

Emergency Committee Agenda

**Wednesday 22 April 2020 at 2pm in the Council Chamber at Sandwell
Council House, Oldbury**

**This agenda gives notice of items to be considered in private as required
by Regulations 5 (4) and (5) of The Local Authorities (Executive
Arrangements) (Meetings and Access to Information) (England)
Regulations 2012.**

1. Apologies

To receive any apologies for absence.

2. Minutes

To confirm the minutes of the meetings held on 23 and 25 March 2020
as a correct record.

3. Additional Items of Business

To determine whether there are any additional items of business arising
which should be considered at the meeting as a matter of urgency.

4. Declarations of Interest

To receive any declarations of interest from members relating to any
item on the agenda, in accordance with the provisions of the Code of
Conduct and/or S106 of the Local Government Finance Act 1992.

Public Items

5. Covid-19 Response Update.

**6. Implementation of The Local Authorities and Police and Crime
Panel (Coronavirus) (Flexibility of Local Authority and Police and
Crime Panel Meetings) (England and Wales) Regulations 2020**

To consider the implications of the 2020 Regulations.

7. Rent Arrears on the Council's Commercial Portfolio

To consider proposals on rent arrears on the Council's commercial portfolio during March and June 2020.

Standing Item

8. Decisions taken by the Leader and Chief Officers in accordance with Delegated Powers

To receive for information, details of decisions taken by the Leader of the Council and by Chief Officers in accordance with the Scheme of Delegations.

David Stevens

Chief Executive

Sandwell Council House

Freeth Street

Oldbury

West Midlands

Distribution:

Councillor Y Davies (Chair);

Councillor Ali (Vice-Chair);

Councillors Crompton, Hadley, Millard, Moore and Shaeen

Contact: democratic_services@sandwell.gov.uk

Information about meetings in Sandwell



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Members who cannot attend the meeting should submit apologies by contacting Democratic Services (democratic_services@sandwell.gov.uk) Alternatively, you can attend the meeting remotely as per the 2020 Regulations.



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Emergency Committee

Monday 23 March 2020 at 15:00 at Sandwell Council House, Oldbury

- Present:** Councillor Ali (Chair);
Councillor Millard.
- Officers:** David Stevens (Chief Executive);
Surjit Tour (Director of Law and Governance and
Monitoring Officer).
- Members observing remotely:** Councillors Crompton, Y Davies, Hadley, Moore and
Shaen.

4/20 **Additional Items of Business**

There was no additional items of business arising which was considered at the meeting as a matter of urgency.

5/20 **Declarations of Interest**

No interests were declared at the meeting.

6/20 **Exclusion of the Public**

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial or business affairs of any particular person, (including the authority holding that information).

7/20 **Priority arrangements and procurement in response to Covid-19
Outbreak**

Approval was sought to urgent procurement arrangements to enable a regional response to meet additional accommodate facilities to complement existing capacity across the West Midlands region which was considered to be insufficient associated with COVID 19 – coronavirus.



A co-ordinated West Midlands regional approach involving Sandwell, Birmingham, Coventry, Dudley, Solihull, Walsall, Warwickshire and Wolverhampton councils was considered to be the most financially resilient and efficient approach to addressing the many challenges that local communities were facing and Sandwell Council had been designated by the councils from within the West Midlands region to lead on negotiations and arrangements.

Birmingham Airport and Kenyon International had been identified as being able to respond to this identified need expeditiously. The temporary storage and accommodation facility, which would be located at Birmingham Airport, would be scalable in capacity. Capacity levels were in line with Public Health England professional guidance in relation to local government preparedness.

Whilst the Committee discussed alternative options, these were not currently available and were subject to further guidance from Government. Sandwell, along with other authorities, needed to be in a position to be able to act and needed to make the arrangements now in the event that collective approval was obtained.

Agreed that in response to the Covid-19 pandemic and subject to collective approval by and agreed proportionate funding from each of the authorities within the West Midlands region:-

- (1) an exemption be made to the Council's procurement and contract procedure rules for additional storage and accommodation facilities with Birmingham Airport and Kenyon International;
- (2) the Council commits 9.4% of the total overall costs from its contingency budgets as Sandwell's agreed contribution toward the contractual and lease arrangements;
- (3) in connection with Resolution (1) and (2) above, the Chief Executive and Director of Law and Governance & Monitoring Officer be authorised to enter into all requisite agreements and arrangements necessary to establish and operate the additional storage and accommodation facilities.

Meeting ended at 15:17

Emergency Committee

Wednesday 25 March 2020 at 16:00 at Sandwell Council House, Oldbury

Present: Councillor Ali (Chair);
Councillor Millard.

Officers: David Stevens (Chief Executive);
Neil Cox (Director - Prevention and Protection).

Members observing remotely: Councillors Crompton, Y Davies, Hadley and Shaen.

8/20 **Urgent Business**

Variation to the Private Hire and Hackney Carriage Licensing Policy in response to Covid-19 Outbreak

The Director - Prevention and Protection reported that in accordance with his delegations, it was proposed to make variations to the Private Hire and Hackney Carriage Licensing Policy in response to Covid-19 Outbreak to maximise the potential for taxi drivers to continue working. These temporary variations included:-

- the means of drivers undertaking Child Sexual Exploitation training
- extension to the expiry dates of medical certificates
- DVSA had announced that cars and vans and motorcycles due their MOT from 30 March 2020 would have their MOT extended by 6 months. This would continue until confirmed otherwise. Vehicles must be kept in a roadworthy condition and drivers could be prosecuted if they drive an unsafe vehicle
- extension to the timeframe for Interim Vehicle checks
- not issuing new plates for renewals, using exemption letters to confirm renewal has been completed until collection of plates can be arranged.
- ability to defer payment of fees if necessary.

All amendments would be done in consultation with the Chair of Licensing Committee in a way to reduce detriment to the trade, maintain public safety and reduce risks to council staff by minimising the need for face to face appointments.

Any variations would be kept under review until guidance from Central Government and Public Health England changes to allow services to resume to business as usual.

The Committee endorsed this approach.



Decision in relation to The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 Appointment of Officers

It was reported that The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 had come into force on 21st March 2020 as part of the national response to the COVID-19 Coronavirus.

The regulations required a person responsible, i.e. owner/proprietor, for carrying on such a business to close the premises or part of the premises which food or drink were sold for consumption on the premises and cease selling food and drink for consumption on the premises.

Two offences were created by the regulations:-

- contravention of the regulations, without reasonable excuse
- obstruction, without reasonable excuse, of any person carrying out a function under these regulations.

Both offences were summary only and punishable by a fine. Both individuals and companies could be prosecuted.

In accordance with his delegations, the Council's Head of Paid Service delegated authority to the Director – Prevention and Protection to act in order that the Council could be compliant with any statutory provisions. The Director of Law and Governance and Monitoring Officer was also given delegated authority to commence any proceedings required in line with the Regulations.

