

PPE contract legal challenge

Since this unprecedented global pandemic erupted our absolute priority throughout has always been saving lives. In a highly competitive global market, where many countries placed export bans on personal protective equipment (PPE), we delivered over 11 billion items of PPE to protect our frontline workers, including:

- 1.7 billion Type IIR face masks
- 100 million FFP3 face masks
- 48 million gowns
- 6.9 billion gloves

This vital supply helped keep the NHS open at a moment of national crisis and enabled it to deliver a world-class service to the public.

Globally there were significant logistical challenges in sourcing, procuring and distributing PPE. The rapid rise in international infection rates during the early stages of the pandemic created unparalleled demand for PPE.

We set up, from scratch, a new parallel supply chain to procure, manage and distribute life-saving PPE. This was an enormous cross-government effort, drawing upon expertise from a number of departments together with fantastic support from the military and private sector partners. Officials worked day and night to secure these contracts. We prioritised procurement and we make no apology for that.

As the 2020 National Audit Office (NAO) report recognised, all of the NHS providers they spoke to were always able to get what they needed in time. This was thanks to the collective efforts of government, the NHS, armed forces, civil servants and industry.

In this unique situation, we had to change how we approached risk. The risks that the contracts might not perform needed to be balanced against the risk to the health of frontline workers, the NHS and the public if we failed to get the PPE we so desperately needed.

Decisions on whether to award contracts for PPE are taken by officials and the NAO found no evidence ministers were involved in procurement decisions.

Good Law Project is challenging the Department of Health and Social Care on whether the government acted lawfully in awarding specific contracts. These legal proceedings relate to just 9 of the 332 PPE contracts the department signed during a period of extremely high and urgent need.

The claims must also be balanced with the success of a programme since the beginning of the pandemic:

- In April 2020, we issued a call to arms for new suppliers of PPE. We received an extraordinary response and are grateful to all those who rose to the challenge. These offers were prioritised on the speed for

getting PPE to the frontline, to keep people safe, and the scale a supplier could deliver

- To date we have delivered over 11 billion items of PPE to the frontline
- The delivery of billions of items of PPE has been possible largely due to the creation of the [PPE portal](#), our online platform developed and delivered through the Department of Health and Social Care partnering with eBay, Clipper Logistics, Royal Mail, the NHS, Volo and the military. To date, we have delivered 2.8 billion items of PPE through the portal. We established a 4-month stockpile of PPE across all major categories, by the end of November 2020

The government continues to fight this pandemic and that should not be forgotten. Over the course of April 2021, we distributed 1 billion items of PPE to the health and social care sector while helping to reopen society. This includes providing masks to allow the safe reopening of schools and to ensure people had access to these at polling stations.

We are committed to transparency. Ahead of the legal proceedings, we are making the Department of Health and Social Care's [skeleton argument available](#).

To save lives, we focused our efforts, our resources and our attention on sourcing PPE. We stand by our efforts to prioritise protecting frontline workers and citizens.