 by podiatrists — and there is evidence which I don't
 14 have to hand, but it does prevent a lot of patients with
 15 diabetes and peripheral arterial disease going in for
 16 amputations within the hospital.
 17 Q. Yes, thank you. That's the kind of topic that I wanted
 18 to ask you about. You know, we're aware from evidence
 19 from others that care homes, for example, had to close
 20 their doors to external health professionals. Do you
 21 think that's an area where care home residents who had
 22 diabetes may have then gone on to develop conditions
 23 that required amputations where they wouldn't
 24 have otherwise or perhaps even palliative care? Would
 25 that ...?

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1 A. I certainly think, if there's wounds anywhere on the
 2 body which aren't being properly assessed, diagnosed and
 3 treated properly, then it could lead to that. I do know
 4 that, because care homes shut down and said, "Nobody
 5 gets in", that — you know, we were trying to do our
 6 best, and that would be like speaking to one of the care
 7 assistants and saying, "What is the wound like and we'll
 8 send ..." — you know, we were sending dressings to the
 9 patient — to the care homes for them, if they were
 10 comfortable with that.
 11 Q. Thank you. You mention at paragraph 82 that the
 12 knock-on effect of only taking on emergency care rather
 13 than preventative care during the pandemic is that "our
 14 members now feel as if they are firefighting rather than
 15 doing things to prevent conditions". Could you expand
 16 a bit on that? Is that really in hospital acute
 17 settings and is there enough resource to be dealing with
 18 that now?
 19 A. No, it's not just in the acute setting. It's — because
 20 of the number of wounds that are being dealt with, this
 21 is in acute and also in community. And, yeah, the more
 22 prevention you can do, the less problems you have
 23 further down the line, and podiatry is one of those
 24 professions where we look at it and — as do other
 25 professions — it is around preventing. So if we're

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1 not — if we don't have the time to do the same amount
2 of prevention, then we end up just dealing with wounds.
3 And, yes, well, do you know what, maybe even just
4 treating a wound prevents, as I said earlier on, an
5 amputation. But there is that — there's a lot more
6 intensity in dealing with a patient with a wound than
7 there is when you're actually treating somebody in who
8 you're trying to prevent it.

9 Q. Thank you. You state in paragraph 91 that members had
10 concerns about the impact on their HCPC registration if
11 something went wrong in the role to which they were
12 redeployed because, along with other health workers,
13 podiatrists were redeployed to other roles within the
14 NHS. You state that the HCPC stated that podiatrists
15 could be redeployed to these other roles given the
16 circumstances, but did they also clarify the impact on
17 HCPC registration if something did go wrong?

18 A. Well, because most of the people who were working as
19 essential workers and who were being redeployed would
20 have been in the NHS, issues around — something that
21 the Royal College also had input into is that, if
22 something went wrong, the indemnity insurance through
23 the NHS would cover that because your employer had asked
24 you to take on a different role. The clarity from the
25 HCPC was around, you know, if you were asked by your

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1 employer to take on an additional task and you were
2 given suitable training to do this task that you've been
3 redeployed into, then it would not — your HCPC
4 registration wouldn't be affected by doing these things.
5 And that was some assurance that I know a lot of our
6 members appreciated because there is concerns when
7 you're being redeployed and doing — carrying out
8 different duties.

9 Q. Thank you. At paragraph 93 you state that the HCPC
10 suspended the usual CPD requirements. In the opinion of
11 the Royal College, was this decision appropriate and
12 correct? Have you seen any impact on knowledge and
13 competence levels as a result?

14 A. No, I think the Royal College of Podiatry welcomed this
15 because this is an audit of — that's carried out every
16 two years by the HCPC on all professions that they
17 regulate, and podiatry was due for their HCPC audit in
18 I think the May — around about May of that year. And
19 what it is is it's asking you to provide evidence to the
20 HCPC that you've undertaken continual professional
21 development, and their definition — because it says
22 "continuous", it would mean that it is continuous up
23 until the next registration date, and obviously, when
24 everything shut down, there was very limited
25 opportunities for our members to undertake CPD.

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1 For those in the NHS it was all hands on deck
2 regarding patients, so, therefore, any learning
3 opportunities were minimised. For those in private
4 practice, a lot of that is — of their continual
5 professional development is done through — it would be
6 like attending branch meetings or going to conferences,
7 which were all face-to-face kind of events. So it was
8 welcomed. I don't think it's had — well, I'm not aware
9 of any evidence that says that the knowledge and skills
10 of podiatrists are impacted on that because the CPD
11 audit is basically you writing up what learning that you
12 have done, but there is still a requirement for members
13 to do CPD.

14 Q. Okay. Thank you. I want to move on to the impacts on
15 patients. You state at paragraph 101 that some patients
16 who had attended the NHS for podiatry care for many
17 years prior to the pandemic were then, once services
18 resumed, being told they needed to go elsewhere to find
19 services and there was some anger among these patients,
20 who you say were essentially told to "fend for
21 themselves". Can you give us some examples of the types
22 of conditions that these patients had and the types of
23 treatment they needed?