The Committee noted this action and the Chair confirmed that all actions by officers taken under delegated powers would be published on the Council's CMIS site and, where it would have been a decision have been a decision of a member/committee, it would be reported back to the next business meeting of the Full Council.

9/20

Declarations of Interest

No interests were declared at the meeting.

10/20

Resilience Plan Update: Covid-19

Consideration was given to the Council's initial plans to address the varied and significant challenges associated with the Covid-19 virus. The plan would continue to evolve over the coming weeks and months as the situation developed and the Council planned and responded to address emerging issues.

The Sandwell COVID19 plan had been developed to outline the Council's response to this crisis and sit alongside our existing business continuity arrangements.

The Plan outlined five key priorities, the actions we had either already implemented or were about to implement, our key partners and how we would communicate with all key stakeholders of the council. The key priorities were as follows:

- **Health & Social Care** - Protecting and supporting our elderly and vulnerable residents through this period by working with partners across the health and social care economy to ensure that our residents, particularly those who were vulnerable, had caring responsibilities and those with underlying health conditions received the support they required;
- **Citizen & Communities** - utilising the strength of our strong and resilient communities to help us support those people with the greatest need;
- **Infrastructure & Supplies** - working with our key partners to ensure that services that were vital to the borough's infrastructure continued to operate effectively;
- **Business & Economic impact** – to do everything in our power to minimise the impact of these challenges and the pressure they create;
- **Organisational impact** - work to minimise the impact of this disruption and ensure that our critical services continued to be delivered without interruption whilst maintaining support to our staff group and key group workers through this very challenging time.

In response to concerns raised regarding business as usual, the Chief Executive confirmed that the Council was writing to all residents to highlight that the Council would be directing all resources and services to conserve life and protecting the most vulnerable in Sandwell. Information was being made available to residents on the Council's website on who to contact in an emergency.

Work was currently ongoing on the potential loss of revenue to Sandwell as a result of Covid-19 and a further report on the findings would be submitted to the Committee in due course, this included the potential loss of income and how far the government grant would stretch, based on low, medium, high infection rates.

The Chair placed on record his thanks to the officers for all of their hard work in responding to this crisis.

Agreed That the Council's resilience plan to address the Covid-19 outbreak be endorsed.

Meeting ended at 16:14


This meeting was webcast live and is available to view on the Council's website (<http://sandwell.public-i.tv/core/portal/home>).

Additional Items of Business

To determine whether there are any additional items of business arising which should be considered at the meeting as a matter of urgency.

REPORT TO EMERGENCY COMMITTEE

22 April 2020

Subject:	Covid-19 Response Update
Director:	David Stevens – Chief Executive
Contribution towards Vision 2030:	
Contact Officer:	David Stevens

DECISION RECOMMENDATIONS

1. That the Committee endorse the steps taken across Council Services as part of the initial response and resilience plan to address the Coronavirus outbreak.

1. PURPOSE OF THE REPORT

Following the outbreak of the Covid-19 (Coronavirus) across the United Kingdom, Sandwell Council has provided a co-ordinated response across services and with partner organisations to support its communities. This report highlights a number of key priorities that the Council has been focussing on during the initial phases of its response. Other update reports will be provided to future meetings.

2. IMPLICATIONS FOR VISION 2030

Whilst the Council is endeavouring to maintain core services, much of its resources are targeted toward addressing the many implications for Sandwell's resident and business communities arising from the virus.

3. BACKGROUND AND MAIN CONSIDERATIONS

The impact of the crisis response to Covid 19 has created a prolonged period in which the organisation is having to work within an emergency response arena. Strategic, tactical and operational decisions are being made to deal with urgent emerging problems.

The impact on our most vulnerable individuals and communities generates significant unprecedented issues for the ability to operate public services effectively, however, the Council continues to respond to the current situation and plan for the projected spread and impact of the virus.

A series of short update reports are attached that provide a briefing on the Council's response across the following areas:

Resilience Plan (appendix 1)

On 25 March 2020, the Emergency Committee approved the council's Resilience Plan in response to the coronavirus outbreak. This set out the council's initial plans to address the varied and significant challenges that have arisen and acknowledged that the Plan needed to evolve in accordance with the needs of the Borough. Progress in relation to the resilience plan is attached and informs the content of related update reports from other service areas.

Shielding and Support to the most Vulnerable (appendix 2)

Following the central government announcement that the most vulnerable in communities should self-isolate, the Council has established a central welfare hub that is providing support to any identified individuals and families. In excess of 2000 food parcels have been delivered across the Borough with additional support to ensure that medications are delivered and isolated individuals are in contact with sources of social support.

Adult Social Care (appendix 3)

A collaborative approach with partner organisations continues to ensure that the Council complies with statutory care responsibilities. Whilst the Government has relaxed some duties in relation to the Care Act 2014, the Council continues to work in tandem with local hospitals, care providers and commissioned services to respond to the pressures associated with the virus. Interim arrangements to assess care needs and hospital discharge pathways are highlighted in the update report.

Children's Services (appendix 4)

A range of guidance has been provided by the Department for Education (DfE) over the past few weeks and the links are included at the end of this document. Guidance for schools has addressed school opening, free school meals, safeguarding responsibilities, exams and qualifications and school funding. The social care and vulnerable children guidance recognises that local authorities will not be able to meet all their statutory duties and in some instances are preparing additional regulations to mitigate against this.

Registration and Bereavement Services (appendix 5)

The Covid-19 situation provides significant and prolonged challenges to these services areas. A co-ordinated response across the Black Country aims to facilitate comprehensive support for those facing the most difficult family circumstances due to the virus.

Support to Employees (appendix 6)

Our staff are vital in helping Sandwell to combat the many issues that our communities are currently facing. It's essential therefore, that we do all we can to support and protect our staff who are rising to the many challenges currently presented.

Democratic Engagement (appendix 7)

The Government introduced new regulations from 4th April 2020 which enable elected member and public remote attendance and participation in meetings. The Council is currently testing its IT solution to enable this.

A further report on temporary changes to the Councils decision making provisions, outlining the detail of the legislation is included on the agenda for the meeting.

Financial Impact (appendix 8)

There is likely to be a significant impact on overall financial position of the organisation either from decisions that the Council makes to mitigate the impact on businesses and citizens or impacts that occur outside the Council's control or result from carrying out its statutory duties during this period of emergency response. A revised financial framework was agreed by the Emergency Committee and these financial controls will be maintained as robustly as possible. It is also recognised that the Council may well be faced with making decisions that have a significant financial impact with no guarantee that these pressures will be compensated in full by way of additional government funding.

The council continues to compile, maintain and monitor data on expenditure and loss of income arising from its response to Covid-19.

