Leicestershire
County Council

Meeting: **Cabinet**

Date/Time: **Tuesday, 24 March 2020 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Anna Poole (Tel. 0116 305 2583)**

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Membership

Mr. N. J. Rushton CC (Chairman)

Mr. R. Blunt CC	Mr. T. J. Pendleton CC
Mr. L. Breckon JP CC	Mr. J. B. Rhodes CC
Mr. I. D. Ould OBE CC	Mrs H. L. Richardson CC
Mr. B. L. Pain CC	Mr. R. J. Shepherd CC

Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at http://www.leicestershire.gov.uk – Notices will be on display at the meeting explaining the arrangements.

URGENT REPORT - CORONAVIRUS (COVID-19) IMPACT AND RESPONSE OF THE COUNTY COUNCIL

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Leicestershire County Council

CABINET – 24 MARCH 2020

CORONAVIRUS (COVID-19) IMPACT AND RESPONSE OF THE COUNTY COUNCIL

JOINT REPORT OF THE CHIEF EXECUTIVE, DIRECTOR OF CORPORATE RESOURCES AND DIRECTOR OF PUBLIC HEALTH

Purpose of the Report

1. The purpose of this report is to advise the Cabinet of the impact of the coronavirus (COVID-19) within the County and the plans and work in hand within the County Council and with partners to respond.

Recommendations

2. The Cabinet is asked to

   a) note the report and the work in hand to ensure vital services especially to vulnerable members of the public continues;
   b) note the position regarding the process for taking urgent decisions; and
   c) approve the establishment of a £1million fund to establish a voluntary and community sector support scheme as set out in paragraph 66.

Reasons for Recommendations

3. To advise on the current position and seek approval to the establishment of support scheme for voluntary and community sector organisations.

Background and Detail

The Virus

4. Coronaviruses are a family of viruses common across the world in animals and humans. COVID-19 is the illness seen in people infected with a new strain of coronavirus not previously seen in humans and began in Wuhan Province in China in December 2019. This has since spread to most parts of the world. Based on current evidence, the main symptoms of COVID-19 are a cough, a high temperature and, in severe cases, shortness of breath. As it is a new virus, the lack of immunity in the population (and the absence as yet of an effective vaccine) means that COVID-19 has the potential to spread extensively. The current data seem to show that we are all susceptible to catching this disease.

Early data suggests that, of those who develop an illness, the great majority will have a mild-to-moderate, but self-limiting illness – similar to seasonal flu. It is, however, also clear that a minority of people who get COVID-19 will develop complications severe enough to require hospital care, most often pneumonia. In a small proportion of these, the illness may be severe enough to lead to death. The risk of severe disease and death increases amongst elderly people and in people with underlying health conditions.

UK Government response

5. The UK Government has been planning an initial response based on information available at the time, in a context of uncertainty, that can be scaled up and down in response to new information to ensure a flexible and proportionate response. The overall phases of our plan to respond to COVID-19 are:

    • **Contain**: detect early cases, follow up close contacts, and prevent the disease taking hold in this country for as long as is reasonably possible;
    • **Delay**: slow the spread in this country, if it does take hold, lowering the peak impact and pushing it away from the winter season;
    • **Research**: better understand the virus and the actions that will lessen its effect on the UK population; innovate responses including diagnostics, drugs and vaccines; use the evidence to inform the development of the most effective models of care;
    • **Mitigate**: provide the best care possible for people who become ill, support hospitals to maintain essential services and ensure ongoing support for people ill in the community to minimise the overall impact of the disease on society, public services and on the economy.

6. The Prime Minister chairs regular UK COBRA meetings to take strategic decisions and review overall progress in the campaign to contain, delay and mitigate coronavirus. In addition, daily COVID-19 meeting of key ministers and officials will monitor progress and refine the measures agreed by COBRA. The Government and Prime Minister have been clear that countering this pandemic will require significant national effort from government, businesses, charities, communities and citizens across the UK.

7. The Government has introduced a range of measures in response to COVID-19, including advice on social distancing, financial support packages for businesses and employees, and measures to protect the vulnerable and shield those with serious conditions. It has also introduced emergency legislation. The proposals set out in the Emergency Bill currently before Parliament will significantly enhance the ability of public bodies across the UK to provide an effective response to tackle this epidemic. The Bill enables action in 5 key areas set out below. The Appendix sets out further detail.

a) increasing the available health and social care workforce – for example, by removing barriers to allow recently retired NHS staff and social workers to return to work (and in Scotland, in addition to retired people, allowing those who are on a career break or are social worker students to become temporary social workers);

b) easing the burden on frontline staff – by reducing the number of administrative tasks they have to perform, enabling local authorities to prioritise care for people with the most pressing needs, allowing key workers to perform more tasks remotely and with less paperwork, and taking the power to suspend individual port operations;

c) containing and slowing the virus – by reducing unnecessary social contacts, for example through powers over events and gatherings, and strengthening the quarantine powers of police and immigration officers;

d) managing the deceased with respect and dignity – by enabling the death management system to deal with increased demand for its services;