24 A. Well, the ones that — as I said, the NHS was focusing
25 mainly on wounds and ulcers, so unless — well, there

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1 was also maybe acute episodes of musculoskeletal
2 conditions and when a nail had become really bad, an
3 Ingrown toenail, they were being seen by the NHS and —
4 you know, so it was really the ones that — if you had,
5 you know, painful corns, for example, they were no
6 longer being seen in the NHS and being told that they
7 didn't meet the criteria because the criteria was just,
8 "It's wounds, that's what we're dealing with", and that
9 they could go elsewhere.

10 Now, NHS doesn't recommend who they go to but makes
11 suggestions around, you know, the voluntary sector, the
12 third sector, "You can go privately", that kind of
13 thing. So a lot of patients — a lot of these patients
14 had been attending for a long time, sometimes, you know,
15 years and years of attending the NHS for ongoing
16 treatment, and it's around preventing these conditions
17 from getting worse and then all of a sudden it's just
18 like, "Oh, I don't meet the criteria", and it was just
19 like, "So you don't meet the criteria so you need to go
20 and find someone else to do this". And then when they
21 looked around — our website, the Royal College in
22 Scotland, you know, "Find a podiatrist" — so if they
23 went on to that, they go "Find a podiatrist" and,
24 certainly in the early stages, podiatry clinics were
25 closed in the private sector.

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1 So this is why — it's kind of the feedback I get
 2 from some people in private practice, where these
 3 patients just felt discarded because they didn't meet
 4 the NHS criteria, the private practitioner clinics were
 5 closed, where did they go?
 6 Q. Yes.
 7 THE CHAIR: You're into your last ten minutes, Ms Bahrami.
 8 MS BAHRAMI: Thank you, my Lord.
 9 Do you think that the lack of preventative care had
 10 led to this increase in the number and severity of
 11 wounds that caused the NHS to change its criteria or
 12 do you think there was a staff shortage — a reduction,
 13 a significant reduction? What was the reason for the
 14 change in criteria?
 15 A. It was just — I believe the criteria came from the NHS
 16 of, "This is what we're going to see, this is all we're
 17 going to see", because it was — I don't know if partly
 18 the rationale was, "We need to reduce the number of
 19 people coming into either hospital, health centres or
 20 the number of house visits that we do to limit the
 21 number of contacts. What is essential to be done?".
 22 I wouldn't disagree that wounds and ulceration is
 23 essential that needed to be done; Ingrown toenails, for
 24 example, they would be essential to be done. Not only
 25 are they very painful but they can lead to, you know,

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1 further infection.
 2 Q. Yes. You mentioned in paragraph 103 that patients can't
 3 afford to see private practitioners as often as they had
 4 been receiving treatment by the NHS. Do you think that
 5 has the potential to then lead to an escalation in their
 6 condition and consequently place further strain on the
 7 NHS in due course?
 8 A. Yes.
 9 Q. Thank you. And finally, in paragraph 105, you mention
 10 a 2016 report which examined whether the NHS could cope
 11 with a pandemic and determined that it wouldn't be able
 12 to do so. Do you recall who commissioned or prepared
 13 that report?
 14 A. No, no, I'm afraid that was something out — I was
 15 watching on the television and they talked about they
 16 had done this — they had done something in 2016 to see
 17 if the NHS — and I think it was UK-wide — was fit to
 18 deal with a pandemic, and I believe that what was
 19 reported was the NHS wasn't ready for — to deal with
 20 a pandemic. And since 2016, if you look at the numbers
 21 of podiatrists within the NHS, those numbers have gone
 22 down almost year on year.
 23 Q. Thank you. Is there anything that we haven't covered
 24 today which you'd like to address at this point?
 25 A. I would — it goes round to getting the information out

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1 to those who work in the NHS and realising that it's not
 2 just hospitals, it is community care. You know, the
 3 concerns that our members had when they were working was
 4 around PPE, whether the face masks were appropriate, and
 5 part of that came from kind of — the information that
 6 you see, that was coming out around COVID, and they had
 7 individuals, care staff in hospitals primarily in China,
 8 who had the full biohazard suits on, and our members
 9 were given face masks that didn't even fit the contour
 10 of their face.
 11 I think that, when we look at providing PPE, we
 12 should be delivering what is the gold standard rather
 13 than — our members felt it was, "What can we get away
 14 with?" rather than "What is the gold standard?", and
 15 that would have been the FFP3 mask, because members
 16 wanted to feel safe going into work and they didn't feel
 17 safe, and primarily around face masks is that most of
 18 the staff in the NHS, not just our members, are female,
 19 so why is it designed for the average male?
 20 MS BAHRAMI: Yes. Thank you very much.
 21 THE CHAIR: Thank you very much, Mr Pirie.
 22 A. Right. Thank you, your Honour.
 23 THE CHAIR: Good. That's all the evidence we have for
 24 today, Ms Bahrami. So Tuesday morning. I'm not sure if
 25 it's 9.30 or 9.45, but no doubt participants will be

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1 told what time we're starting on Tuesday morning. Thank
 2 you.
 3 MS BAHRAMI: Thank you, my Lord.
 4 (The hearing adjourned until
 5 Tuesday, 30 April 2024 at 9.30 am)
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