4. THE CURRENT POSITION

The council continues to robustly address the many challenges that the virus poses. The coming weeks will enable the council to more effectively assess and plan its extended response.

5. CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

The Council is working closely with partner and stakeholders to maintain a robust response to the coronavirus. We are maintaining strong working relationships with neighbouring authorities and are providing a co-ordinated response to this situation where possible.

6. ALTERNATIVE OPTIONS

N/A

7. STRATEGIC RESOURCE IMPLICATIONS

There are significant resource implications arising from the Council's response to the Coronavirus. These are highlighted in the relevant appendices.

8. LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Central Government has issued a series of new legislative measures to enable the Council and partner organisations to respond to the many challenges that the virus brings.

9. EQUALITY IMPACT ASSESSMENT

There are no direct issues or implications relating to equality.

10. DATA PROTECTION IMPACT ASSESSMENT

There are no direct issues or implications relating specifically to data protection.

11. CRIME AND DISORDER AND RISK ASSESSMENT

There are no direct issues or implications relating specifically to crime and disorder. It should be noted that there are additional risks arising from the speed at which the Council is having to respond to the virus and that appropriate mitigations are in place wherever possible.

12. SUSTAINABILITY OF PROPOSALS

The extent of demand placed on the council continues to evolve in line with the spread of the virus. The sustainability of the current situation within existing resources is routinely evaluated

13. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

The impact on the health and wellbeing of the population of Sandwell continues to be monitored. Current and projected infection and mortality rates will be impacted by the local response to, and compliance with, social distancing guidelines.

14. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

The report has no direct implication on Council managed property or land.

15. BACKGROUND PAPERS


None

16. APPENDICES:

Update Reports Appendices 1-8

David Stevens
Chief Executive

SHORT REPORT	
Subject Matter	COVID-19 Resilience Plan – Governance Framework
Lead Director	Neil Cox - Director of Protection and Prevention
Date	22 April 2020



1. EXECUTIVE SUMMARY

- 1.1 On 25 March 2020, the Emergency Committee approved the council’s Resilience Plan in response to the coronavirus outbreak. This set out the council’s initial plans to address the varied and significant challenges that have arisen and acknowledged that the Plan needed to evolve in accordance with the needs of the Borough. The Plan is included in Appendix 1a.
- 1.2 A governance framework has been established to ensure the council is delivering against this Plan, meeting the needs of local communities and responding to the ever-changing situation. This framework has three key areas:
 - 1) Monitoring and managing the delivery of the Sandwell COVID-19 Resilience Plan and identifying new areas for inclusion;
 - 2) Understanding the ongoing impact on services, staff and the community of not delivering business as usual; and
 - 3) Identifying lessons learned and building into future practice.
- 1.3 The information captured will ensure the Resilience Plan evolves to effectively respond to the developing crisis, as well as leading to the development of a prioritised and scheduled Recovery Plan. This is illustrated in the diagram below:



2. KEY ISSUES

2.1 Managing the delivery of the Sandwell COVID-19 Resilience Plan will involve:

- Regularly reviewing the progress against the detailed actions to deliver the priorities set out in the Resilience Plan and highlighting any risks and issues for resolving.
- Capturing data and intelligence from existing mechanisms to minimise disruption to services focused on responding to the current situation.
- Conducting regular ‘horizon scanning’ activity to ensure government policies and national best practice are reflected in the plan where appropriate.
- Incorporating new actions into the Plan in response to emerging risks, intelligence gathered, horizon scanning activities and the outcomes of the ongoing impact assessments (see paragraph 2.2).
- Reporting progress and additional priority areas to Emergency Committee monthly.
- Ensuring good governance, internal control and risk management arrangements inform decision making throughout the emergency period.

2.2 The impact of COVID-19 and of not delivering business as usual will be assessed in three ways:

2.2.1 Services:

- Understanding the impact that implementing business continuity arrangements are having on outcomes and both the immediate and longer-term implications of this.
- Leadership Team will have oversight of the results of the impact assessments and will agree appropriate actions as necessary.
- Ensuring that existing risks are being reviewed risks in the context of the COVID-19 outbreak, as well as identifying any new risks and mitigating actions required. This information will be fed through to the COVID-19 Governance and Risk Assurance officer group to ensure a co-ordinated approach to risk management across the council and that the impact on the council’s strategic risks is appropriately managed.
- The frequency at which these impact assessments will be reviewed will be prioritised based on the impact on statutory functions, vulnerable communities and business as usual. Those with a more significant impact on statutory services,

vulnerable communities or the ability of partners to deliver their services will be reviewed on a weekly basis to ensure the council is responding to issues as they arise.

2.2.2 Community:

- Capturing a holistic view of pressures in the community during this crisis period through a basket of key measures, focusing on people, place and economic based indicators
- Reporting data monthly and benchmarking against previous year's profiled data where available. This will provide a strategic overview of the impact, over and above the regular intelligence reviewed as part of the daily SitRep meetings.

2.2.3 Staff:

- A suite of measures tracking the impact on the welfare of the council's workforce, including absence due to stress, use of the council's counselling service and understanding the impact of bereavement on staff where possible.

2.2.4 The intelligence gathered from these three impact assessments will be reviewed by Leadership Team on a regular basis. Where issues are identified, and action is required immediately, this will be incorporated into the council's resilience plan. Where action is required at a future date, this will be incorporated into the council's recovery plan.

2.3 Lessons Learned

2.3.1 At an appropriate point in time, a comprehensive 'lessons learned' activity will be conducted. This will aim to capture both positive and negative experiences of the response to the coronavirus outbreak from a range of stakeholders, such as staff, members and partners. The outcomes will be communicated to the relevant audiences to build into future practices at all levels of the organisation.

2.4 Recovery Plan

2.4.1 Once the coronavirus outbreak is under control, the council will need to move out of the current 'business continuity phase' into delivering 'business as usual'. However, the demands on some services may be higher than others for longer than the outbreak period.

2.4.2 Therefore, a prioritised, scheduled Recovery Plan will be developed that focusses on areas of higher demand and increased risks. This will use the intelligence captured through the impact assessments to determine where resources will need to be directed to, and link to the Corporate Plan that was approved by Full Council in March 2020. Whilst the strategic objectives of the Corporate Plan are likely to remain valid, the specific focus under each objective may need to be reviewed to address the full impact that coronavirus will have had on every aspect of the council and our communities.

2.4.3 The Recovery Plan will be reviewed on a regular basis to ensure it is responding to the needs of our residents, businesses and communities as they evolve.

3. NEXT STEPS

3.1 Through this framework, the council will:

- 3.1.1 Continue to build the detail underneath the Resilience Plan and track progress, identifying further actions as necessary to respond to the coronavirus outbreak.
- 3.1.2 Ensure that good governance, internal control and risk management arrangements continue to be in place to inform effective decision making and provide the necessary assurances to all stakeholders during and post COVID-19.
- 3.1.3 Review data from impact assessments and identify areas to address immediately or at a future point as part of a prioritised Recovery Plan.
- 3.1.4 Report progress of the Resilience Plan at a future meeting of the Emergency Committee.