e) supporting people – by allowing them to claim Statutory Sick Pay from day one, and by supporting the food industry to maintain supplies.
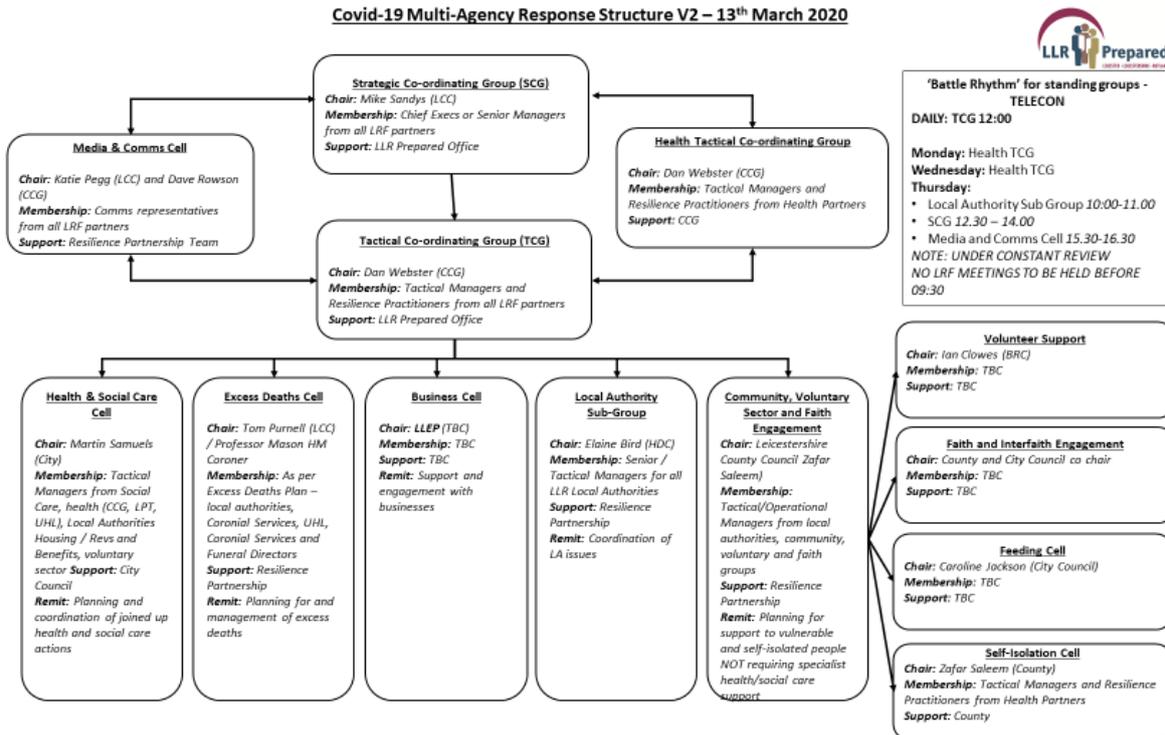
Impact of the virus

8. Nationally the country has moved from the containment phase to the delay phase with current guidance seeking to supress the rise in numbers. In the delay phase many of the actions that people can take themselves – especially washing hands more often; and the catch it, bin it, kill it strategy for those with coughs and sneezes – also help in delaying the peak of the outbreak.

9. Delaying the spread of the disease requires action from all people. The benefits of doing so are that if the peak of the outbreak can be delayed until the warmer months, we can reduce significantly the risk of overlapping with seasonal flu and other challenges (societal or medical) that the colder months bring. The Delay phase also buys time for the testing of drugs and initial development of vaccines and/or improved therapies or tests to help reduce the impact of the disease, and for the establishment of support arrangements for people, especially the elderly and vulnerable, whose lives are seriously adversely affected by the virus and the necessary measures put in place to respond to it.

10. As of 9am on 22 March 2020, 78,340 people have been tested in the UK, of which 72,657 were confirmed negative and 5,683 were confirmed positive. As of 9am on the 22 March 281 patients in the UK who tested positive for coronavirus (COVID-19) have died. The above numbers of people confirmed positive will be a large underestimate of the true extent of the outbreak as Public Health England is no longer routinely doing community testing and is prioritising tests on whether cases are a clinical priority or in high risk settings such as prisons or care homes.

11. Within Leicestershire, the first case was confirmed over the weekend of 7 and 8 March. As of 22 March, there were 43 confirmed cases. The same caution needs to be applied to local numbers as to the national number. University

Hospitals Leicester has already experienced a number of admissions to hospital by patients with COVID19, from within Leicestershire and outside.

<u>Leicestershire - Partnership Response – LLR Prepared</u>

12. The local response is being co-ordinated by LLR Prepared which is the Local Resilience Forum covering Leicester, Leicestershire & Rutland and which is chaired by the Chief Constable (the County Council's Assistant Chief Executive is the Vice-Chair). It has statutory responsibilities arising from the Civil Contingencies Act 2004, which requires specific organisations to work together to prepare for, respond to and recover from different emergencies. The diagram below shows the current structure and arrangements for dealing with the Coronavirus. A multi-agency Strategic Coordinating Group, chaired by the Director of Public Health of the Council, has been established and is meeting regularly, and includes all the relevant partners at a senior level seeking to coordinate the complex response across the area. Tactical and operational responses across a range of key issues are being co-ordinated by the multi-agency cells which sit below the SCG. The Council is fully involved in all relevant groups and is chairing several of them. Many areas across the country have declared this to be a Major Incident and should this happen in LLR it is expected that chairmanship of the SCG would transfer to the Police.