Sandwell COVID19 Plan

As a Local Authority we are taking a proactive response towards dealing with and mitigating the impact of the Covid19 pandemic.
As always, our priority is to act in the best interests of the borough and protect the health and wellbeing of our residents.

Health & Social Care

We will work with partners in both health and social care to ensure that our residents, particularly those that are vulnerable, continue to receive the support they require.

1. We are keeping vulnerable people supported and well by maintaining the consistent delivery of social care
2. We are working with our care and support provider market to ensure they remain operational and can continue to deliver services
3. In partnership with health, we are working to support and maintain the flow of people out of hospital
4. We are implementing arrangements to make sure that disruption to services does not reduce our ability to support vulnerable Children effectively.

Citizens & Communities

The health and wellbeing of our citizens is our key priority and we recognise that during this time they will need additional support. To achieve this we will draw on the strength of our strong and resilient communities.

1. We will implement a range of initiatives which aim to keep people safe and able to access essential supplies, recognising that this need will be increased when vulnerable and isolated individuals are social distancing or self-isolating.
2. Working with our voluntary and community sector partners we will seek to mobilise communities to support each other
3. Providing additional support to our residents who suffer from deprivation and debt problems
4. We will work with partners to promote and support community cohesion, along with recognising cultural sensitivities of our communities

Infrastructure & Supplies

We will respond to pressure that is put on supply chains and our residents access to vital goods they require to remain well. This will include ensuring services that are vital to the borough's infrastructure continue to operate effectively.

1. We are working to ensure that our internal services and external partners have access to the appropriate Personal Protective Equipment they require to continue providing services
2. We have established a support team which will support our most vulnerable and isolated residents continue to have access to food and key supplies through periods of isolation and distancing.
3. Our enforcement services will work to ensure that local and national guidance to promote public safety in premises across the borough is implemented appropriately.
4. Our non-critical services will be redirected towards assisting with transport and logistical arrangements required to continue supporting our vulnerable residents.

Businesses & Economic Impact

We know that the pandemic will create financial pressures for businesses and individuals alike, and in response we will provide support where possible to minimise the impact of this and pressure that it creates.

1. We continue to provide support and advice to local businesses on any concerns they may have, or guidance that has been issued in light of the pandemic
2. We are continually working to understand the financial impact of the disruption caused by the impact of the pandemic on both the council and our residents so that we can identify potential steps to mitigate the impact.
3. Where possible we will support both business and individuals to access any appropriate central government support that has been introduced as a response to the pandemic

Organisational Impact

The disruption caused by the virus will have a significant impact on our organisation as it will with many others. We will work to minimise the impact of this disruption and ensure that our critical services continue to be delivered without interruption.

1. We are prioritising the delivery of critical services, and planning our response to potential reductions in staffing availability
2. We are supporting our workforce to follow guidance from Public Health so that they are able to stay safe, this includes working from home where possible and self-isolating and social distancing where required
3. We are communicating with our Trade Union colleagues on a daily basis to address issues as they arise
4. As far as possible we are attempting to maintain the delivery of business as usual
5. We are rationalising the use of council buildings to ensure we can maintain the additional cleansing requirements to keep them open.

Daily monitoring:

- Staffing levels across the whole organisation
- Viability of critical services
- Patterns and trends in queries being received by the incident room
- Engagement and feedback with regional and national networks for all directorates
- Financial pressures and cash flows


Key Partners:

- Health
- Independent Sector Providers
- Community Organisations
- Emergency Services
- Neighbouring Authorities
- Regional & National networks
- Council suppliers
- Central Government
- Local industry
- Residents

Media & Communications:

- We are issuing daily communications to our staff group, providing updates on the situation and advice where required. We have created an incident room to respond to all key internal issues and a Hub to support our residents
- We are utilising all available channels of communication to share key messages with public, this includes social media and creating new access lines to speak to key services directly. the Communication with the public
- We are in constant communication with partners where possible to get an overview of demands and provide support

SHORT REPORT	
Subject Matter	Support for Elderly and Vulnerable Residents
Lead Directors	Alison Knight, Executive Director – Neighbourhoods Stuart Lackenby, Director of Adult Social Care Neil Cox, Director of Prevention and Protection
Date	22 April 2020



1. EXECUTIVE SUMMARY

- 1.1 The report outlines the council’s response to supporting vulnerable people in our communities who are unable to leave their property due to the increased risk to them if they were to contract COVID-19.
- 1.2 It summarises how we have identified vulnerable people and the support that has been put in place to assist them during the current crisis.
- 1.3 The support can be summarised as follows:
 - 1.3.1 Contact with those identified as vulnerable – with referrals being made into the “Central Hub” (the team which matches need with support)
 - 1.3.2 Establishment of a “Food Hub” at Tipton Sports Academy
 - 1.3.3 Delivery of Food Parcels to vulnerable/elderly residents and those contacting the Emergency Helpline
 - 1.3.4 Developing a range of volunteer support services with Sandwell Council of Voluntary Organisations (SCVO) to ensure that follow on support is available.

2. KEY ISSUES

- 2.1 On 24th March 2020, the Ministry of Housing, Communities & Local Government issued guidance outlining the need for a partnership approach between national and local agencies to support those people in our communities who are at the highest risk of severe illness (‘the clinically extremely vulnerable’) if they contract COVID-19 and therefore have been advised to isolate themselves (“shielding”) for a period of time.

2.2 Shielding is designed to protect people from serious illness as well as help manage the current demand being experienced by the NHS. There are three strands of support being offered people who need to shield and do not have a close network of support available to them:

- Food: delivery of basic food parcels directly to people’s doorsteps
- Medicines: provision of prescription medication delivered by community pharmacies.
- Social contact: local authorities, working with the voluntary and community sector, providing social support to people who might be feeling isolated at this difficult time.

2.5 Whilst the introduction of shielding aims to identify and support people within communities who will require help and support due to their current and recent medical history, the Council also recognises the ‘shielding list’ does not identify everyone who either may be vulnerable or those who may require support and assistance during this crisis. We have therefore identified a local authority vulnerable-risk group to sit alongside the information we receive from the NHS about people who are currently shielding and those who are identified as high risk.

2.7 In identifying our vulnerable group we have used information from council departments such as Adult Social Care, Revenues & Benefits and Neighbourhoods & Communities and identified those at most risk by virtue of risk factors such as age group, location and specific vulnerability factors we are aware of.

Type of Cohort	Number of Cohort
SMBC Vulnerable-Risk Group	9,101
NHS Severe-Risk Group (excluding those on SMBC Vulnerable-Risk Group)	1,418
Grand Total	10,519

2.8 We have reached out to both the ‘NHS high-risk group’ and our ‘Local Authority vulnerable-risk group’ in a variety of ways.