13. LLR Prepared is urgently considering the proposals issued by the Government on Sunday to protect the vulnerable and 'shield' those with serious conditions. This is a complex and urgent piece of work which will require effective multi-agency collaboration and within which the Council will be taking a leading role in the county. LLR Prepared has established a Community, Voluntary and Faith Engagement Cell which will be co-ordinating the partnership response. The Emergency Bill in front of Parliament includes measures relating to 'emergency volunteers' and these are summarised in the Appendix to this report.

Covid-19 Multi-Agency Response Structure V2 – 13th March 2020

LLR Prepared

Strategic Co-ordinating Group (SCG)
Chair: Mike Sandys (LCC)
Membership: Chief Execs or Senior Managers from all LRF partners
Support: LLR Prepared Office

Media & Comms Cell
Chair: Katie Pegg (LCC) and Dave Rowson (CCG)
Membership: Comms representatives from all LRF partners
Support: Resilience Partnership Team

Health Tactical Co-ordinating Group
Chair: Dan Webster (CCG)
Membership: Tactical Managers and Resilience Practitioners from Health Partners
Support: CCG

Tactical Co-ordinating Group (TCG)
Chair: Dan Webster (CCG)
Membership: Tactical Managers and Resilience Practitioners from all LRF partners
Support: LLR Prepared Office

'Battle Rhythm' for standing groups - TELECON
DAILY: TCG 12:00

Monday: Health TCG
Wednesday: Health TCG
Thursday:
• Local Authority Sub Group 10:00-11.00
• SCG 12.30 – 14.00
• Media and Comms Cell 15.30-16.30
NOTE: UNDER CONSTANT REVIEW
NO LRF MEETINGS TO BE HELD BEFORE 09:30

Health & Social Care Cell
Chair: Martin Samuels (City)
Membership: Tactical Managers from Social Care, health (CCG, LPT, UHL), Local Authorities Housing / Revs and Benefits, voluntary sector Support: City Council
Remit: Planning and coordination of joined up health and social care actions

Excess Deaths Cell
Chair: Tom Purnell (LCC) / Professor Mason HM Coroner
Membership: As per Excess Deaths Plan – local authorities, Coronial Services, UHL, Coronial Services and Funeral Directors
Support: Resilience Partnership
Remit: Planning for and management of excess deaths

Business Cell
Chair: LLEP (TBC)
Membership: TBC
Support: TBC
Remit: Support and engagement with businesses

Local Authority Sub-Group
Chair: Elaine Bird (HDC)
Membership: Senior / Tactical Managers for all LLR Local Authorities
Support: Resilience Partnership
Remit: Coordination of LA issues

Community, Voluntary Sector and Faith Engagement
Chair: Leicestershire County Council Zafar Saleem)
Membership: Tactical/Operational Managers from local authorities, community, voluntary and faith groups
Support: Resilience Partnership
Remit: Planning for support to vulnerable and self-isolated people NOT requiring specialist health/social care support

Volunteer Support
Chair: Ian Clowes (BRC)
Membership: TBC
Support: TBC

Faith and Interfaith Engagement
Chair: County and City Council co chair
Membership: TBC
Support: TBC

Feeding Cell
Chair: Caroline Jackson (City Council)
Membership: TBC
Support: TBC

Self-Isolation Cell
Chair: Zafar Saleem (County)
Membership: Tactical Managers and Resilience Practitioners from Health Partners
Support: County

14. LLR Prepared is supported by a Resilience Team which is funded by partners and hosted at the Council. Steps are being taken to train additional staff to carry out resilience duties in the event of the Team experiencing significant staff absences as a result of the current incident. The Government has allocated Military Planners to support LLR Prepared's response and subject to confirmation of the numbers being provided it is expected that they will provide practical support to a number of the LRF cells, including support for self-isolating and vulnerable people.

15. The key strategic priorities agreed by the Strategic Co-ordinating Group are:
   a) Save Life and prevent further loss of life or harm;
   b) Relieve Suffering;
   c) Provide the public with information;
   d) Maintain public confidence in services;
   e) Contain the emergency and limit escalation or spread;
   f) Maintain critical services;
   g) Maintain the welfare and health and safety of staff (general welfare and specific virus related);
   h) Treat the dead with dignity and respect at all times;
   i) Maintain normal service as far as practicable;
   j) Promote self help and recovery;
   k) Restore normality as soon as possible.

The County Council Response

16. As stated earlier the County Council is a key partner in LLR Prepared and officers are heavily involved in each of the Groups shown in the structure chart above. The County Council has also had regard to the key strategic priorities identified by LLR Prepared in preparing its own response which is detailed in the paragraphs below.

17. **Staff** have received regular bulletins to keep them up to date on the Council's response and on how it affects them as employees. They have been asked, subject to agreement with their manager based on service need, to work from home where at all possible and feasible. Managers have been asked as a matter of urgency to identify all staff who fall within the government's definition of 'underlying conditions' so that following a risk assessment, appropriate action can be taken. This will include many of those staff working from home, or being asked to stay at home even if it is not possible for them to work. This is in recognition of the government guidelines. Smarter / flexible working arrangements are in place, and work is underway to provide IT equipment to as many people as possible to enable them to work remotely in an effective way. Critical workers are being prioritised. More details are provided in subsequent paragraphs.

18. Support and guidance has been provided to managers of teams who will be working remotely for a long period of time – a mix of practical arrangements, and considering what action needs to be taken to ensure colleagues are engaged, and any wellbeing issues are addressed quickly. Supporting resources have been developed.