- A council communication has been sent to every household in Sandwell advising them of the emergency contact number and email address.
- A team, made up of staff from across the council, have contacted both groups to identify if there is an urgent need for either practical support (food/prescriptions etc) or a form of social care support.
- Where contact details for a potentially vulnerable person are not available a “door knocking exercise” has been undertaken to identify the support needs of these individuals.

- 2.9 Where it has been identified a resident is in urgent need of essential supplies, rereferrals have been made to the “Central Hub”, who are able to arrange for the provision of a basic package of food and household essentials to be supplied.
- 2.3 To date, over 60 employees from across the council have come together to help with packaging of food and deliveries at the Tipton Sports Academy. We also have a number of volunteers supporting delivery, ranging from taxi firms, the Fire Service through to the Albion Foundation. Full social distancing and health and safety guidelines are being followed at the “Food Hub”.
- 2.4 The “Food Hub” has been stocked using local suppliers and wholesalers and there have been large numbers of donations of fresh food and items from local businesses and restaurants. In addition, we provide other essential items such as nappies, baby milk or sanitary products where required.
- 2.5 Since the establishment of the “Food Hub”, over 2,000 parcels have been distributed to those who have contacted the Emergency helpline, have been identified as needing support via the Children’s Trust, have been placed in temporary accommodation due to them being previously homeless, were identified by us as needing extra support or were on the Government’s shielded list but were unsupported (or were still awaiting Government support).
- 2.6 There has been a direct delivery of 55 food boxes from central government – we understand this to be a one-off delivery, however a weekly supply has been delivered to a number of residents on the shielded list.
- 2.7 Recipients of boxes will be contacted by our helpline staff to ascertain if they wish to be part of the SCVO volunteer offer regarding future support to purchase food/essentials to enable the Food Hub to focus support in specific areas.
- 2.8 This follows an appeal by SCVO/SMBC which has led to over 500 residents coming forward offering to provide practical help and support to other residents.
- 2.9 SCVO are the main point of contact for volunteering (both volunteers and volunteer involving organisations). They have contacted all volunteers by email and phone and have carried out a very light touch assessment of skills and volunteering preferences. 50 volunteers have already been placed with organisations such as West Bromwich food bank, Brushstrokes, BUDS and Accord. The others will be deployed in emerging initiatives such as **Good Neighbours** and **Sandwell Together**, as well as responding to any requests from **Community Offer**.

2.9.1 **Good Neighbours** scheme: Additional support for residents who under normal circumstances would be perfectly able to lead an independent life and would not need on-going support from the council (short term need during crisis). Volunteers in their immediate neighbourhood provide on-going practical help with shopping, staying in touch (by phone or on line), dog walking, picking up prescriptions etc, potentially until the coronavirus emergency is over.

2.9.2 **Sandwell Together befriending service.** Keeping in touch by phone or Facetime this service is for people who are socially isolating (either short term or for the duration of the corona emergency). This includes vulnerable people in care homes where contact time has been reduced. Contact can vary from:

- a regular short call to keep in touch and check that things are ok
- longer chats to pass the time of day and reduce social isolation

2.9.3 **Community Offer:** provides additional support for residents who may be vulnerable and at risk and have on-going needs where a range of support will help them to manage their situation to cope for the duration of the emergency. Teams of community-based staff provide a range of practical support for Sandwell residents and in addition will support both the Enhanced Assessment Beds and Hospital discharge where required.

2.10 Volunteers have not gone through any rigorous screening or checking process and residents will need to be informed that they will be receiving support from another resident. Safeguards are being put in place to keep both the resident and the volunteer safe, such as guidance on social distancing, paying for shopping and reporting any concerns.

3. RISKS

3.1 Data from MHCLG has been inconsistent and although downloaded daily there has been issues with data quality, which has required data cleansing to be undertaken.

3.2 Whilst all residents identified as being “shielded” on in the wider “vulnerable” group will have been contacted via telephone or at their premises, there is always a danger that some may be uncontactable and may not receive support.


3.3 There is a danger that supplies may run low at the Food Hub. We have now agreed bulk orders with a smaller number of approved suppliers, although some items are still in limited supply.

- 3.4 Audit and keeping track of expenditure – we have put in place processes to monitor all expenditure and have included finance and audit in the work to ensure financial regulations are observed.
- 3.5 Cost of Food Hub –at present overall costs of food is averaging at £30,000 per week. This does not include the cost of stock being stored at Tipton Sports Academy.
- 3.6 There is still some uncertainty around central government support to those on the shielded list – who is receiving direct support and when the parcels are being received. We have supported some on this list due to the lag time between referral and delivery.
- 3.7 Keeping residents and volunteers as safe as possible: When SCVO match a resident to a volunteer they will reinforce the message that the resident is being supported by another resident, there has only been a light touch checking process and that the resident can contact SCVO if they are not happy with the arrangement. They will give a similar message to volunteers. Volunteers are given guidelines on social distancing, hand washing, limiting travel and what to do if they have a concern about a resident. Volunteers are not expected to enter a resident’s house or take their bank details.
- 3.8 Ensuring residents do not respond to “rogue” operators purporting to be from the council, offering food boxes at a price – social media is helping to combat this.
- 3.9 Payment for food/essentials via the volunteering scheme – work is ongoing to look at PayPal or “top up” cards/post office methods.

4. NEXT STEPS

- 4.1 Our next steps are to ensure that all of those people we have spoken to who required our assistance are provided with ‘ongoing support’ where required through the duration of the crisis.
- 4.2 Fully establishing the support pathway into the voluntary and community sector via Sandwell Council of Voluntary Organisations (SCVO) and working with existing partners to enable us to do this.
- 4.3 Monitor numbers of referrals into Good Neighbours, Community Offer and Sandwell Together. Monitor number of repeat calls into the council’s emergency helpline and take case management approach to these to improve the support offered. Monitor number of emergency food parcels.
- 4.4 Regional conversations via the Vulnerable Persons cell have identified the potential to work strategically with a supermarket partner, who can provide the scale and variety of goods required for future food parcels.

SHORT REPORT	
Subject Matter	Adult Social Care
Lead Director	Stuart Lackenby
Date	22.4.2020



1. EXECUTIVE SUMMARY

- 1.1 This report provides an update on significant activity and decisions made in relation to the provision and delivery of Adult Social Care in Sandwell resulting from the outbreak of coronavirus (COVID-19) and subsequent legislative changes that have been made by central government.
- 1.2 The report also contains the following recommendations:
- approval for the implementation of Care Act Easements
 - approval for the implementation of a COVID-19 assessment process to support the hospital discharge pathway.

2. KEY ISSUES

2.1 Ethical Framework for Adult Social Care

COVID-19 is challenging the existing practice of Adult Social Care departments across the country as it requires difficult decisions to be made against the back drop of new and exceptional pressures.