19. The list of critical services included in Business Continuity plans across the Council has been updated to take account of the current situation. Consideration is being given to simple, pragmatic ways to facilitate redeployment from non-critical roles into critical service areas. Approaches include conducting quick skills audits and issuing messages to staff encouraging them to come forward, or advising them that they may be asked, within reason, to perform other roles for a period of time.

20. A set of frequently asked questions (FAQs) has been produced and published, dealing with advice around Coronavirus and a range of human resources policy issues. These are based on a mix of local policy and nationally agreed positions, particularly relating to pay arrangements for COVID-19 related absence from work. As the situation changes, these FAQs will be regularly updated. For example, currently consideration is being given to policies relating to parents who cannot work due to school closures.

21. **IT infrastructure** is a key enabler to allow all workers (with priority being given to critical workers) to continue delivering services. IT has therefore been focused on the following priorities:

- <u>Remote Working:</u> Identifying and equipping critical workers with the tools needed to allow remote working;
- <u>Stability:</u> Protecting and monitoring the stability of the IT infrastructure to cope with the larger number of remote workers;
- <u>Security:</u> Responding and actioning guidance from the NCSC (National Cyber Security Centre) to protect the authority from a heightened cyber security threat profile;
- <u>Telephone Contact Centres:</u> Implementation of a remote working solution for telephone-based contact centres in operation across the authority.

22. Most of the authority's critical workers already have the capability to work remotely. Approximately 500 critical workers have been identified that require additional provision of equipment or software. Roughly two thirds of these critical workers are in the process of being set up for remote access using VDI (a virtual desktop that can be accessed using their own laptop or PC). The other third are being issued with laptops.

23. Additional laptops are on order and expected to arrive in April, subject to the supply chain integrity being maintained at a national level. These will be used to further enhance and enable or remote working capability.

24. At the point of writing this report there has been a fivefold increase in remote access onto our network. The IT infrastructure is currently handling this load with additional capacity to spare. The IT system performance is being closely monitored and work continues to balance the provision of services between VDI and laptops to optimise this load. There are however a couple of factors outside of our control that may impact our performance. These relate to the resilience of the national infrastructure such as broadband and mobile networks. Both of these are already seeing demand spikes that are slowing down access in some cases. Network providers are taking action to mitigate these.

25. A consequence of the COVID-19 crisis has been a notable increase in cyber-related incidents, particularly by hostile state actors and organised crime groups. Publicly available intelligence is limited but the advice from NCSC and other agencies is to be extra vigilant as they have recorded a spike in reported incidents. The Council already has in place a cogent cyber security strategy led by our dedicated cyber security lead; however, we continue to evolve our response as circumstance and intelligence dictates. As a result, we are placing additional focus on the following priorities:

    i. Increase IT operational response;
    ii. Additional monitoring measures to identify potential suspicious activities;
    iii. Ensure security & integrity of backups and implement additional measures to strengthen these;
    iv. Consider temporary measures to reduce our risk profile;

       v.   Raise awareness amongst staff regarding increased level of cyber threats at this time;

      vi.   Ensure that any efforts to find alternative ways of working do not circumvent existing security policies and practices;

     vii.   Review of current procedures to identify, respond and recover from cyber incidents.

26. With regard to **customer contact** our existing contact centres use a location-specific telephone system that limits our ability to work remotely. A temporary solution that will allow remote working has been identified (Anywhere 365) and is being implemented. This will be rolled out over the next week. A longer-term solution will be developed at an appropriate point that allows a remote working capability for these services. The services most affected in the short term include: the Customer Services Centre, East Midlands Shared Services, IT, Registrar's, LEAMIS, Notice Processing Unit, First Response Children's Duty, and Driver Education.

27. The Customer Service Centre (CSC) has placed messages on the website and our telephone system to encourage people to either self-serve/solve on the website or to make email contact for anything non-urgent. The phone lines remain open for urgent enquiries or for those that cannot access information online.   A skeleton crew is maintained within CSC to manage the phone call demand that remains. For those who remain at the workplace social distancing procedures are being implemented to minimise any internal risk. Staff members who are home-working will be focussed on administrative based activities such as processing emails. This arrangement will continue until the Anywhere365 telephone system becomes available to handle inbound calls at home.

28. With regard to **Schools and Early Years Settings** the government has asked parents to keep their children at home, wherever possible, and asked schools and early years settings to remain open only for those children who absolutely need to attend. Schools are, therefore, being asked to continue to provide care for a limited number of children - children who are vulnerable and children whose parents are critical to the COVID-19 response and cannot be safely cared for at home. Vulnerable children include children who are supported by social care, those with safeguarding and welfare needs, including child in need plans, on child protection plans, 'looked after' children, young carers, disabled children and those with education, health and care (EHC) plans.

29. Children and Family Services are working to ensure those children, identified as vulnerable are provided with a school place, where they are not able to be cared for safely at home. This includes children in our care who will be assessed on a case by case basis to ensure a school place is available for those who need it.

30. Alongside this Children and Family Services have developed and continue to develop robust plan to ensure critical services continue to operate safely. This includes services that safeguard children and provide support for children with additional and complex needs.

31. Parents whose work is critical to the COVID-19 response include those who work in health and social care and these groups are included in the definition of key workers set out by the DfE. Many parents working in these sectors may be able to ensure their child is kept at home and every child who can be safely cared for at home should be.