In response, a new ethical framework has been produced by government which acknowledges the increasing pressures and demands that will challenge social care staff and local authorities to make difficult decisions, particularly those regarding resources and prioritising individual care.

The framework, which covers the following values and principles to in guide decision making, will be used to support the planning and delivery of adult social care services for the duration of the COVID-19 outbreak:

- Respect
- Reasonableness
- Minimising harm

- Inclusiveness
- Accountability
- Flexibility
- Proportionality
- Community

Full details on the framework can be found at:

<https://www.gov.uk/government/publications/covid-19-ethical-framework-for-adult-social-care/responding-to-covid-19-the-ethical-framework-for-adult-social-care>

2.2 Care Act Easements

Since the outbreak began, proportionate approaches have been implemented to enable the Council to fulfil its statutory duties outlined in the Care Act 2014. However, recognising the exceptional pressures on local authorities in attempting to continue to discharge these duties the Government, when implementing the Coronavirus Act 2020, has put in place the ability for Care Act easements to be introduced. These are as follows:

- Local Authorities will not have to carry out detailed assessments of people's care and support needs as outlined in the Care Act. However, they will still be expected to respond as soon as possible (within a timeframe that would not jeopardise an individual's human rights) to requests for care and support, consider the needs and wishes of people needing care and their family and carers, and make an assessment of what care needs to be provided.
- Local Authorities will not have to carry out financial assessments; they will however, have powers to charge people retrospectively for the care and support they receive during this period, subject to giving reasonable information in advance about this, and carrying out financial assessment at a later date.
- Local Authorities will not have to prepare or review care and support plans; they will however, be expected to carry out proportionate, person-centred care planning which provides sufficient information to all concerned, particularly those providing care and support, often at short notice.
- The duties on Local Authorities to meet eligible care and support needs of a carer, are replaced with a power to meet needs. This means Local Authorities will still be expected to take all reasonable steps to continue to meet needs as they are now, however, in the event that they are unable to do so, the powers will enable them to prioritise the most pressing needs, for example enhanced support for people who are ill or self-isolating, and to temporarily delay or reduce other care provision.

The associated guidance, published on 31 March 2020, defines that these easements should only be exercised when the workforce is significantly depleted, or demand increases to an extent that it is no longer reasonably practicable to comply with Care Act duties.

The Care Act easements outlined above have been implemented with immediate effect as there is currently insufficient capacity to maintain normal Care Act assessments and reviews due to the following reasons:

- Staff absence as result of self-isolating and sickness
- Social distancing – reducing the ability to undertake face to face intervention
- A requirement to support the Coronavirus COVID-19 hospital discharge pathway.

The decision to implement easements is to be reviewed on a fortnightly basis, with a view to returning to normal practice as soon as is practically possible.

Full details on Care Act Easements can be found at the following location.

<https://www.gov.uk/government/publications/coronavirus-covid-19-changes-to-the-care-act-2014/care-act-easements-guidance-for-local-authorities#what-the-powers-actually-change>

2.3 COVID-19 hospital discharge pathway

Under the **COVID-19 hospital discharge pathway**, patients will be discharged by the NHS to the following support:

- a) Support at home – including low level support and equipment, as well as reablement, therapy and interim care services.
- b) Community rehabilitation beds.
- c) Long term care beds.

As well as supporting decision making on the most appropriate route for patient discharge, the Council will take referrals for, and move people from, reablement services and community rehabilitation beds to maintain flow of patients out of hospital.

To do this the Council will need to maintain contact and triage arrangements for people in the community and make proportionate assessments where necessary. Its therefore recommended that a COVID-19 assessment process is implemented for the duration of the epidemic subject to a two-weekly review process to be undertaken by the Director of Adult Social Care with engagement with the Principle Social Worker and Cabinet Member for Healthy Lives.

The COVID-19 assessment process would involve a short assessment, which would capture enough information to make a decision about whether an individual needs care and determine the most appropriate provision of care. Introduction of this process would avoid delays in the COVID-19 hospital discharge pathway and allow best use to be made of social work capacity.

2.4 Safeguarding

Duties in the Care Act relating to safeguarding adults at risk will continue to be discharged. Safeguarding activity will be prioritised to ensure that cases are investigated and resolved in a timely way proportionate to the severity of the concern.

The Principal Social Worker will oversee Safeguarding activity to ensure any capacity issues are identified and escalated accordingly.

2.5 Internally provided services

The Council delivers a range of care and support services internally, which have all been affected by Covid -19. Since the outbreak commenced the following actions have been undertaken:

- Personal Protective Equipment deployed as per current guidance
- Closure of the services to visits from service users family and friends (Unless the service user is end of life)
- Isolation of tenants who are symptomatic in line with Government Guidance
- Closure of day service provision, with alternate support provided as required.
- In line with the above closure of the Transport Service with staff redeployed elsewhere
- COVID -19 testing offered to any symptomatic staff member
- Relocation of the STAR service to Stoney Lane in West Bromwich to separate it from the Hospital Team.
- Increased staffing capacity through redeployment of Council staff and agency usage

2.6 Externally provided services

The vast majority of the councils' care and support is delivered through services commissioned from the independent and voluntary sector, these range from day services to residential care.

Since the outbreak commenced the following actions have been undertaken;

- Daily monitoring of providers to identify issues relating to the following:
 - Staffing
 - PPE
 - Symptomatic service users
 - Medication issues
 - Availability of food
- All day services closed in line with government guidance with alternate provision put in place as required
- Closure of the services to visits from service users family and friends (Unless the service user is end of life)
- Distribution of government guidance
- Establishment of provider helpline

2.7 Personal Protective Equipment

The spread of COVID-19 has introduced the requirement for the increased use of Personal Protective Equipment. The guidance on how this equipment is used and what is required has changed on numerous occasions throughout the last 4 weeks, this has been shared immediately with all external partners and implemented locally.

To manage the demand for PPE a single storage point has been created at Stoney Lane, West Bromwich and the Council has purchased a considerable amount of PPE to supplement stock supplied by government.

PPE will continue to be an issue over coming weeks and the Council will do whatever it can to ensure that sufficient supply is available to meet demand.


3. Next Steps

Subject to the agreement of the recommendations put forward in the report:

- Care Act easements are implemented with immediate effect, including the suspension of charging for adult social care and the adoption of a revised care management pathway.
- A report to be provided every two weeks to the Cabinet Member for Healthy Lives and the Chair of the Health and Wellbeing Board on the continued requirement of Care Act easement.
- A COVID-19 assessment process is implemented to support the hospital discharge pathway.
- A report to be provided every two weeks to the Cabinet Member for Healthy Lives and the Chair of the Health and Wellbeing Board on the continued requirement of COVID-19 assessment process.

In addition to this a proposal to be offered to providers of care and support to enable their ongoing sustainability through this difficult period will be developed and presented to a future meeting of this committee.

SHORT REPORT	
Subject Matter	Children's Services
Lead Director	Lesley Hagger, Executive Director of Children's Services
Date	22 April 2020



1. EXECUTIVE SUMMARY

- 1.1 A range of guidance has been provided by the Department for Education (DfE) over the past few weeks and the links are included at the end of this document. Guidance for schools has addressed school opening, free school meals, safeguarding responsibilities, exams and qualifications and school funding. The social care and vulnerable children guidance recognises that local authorities will not be able to meet all their statutory duties and recognises that risk-assessed decision-making and good documentation is vital, but there are no changes to the statutory requirements. All guidance and its implications have been annotated for the Cabinet Lead Member so that there is assurance in place. The Lead Member also receives regular briefings.
- 1.2 Regular meetings take place with DfE officials. The council has been able to raise issues that have informed decision-making by government. The DfE meetings have helped us to assess our local planning and responses against regional and national activities and feedback from the DfE has been that Sandwell has generally been "ahead of the game".
- 1.3 The Sandwell Children's Safeguarding Partnership has created a joint Business Continuity approach and meets weekly so that all partner agencies can provide updates, assess the impact of change across the whole system, and find solutions if there are any challenges or urgent issues to be addressed. The DfE, Home Office and Department for Health and Social Care, and the national Child Safeguarding Practice Review Panel have relaxed some timescales on reporting but have kept in place the need to inform the national Panel about serious incidents. Partners

have created a joint list that identifies all vulnerable children and ensures that there are systems in place to check that they are safe and well, and to respond to issues.

- 1.4 Schools, and the regular functioning of many other agencies that support children, young people and their families, are a major protective factor for children and young people. Whilst schools have remained open for the children of key workers and vulnerable children, and some other systems have been put in place to ensure that children are safe and well, there is clearly an increased safeguarding risk at the moment; the immediate impact of Covid-19 is being managed, but there will undoubtedly be longer term implications for children's services as safeguarding issues that are currently not in our sight emerge, along with disclosures from children, and others, at a later stage. Whilst domestic abuse referrals have increased nationally, at the time of writing, that is not the case in Sandwell.
- 1.5 The Director of Children's Services is in discussion with the Chief Executive of Sandwell Children's Trust several times daily. The Trust has a robust Business Continuity Plan in place for managing the current challenges and, at the time of writing, is ensuring that capacity is in place to carry out statutory requirements, prioritise the most vulnerable children, and meet the obligations of the Contract with the Council. New IT equipment has been purchased that enables social workers to work remotely, maintaining contact with children and families through 'virtual' arrangements, and a team of peripatetic social workers has been created to provide cover for staff who are self-isolating or ill. The Trust Board continues to meet, and all contractual performance monitoring meetings are continuing as scheduled. Risks are escalated to the Council and incorporated into its Resilience Plan.
- 1.6 The Director of Education has sent a daily communication Bulletin to all schools in Sandwell and this has been well received and appreciated. Schools have been able to seek advice and clarification about national and local matters, and liaison with the Council has ensured that the education community has been able to operate as a whole-system. Educational resources have been made available to support parents in home-schooling and play resources and activities have also been provided. Most of Sandwell's schools have remained open and about 1% of the pupil population has attended, mainly in the primary sector. Approximately 25% of early learning and childcare providers have remained open. The Council is re-directing families to care where needed.

1.7 A central system is in place to identify Care Leavers and vulnerable families that need food and supplies. Individuals are contacted by children's services staff and their needs are met through the Council's central food and supplies system.

2. KEY ISSUES

2.1 The lack of availability of PPE for children's social workers has been an issue, although limited supplies are now starting to be made available. The lack of availability of PPE will impact the ability for social workers to visit children at their homes, and this is exacerbated where children live in cramped conditions and social distancing cannot be relied upon when carrying out a home visit. Some foster carers have ended their current placement arrangements, and this has increased the pressure on the availability of placements for children and associated budget pressures. Some national providers have increased their charges.

2.2 If staffing in children's social care becomes critical, and in the most challenging of situations, it may be necessary to agree local arrangements that will not meet statutory requirements or guidance but will ensure that those children most at risk are protected. These arrangements will be agreed between the Trust and the Council, in consultation with the DfE and Ofsted.

2.3 As NHS staff, and potentially the police, are pulled into acute services or increased enforcement activities, children's safeguarding arrangements may not be their priority and this will potentially increase risk in the current system.

2.4 Primary National Offer Day will go ahead on 16th April, usually followed by the Appeals process. The government has announced that it is not considered sensible that admissions appeals should go ahead at present and is working urgently on emergency regulations and guidance to establish alternative arrangements.

2.5 There will inevitably be a longer-term impact on children's education and this is a matter that will need to be addressed through recovery planning, including transition arrangements for all age groups. The Council is already in discussion with schools to plan children's return to school, and it is unlikely that this will be before September.

2.6 As financial pressures increase on families due to loss of employment or through furloughing, levels of poverty across Sandwell are increasing. As a consequence, the Council has seen a steep rise in the number of children who are eligible for free school meals.

2.7 There continue to be groups of people that are congregating in some parts of the Borough; generally, males in their early 20s. Our detached youth work teams

continue to patrol these areas, in partnership with police, to encourage dispersal and to better understand the need for social distancing. It may be necessary to move towards enforcement if groups continue to ignore advice.


3. NEXT STEPS

- 3.1 The safety and welfare of children will continue to be a priority for Council services, and the Council officers will work with partners to ensure that children and young people are safeguarded. However, the Council may need to make decisions that mean it can no longer meet all statutory requirements for children’s services. These decisions will be risk-assessed, and properly documented, and reported through appropriate governance forums. The Cabinet Lead Member will continue to be regularly informed about all matters concerning children and young people.
- 3.3 The Education Benefits team is supporting families to access their free school meal entitlements quickly either through the school’s catering supplier or through the national voucher system. The Council will also continue to provide food and supplies to care leavers and vulnerable families that are in self-isolation or are ill and have no other means of help.
- 3.4 The Council’s officers will continue to liaise with regional and national partners to ensure that the Council is learning from practice elsewhere and sharing its own experiences and activities.
- 3.5 The Council’s officers will continue to read all new government guidance and ensure that the Council’s systems respond accordingly. The list of current guidance, to 8th April is below.