32. The Department is working with schools to support the continued delivery of provision for vulnerable children and the children of key workers. Schools across Leicestershire are working together to prioritise provision for those children who most need it. The Department will keep a record of schools that are closing as well as pupil numbers attending schools that are remaining open.

33. **Adult and Communities Department** have established an emergency planning structure to ensure the continued delivery of social care services both to existing service users and to meet the additional needs of people requiring social care services. The management plan includes the following areas.

Provider Capacity

34. The status and capacity of care providers is being monitored to ensure demand for care is met in a prioritised way through enhanced brokerage and triage process and risk assessment of individual care requirements. Consideration is also being given to increasing homecare and bed capacity in residential and nursing care homes

35. A dedicated provider helpline has been established to aid communication and to obtain key information from providers (i.e. risk level, absence etc.) The department will be contacting all direct payment recipients to ascertain resilience and any unmet needs

Workforce oversight

36. Understanding the availability of resources to support the Covid-19 response and deciding how to deploy them best to meet the needs of people in the short and medium term, making decisions about re-allocating the workforce to meet critical needs is key. A daily workforce monitoring tracker has been developed across the department to identify staff availability, location and utilisation.

37. The department is also establishing and mobilising an Emergency Care Team, which will be able to respond in a crisis and support any lack of capacity across in-house and external providers.

38. Recruitment, induction and training of additional capacity across a range of functions will also be undertaken to ease pressures within the workforce.

System Flow

39. Ensuring that the flow of work through the care system is monitored and maintained is essential if the Department is to meet demand in the coming weeks. This is particularly important for the reablement service which will be

responsible for the initial care for people on discharge from hospital. Monitoring and reporting is being undertaken on wait times and bottlenecks and on identifying key points in the system that require additional capacity to maintain care availability as well as responding to DTOC packages to free up hospital beds and assessing critical tasks and risks.

Shielding Vulnerable people

40. The Local Authority has been tasked by government to create welfare services for vulnerable people who have been advised to self-isolate due to underlying health conditions. Work is underway to develop an understanding of the cohort of people who may require support and identifying a process to deliver practical and welfare arrangements alongside developing the resources and capacity to meet the expected demand. This may involve provision of advice and guidance, help with food supplies, medication, safe and well checks or personal care. This significantly extends the role of local authorities and care services to people who would in other circumstances not be in receipt of care and will require identification processes, customer care functions, distribution process, communications and engagement with communities, the voluntary sector and faith organisations.

41. The Council is working together with District Councils, the NHS and other partners to design and develop the logistical process and systems required to ensure all those people who register for support can have their needs met. At this stage we are unclear what the exact model of support will consist of, however it is likely that there will be one central contact, co-ordination and administration point supported by a number of hubs which could be based within each district area for the distribution of supplies.

System co-ordination

42. Identifying and implementing Covid-19 hospital discharge service requirements for the Council across each acute, community and out-of-county hospital, and escalating all DTOCs to ensure beds are available in the acute sector, is critical. Work is being undertaken with NHS and local government partners to develop pooled staffing arrangements to ensure the best use of resources and prioritisation in relation to patients being discharged. In line with new guidance and regulations, the Council will be responsible for developing lead commissioning and contracting responsibilities to expand the capacity in domiciliary care, care homes and reablement services in the local area on behalf of NHS partners.

43. Co-ordinated work is being undertaken with local and national voluntary sector organisations to provide services and support to people requiring support around discharge from hospital and subsequent recovery.

Finance and funding arrangements

44. Systems have been put in place to ensure prompt payment to providers and developing payment mechanisms which provide confidence to the market as

well as ensuring sustainable provision, identifying and responding to provider key cashflow risks to support continuity of care. Additional work is also being done to:-

- Understand the impact of changing legislation on financial assessments, charging processes and ensuring the Council can continue to manage Appointee and Deputyship duties to protect services user finances and provide people with adequate incomes
- Collecting and collating key financial information for internal reporting, partnership arrangements and central government and understanding financial impact of Covid-19 on department budgets
- Developing and agreeing process for reimbursements, and the establishment and management of pooled budget arrangements

45. **Waste operations** have been affected due to reduced staff numbers and as a result 4 Recycling and Household Waste Sites (RHWS) have had to be closed. The closures of these sites (Somerby, Bottesford, Shepshed and Lutterworth) took effect from Saturday 23 March. The remaining 7 RHWS will remain open to the public. Work is continuing with the district councils as the waste collection authorities to ensure the continued collection and disposal of the county's waste. This is likely to mean reducing non-critical waste services as staff numbers reduce.

46. All **highways services** are currently being delivered, however workforce numbers are reducing daily and material suppliers are starting to identify a reduced capacity in the supply chain due to their own staff shortages. It is likely that in the next few days and weeks there will be a need to reduce highway operations to the critical services shown below:

    i.   The higher category highway defect repairs (Cat 1 & 2)
    ii.   Emergency Adverse Weather response
    iii.   Making safe damaged assets
    iv.   Winter Maintenance
    v.   Urgent Gully emptying, jetting and drainage repairs
    vi.   Urgent Forestry works
    vii.   Urgent Street Lighting repairs, and repairs to mandatory signs
    viii.   Rural grass cutting for highway safety / visibility which will become critical around May / June
    ix.   Reactive traffic management
    x.   Statutory Highway Safety Inspections
    xi.   Purchasing of materials
    xii.   Core service to maintain our fleet of MOT's, statutory inspections and maintenance of vehicles

47. For **Transport Operations** the main focus is to ensure the provision of transport to schools for those students entitled to attend school under the Government's latest guidance. The Department is currently in the very early days of understanding the scale of this operation and will redeploy staff from non-critical

areas if needed to provide sufficient resource.   In terms of concessionary travel passes and blue badges, it is likely that there will be a need to advise those seeking to apply or renew, that there will be delays in the turnaround due to reduced resources.

<u>Service Closures and reductions</u>

48. A verbal update on service closures will be provided at the meeting but the position at the time of writing (22/3/20) is set out in the following paragraphs.

49. Within the adult social care service, the following service have been ceased
- All Community Life Choices/ day services, both in-house and commissioned, to protect people in line with social distancing advice
- provision of in-house short breaks services except where required to keep people safe and provide capacity to isolate people in their best interest.

50. Community and Wellbeing Services have stood down all public facing services to ensure the Council supports the need for social distancing and to protect the welfare of staff and the public. This includes the following service areas;
- Library services
- Adult learning services
- Museum and heritage services
- Creative learning services
- Leicester Leicestershire and Rutland Record Office

51. The focus of the work in the Corporate Resources and Chief Executives Departments has been to support the service departments in the delivery of critical services but there are some public facing services areas directly affected including the closure of Bosworth Battlefield Heritage Centre, Century Theatre at Snibston, Beacon Hill Café and Beaumanor Hall catered events and school trips and a limit on attendees at weddings and civil partnership ceremonies to 10 people or less.

52. Whilst services are closed to the public, officers are continuing to carry out back office duties where possible or, following the social distancing advice, working remotely. There are opportunities for staff to work in other service areas such as supporting the Council to meet the welfare needs of people who have been advised to self-isolate and this is being explored by HR as outlined above.

Decision making and meetings

<u>The current legal requirements</u>

53. The legislation provides that 'no business shall be transacted at a meeting of a principal council unless at least one quarter of the whole number of members of the council are present' and 'all questions coming or arising before local

authority shall be decided by a majority of the members of the authority present and voting thereon at a meeting of the authority[1].'

54. The technology to allow remote or virtual meetings did not exist when the legislation was enacted and the provisions above have always been interpreted as requiring members to be physically present at meeting for that meeting to be lawfully convened; this view is supported by the requirements in relation to publication of the notice of the date and time of the meeting and making the meeting open to the public and media[2].

55. On 16 March 2020, the Secretary of State for Housing, Communities and Local Government confirmed that he was considering bringing forward legislation to

   a) remove the requirement for annual council meetings to take place in person; and
   b) allow council committee meetings to be held virtually for a temporary period.

56. The LGA is liaising with the MHCLG to achieve an understanding of when this may be published and to seek clarity in relation to other relevant issues including postponement of Education Appeals, postponement of Police and Crime Panels and the 6 months rule concerning members attendance at meetings.

Interim arrangements; Council

57. Pending further guidance, to lawfully transact the business of the Council it will be necessary for members to attend. Subject to the agreement of the Group Leaders, it would be possible to agree attendance is restricted to the minimum required to achieve quorum of 18 members (a quarter of members) and to apply the political balance rules. This would be achieved by attendance of 12 members from the Conservative group, 4 members from the Liberal Democrat group and 2 members from the Labour group plus the chairman to allow Council to deal with essential business only. Members may choose to sit as spaced apart as the chamber allows. Essential business includes:

   (a) the election of the Chairman;
   (b) Setting the dates of council meetings;
   (c) Appointing the Leader and Cabinet Support members; and
   (d) Appointing members of the Commission, boards and committees.

   The other business which includes approval of the Strategic Plan, Equalities Strategy and Environment Strategy can be delayed to the meeting of the Council in July.

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[1] Local Government Act 1972 Schedule 12 paras 6 and 39
[2] Ibid s100.(A)(6)

Interim arrangements; Executive meetings

58. Pending further guidance, the options available are:

(a) to proceed with an attended meeting but to restrict attendance and rely on the minimum quorum (three for Cabinet) to transact only the core essential business with members in attendance each sitting as spaced apart as the room allows; and

(b) for the Chief Executive to take such action between meetings which he considers urgent after consultation (i) with the Leader or his nominee in the case of Executive matters; or (ii) the Chairman and relevant group spokesmen of the body concerned.[3] This consultation can take place by Skype, telephone or email and although the Chief Executive as decision-maker may not fetter his discretion, he will give appropriate weight to the views of members expressed . The Constitution[4] allows the Chief Executive to update the Constitution '*for formally recording any changes in, or additions to, specific delegations to officers made by the County Council, the Executive or a Regulatory Board or Committee.*' For resilience purposes only the Chief Executive will consider exercising the authority conferred by this provision to enable him to delegate this function to other Chief Officers, subject to those officers exercising that authority on the same terms as it is granted to him. To provide an audit trail the Chief Executive will sign a written authorisation to this effect.

Interim arrangements- Overview and Scrutiny meetings

59. Since Overview and Scrutiny meetings are non-decision-making bodies, the above powers granted to the Chief Executive do not apply. It seems unlikely in the current crisis that the Council would be criticised for prioritising the protection of health over the strict requirements in relation to attendance in person. Pending further guidance, the options available to the council are:

a) to proceed with virtual meetings as Overview and Scrutiny committees on the basis that whilst they are an important part of the decision-making process but in themselves do not exercise decision making powers; and

b) to proceed with an attended meeting but to restrict attendance and rely on the minimum quorum (a quarter of members and subject to the agreement of the Group Leaders apply the political balance rules. Political balance for the Commission would be achieved by attendance of 3 members from the Conservative group and I member from each of the Liberal Democrat group and the Labour group to allow the Commission to deal with core scrutiny functions with a minimum number of members in attendance each sitting as spaced apart as the room/chamber allows.

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[3] LCC Constitution Part 3 -section D para 12
[4] LCC Constitution Art 15.02

Interim arrangements - Regulatory meetings

60. Regulatory meetings are decision making bodies (dealing with non-executive decisions) and as such there will be a requirement for a minimum number of members to constitute a quorum to be present in the room to take decisions. Arrangements could be made for these meetings to be managed applying the principles above pending receipt of the awaited guidance. The meetings currently scheduled are:

- Employment Committee - 14th May
- Corporate Governance Committee - 15th May
- Pension Committee /Investment Committee - 19th June
- Development Control and Regulatory Board - 21st May

Civic Functions

61. A number of civic functions to be hosted by the Chairman of the County Council and the Lord Lieutenant have also been cancelled or postponed.

Communication

62. Maintaining business as usual services as far as possible whilst emergency planning and delivery of crisis services requires increasing effort from all staff and particularly middle managers and team leaders. Alongside this there is a need for staff to work with the Corporate Communications team to ensure:

- Management of departmental communications and media to internal and external parties to ensure consistent messaging, responding to questions and providing assurance to service users, the public, the provider sector and the workforce;
- Being proactive in engaging with service users, partners and the market to build confidence and deliver information advice and guidance as required;
- Utilising and developing existing channels of communication alongside new and bespoke forums, sites and messaging; and
- Providing time sensitive information and communicating decisions regarding service prioritisation, linking with all other communications and media partners.

Financial Implications

63. COVID-19 will have a massive impact on the County Council finances. The impact is probably split into four key headings;

- Income. There will be a huge impact on income including school meals, commercial rents and in time council tax and business rates. The county council budgeted to receive £850m of income next year and much of this is at risk.

- Savings. The savings required to balance the budget in 2020/21 total £20m with the requirement due to increase to £80m over the four year MTFS. The majority of the savings in 2020/21 are at risk and there is also likely to be a delay to savings in subsequent years.
- Expenditure. There will be a significant increase in expenditure on children's and adult social care and other services.
- Major projects. The County Council is in the process of implementing a range of major projects, both capital and revenue. There is no doubt many of these will be delayed or aborted and significant additional costs incurred.

64. Given the uncertainty it is impossible to estimate the impact of COVID-19 on the council's budget, apart from that it will be very significant. The Government has already allocated additional funding. This includes;

- £500m for a hardship fund for individuals. The details have not been published at the time of writing this report, however, it is expected to be allocated to support those who need help to pay Council Tax.
- £1.6bn for Local Authorities for social care and other services. The details and allocations have also not been published.

The Government has also recognised that this extra funding is not going to be sufficient, and further funding will be necessary.

65. There will be massive implications for business and our supply chains. The government has recognised and has already started to pull together a major programme of support including £350bn in loan guarantees with more intervention to follow. On a share of GDP basis this is equivalent to £3bn for Leicestershire companies. The County Council is clearly in no position to intervene to support local companies at any scale. However, we will support our critical service providers especially those supporting vulnerable people and will come up with a package of proposals that will help critical providers financial resilience.

66. There is one area where support announced to date is more limited and that is the voluntary and community sector. Many groups rely on café sales, room rental or donations and these sources of income are likely to be impacted by COVID-19. The proposal is to establish a hardship fund for these organisations so they can continue to provide the important services to Leicestershire residents, many of which will be essential to reduce the impact of isolation resulting from necessary social distancing. This report proposes an allocation of £1m to a voluntary and community sector support scheme. The scheme will operate at speed and be light touch.

67. The Council's finances are in a reasonable position going into this crisis. Even so there is no doubt over the coming period the County Fund will be used, and

central government support will be critical in ensuring continued financial resilience.

68. The Council will need to take quick decisions, including those with major financial implications. Those with a significant financial impact will be agreed with the Section151 Officer.

<u>Background Papers</u>

The Government's Emergency Coronavirus Bill
https://publications.parliament.uk/pa/bills/cbill/58-01/0122/cbill_2019-20210122_en_1.htm

<u>Circulation under the Local Alerts Procedure</u>

A copy of this report has been emailed to all members of the County Council.

<u>Appendix</u>

The Emergency Bill provisions relating to the Council and its business

<u>Officers to contact</u>

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The Emergency Bill provisions relating to the Council and its business

The areas in the Bill which relate to the Council and its business are as follows:

Temporary registration of social workers
The Bill introduces emergency registration powers for the Social Work regulatory body to temporarily register fit, proper and suitably experienced persons with regard to an emergency, as social workers. This is intended to assist in addressing any shortage of social workers in the children's and adult social care sectors as a result of increased staff absenteeism or demand.

Emergency volunteers
The Bill introduces a new form of unpaid statutory leave and powers to establish a compensation scheme to compensate for some loss of earnings and expenses incurred by volunteers. These measures will enable the Council (and other relevant health and social care bodies) to maximise the pool of volunteers that they can draw on to fill capacity gaps by addressing two primary deterrents to participation: risk to employment and employment rights, and loss of income. These measures are intended to maximise the number of volunteers that are able to fill gaps in capacity, thus helping to safeguard essential services that could be at risk due to demand on services as a result of pandemic pressures.

Mental health and mental capacity
The Bill introduces temporary amendments to the relevant legislation to allow certain functions relating to the detention and treatment of patients to be satisfied by less stringent health opinions or certifications. Temporary amendments also allow for the extension or removal of certain time limits relating to the detention and transfer of patients.

Local authority care and support
The Bill will allow the procedure for discharge from an acute hospital setting for those with a social care need to be simplified. Current duties on the Council in the Care Act 2014 to assess needs for care and support, and to meet those needs will be replaced with a power to meet needs for care and support, underpinned by a duty to meet those needs where not to do so would be a breach of an individual's human rights, and a power to meet needs in other cases. The Bill also allows that, if a Local Authority has not charged an individual for their care during the COVID-19 pandemic, they are able to do so retrospectively after the conclusion of this period subject to financial assessment. These measures are intended to reduce operational burden so local authorities can prioritise the service they offer in order to ensure the most urgent and serious care needs are met.
In order to support Local Authorities in operating under the new powers, including making prioritisation decisions in a consistent, and ethical manner, the Government will publish guidance with which the council will be required to comply.

Registration of deaths etc
The Bill will simplify the process for the registration of deaths to provide more flexibility in an emergency situation by enabling a doctor who may not have seen the

deceased to certify the cause of death without the death being referred to the coroner and allowing a person to register a death without attending the register office to do so. This is intended to recognise that the current systems may be put under additional pressure and aims to provide flexibility and mitigate the spread of infection. The Bill also enables streamlining of some of the processes around Coroner notification by temporarily modifying much of existing legislation. The Bill would also allow cremations to take place without the need for additional medical practitioner oversight, reducing the burden on healthcare professionals allowing them to be available to support with other duties. It will also reduce the likelihood of delays to allowing families to be able to make cremation arrangements for the deceased.

Inquests
Currently, as COVID-19 is a notifiable disease in England any inquest into a death where the coroner has reason to suspect that the death was caused by COVID-19 must take place with a jury. The Bill will modify the current legislation to disapply this requirement so that inquests can take place before the Coroner without a jury where there is reason to suspect the death was caused by COVID-19. This is intended to alleviate potential resource implications for coroner workload and avoid a delay in the inquest process for families affected.

Schools, childcare providers etc
COVID-19 presents particular challenges and risks to those operating in an educational or childcare context, whether children, students, teachers or visitors, because of the need or tendency for persons to learn together in groups and because of the harmful effect that any break in education may have on a young person's development and progression to further study or employment. The Government believes that what is in the best interests of those in the education arena will vary according to the level of risk which presents itself in a particular place at a particular time. Accordingly, the Bill seeks to include a suite of powers to enable Government to react flexibly to manage differing levels of risk.

The provisions would only be in place for the period of time required to mitigate the effects of a COVID-19 pandemic. Some provisions will remain in force after the expiry of other provisions in the Act to deal with any residual matters. The Bill includes three powers relating to education:

a. a power to require/direct temporary closure of an educational institution or registered childcare provider

b. a power to make specified types of directions in connection with the running of the education and registered childcare systems; and

c. a power to dis-apply or vary specified existing requirements contained in or arising out of education and childcare legislation.

Powers relating to potentially infectious persons
The Bill will include provisions for the screening and isolation of certain persons, including powers to impose restrictions and requirements on them. It will also provide public health officers (as well as constables and immigration officers) with the means to enforce sensible public health restrictions, including returning people to places that they have been required to stay. These measures aim to fill existing gaps in

powers to ensure the screening and isolation of people who may be infected or contaminated with the virus and to ensure that constables can enforce health protection measures where necessary.

<u>Courts and tribunals: use of video and audio technology</u>
The Bill recognises that the efficiency and timeliness of court and tribunal hearings will suffer during a COVID-19 outbreak. The Bill therefore amends existing legislation so as to enable the use of technology either in video/audio-enabled hearings in which one or more participants appear before the court using a live video or audio link, or by a wholly video/audio hearing where there is no physical courtroom and all participants take part in the hearing using telephone or video conferencing facilities.

<u>Powers in relation to bodies</u>
The Bill introduces powers of direction to give local authorities the necessary powers to direct agents involved in the processes around death to ensure excess deaths caused by COVID-19 do not overwhelm the system. National and local authorities will have, where necessary, additional powers to direct organisations to ensure that deceased bodies can be stored, transported and disposed of with care and respect.

<u>Postponement of elections</u>
On Friday 13 March, the Prime Minister announced that the elections scheduled for 7 May 2020 would be postponed until 6 May 2021. This affects the Police and Crime Commissioner (PCC) elections in England and Wales. The Bill enables the postponement of the polls scheduled for 7 May and also covers the handling of other elections and referendums (such as by-elections and local referendums) that might arise during the COVID-19 outbreak and may need to be postponed for public health reasons in a similar way.

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