08/04/2020	Coronavirus (COVID-19): initial teacher training (ITT)
08/04/2020	Coronavirus (COVID 19): online education resources
08/04/2020	Coronavirus (COVID-19): financial support for schools
08/04/2020	Coronavirus (COVID-19): guidance for educational settings
04/04/2020	Coronavirus (COVID-19): guidance for children's social care services
04/04/2020	Coronavirus (COVID-19): attendance recording for educational settings
03/04/2020	Closure of educational settings: information for parents and carers
02/04/2020	Coronavirus (COVID-19): induction for newly qualified teachers
30/03/2020	Coronavirus (COVID-19): safeguarding in schools, colleges and other providers
24/03/2020	Collection: Coronavirus (COVID-19): guidance for schools and other educational settings
25/03/2020	Coronavirus (COVID-19): guidance on vulnerable children and young people
22/03/2020	COVID-19: school closures
19/03/2020	Coronavirus (COVID-19): travel advice for educational settings
24/03/2020	Coronavirus (COVID-19): implementing social distancing in education and childcare settings

24/03/2020	Coronavirus (COVID-19): early years and childcare closures
24/03/2020	Coronavirus (COVID-19): apprenticeship programme response
24/03/2020	Coronavirus (COVID-19): maintaining further education provision
24/03/2020	Universities told not to alter applicants' offers
22/03/2020	Coronavirus (COVID-19): guidance for schools and other educational settings
22/03/2020	Coronavirus (COVID-19): guidance on isolation for residential educational settings
19/03/2020	COVID-19: free school meals guidance for schools
22/03/2020	Coronavirus (COVID-19): cancellation of GCSEs, AS and A levels in 2020
20/03/2020	Closure of educational settings: information for parents and carers
20/03/2020	Guidance for schools, childcare providers, colleges and local authorities in England on maintaining educational provision

SHORT REPORT	
Subject Matter	REGISTRATION SERVICES (inc Burials and Cremations)
Lead Director	Surjit Tour Director of Law and Governance & Monitoring Officer
Date	22 April 2020



1. EXECUTIVE SUMMARY – Registration services

- 1.1 **Coroners** – the service has seen a significant increase in the number of deaths referred to the coroner in the Black Country. In response, the Area Coroner for the Black Country is now working full time in support of the Senior Coroner. Resilience has been provided by mutual aid arrangements from bereavement related services across the region. This was identified as a mitigating measure within the Service business continuity plan.
- 1.2 With the consent of the Chief Coroner, jury and other heavily attended inquests have been adjourned until social distancing measures have been relaxed. Whilst the volumes in some instances may cause a slight delay to funeral arrangements, the service is fully operational and is coping well with the increased demand. The demand is monitored daily and the Senior Coroner and Council’s Coronial Team have put in place measures to help ensure the anticipated demand can be met effectively.
- 1.3 **Register Office** – in response to new legislation and subsequent regulations associated with the Coronavirus Act 2020, it has been necessary to suspend several services provided by the Register Office team. All ceremonies have been put on hold as well as birth registrations and notices of marriage appointments. The reception area at the Register Office is also now closed to the public.
- 1.4 All available resources are now focussed on certificate production and death registration following changes that have been introduced to mitigate the impact of the coronavirus pandemic. All death registration is now completed by telephone, with death registration now also available more routinely on weekends.

- 1.5 The service is managing the increase in demand well and it is anticipated that the mitigating measures taken will help the Council to meet the anticipated increase in demand.
- 1.6 **Bereavement Services** – In a similar way, new legislation and subsequent new regulations associated with the Coronavirus Act 2020 has identified a need to adjust the level of burial and cremation related services to the public.
- 1.7 To account for social distancing advice, the numbers permitted to attend funeral services has been reduced to immediate family only (maximum of 10 persons). The layout of our crematoria chapels has been adjusted to account for social distancing measures. It has also been necessary to leave our cemeteries and crematoria closed except for when funeral services are taking place. Webcasting and recording of funeral services at our crematoria for all families is now free of charge.
- 1.8 A regional-wide protocol has been developed to ensure, so far as reasonably and practicably possible, a consistent approach is adopted. There have been discussions with funeral directors to ensure they do all they can to support families, reinforce the protocol and facilitate timely burials and cremations.
- 1.9 Some discretionary services have been suspended, to include memorial appointments, witnessing scattering of ashes and catering for wakes. Reception and waiting areas have been closed. The service has seen an increase in demand for burials and cremations, therefore more slots are now being made available to mitigate any unnecessary delays with funeral arrangements. Services continue to be provided seven days a week. The service has recruited former employees who have recently retired which has also been complemented by staff from other council services to ensure our cemeteries and crematoria continue to be accessible safely for funeral services.
- 1.10 The Council is the lead authority for delivering the Additional Storage Facility at Birmingham International Airport on behalf West Midland and Warwickshire Councils. Completion of the Additional Storage Facility at Birmingham Airport is a priority as it must be operational by 17 April 2020.

2. KEY ISSUES

- 2.1 The Additional Storage Facility at Birmingham Airport is a huge undertaking with considerable challenges that is being delivered at significant pace. Considerable effort has been expended by the Council in meeting this challenge and has placed increased pressures on officers.

2.2 The anticipated increase in deaths remains difficult to predict. Registration Services monitor the situation carefully and has taken effective mitigation measures to ensure it can maintain the necessary services required.

3. NEXT STEPS

3.1 To prioritise delivery of the Additional Storage Facility at Birmingham Airport.

3.2 Continue with engagement with funeral directors and other stakeholders to manage demand and emerging issues.

3.3 Scale up operations to meet actual and anticipate demand.

SHORT REPORT	
Subject Matter	Support to employees
Lead Director	Sue Stanhope – Interim Director of Human Resources
Date	22 April 2020



1. EXECUTIVE SUMMARY

- 1.1 Our staff are vital in helping Sandwell to combat the many issues that our communities are currently facing. It's essential therefore, that we do all we can to support and protect our staff. This report provides an overview of the support, communication and advice that is being provided to council employees and the work being undertaken with the Trade Unions.
- 1.2 In addition, it describes the approach that the council is taking to meeting the staffing resource challenges faced as a consequence of the impact of COVID 19 in particular how we are redeploying employee volunteers around the organisation.
- 1.3 The outbreak of COVID 19 has presented us with a number of challenges in respect of the occupational health and safety in respect of employees and this report details our advice and support on issues such as Personal Protective Equipment (PPE), self-isolation and shielding.

2. KEY ISSUES

- 2.1 **Employee communications** - ensuring that employees have access to the answers to a range of questions that they have both in respect of their personal situation as well as they role at the council. It was really clear from the beginning that being able to respond quickly to questions that were being asked was really important if we were to try and ensure that employees felt that we were listening and responding to their concerns. To respond to this

need we have created a set of frequently asked questions (FAQs) which sit on the HR pages on the intranet. They provide answers to a variety of questions covering topics including self-isolating/shielding, home working, key workers, caring responsibilities, pay and questions on a range of terms and condition issues. Whilst the FAQ section of the intranet is the repository for questions and answers to the questions we are also provide direct advice and guidance over the phone or via email through the HR advisers, Occupational Health and Health and Safety.

- 2.2 **Trade Unions** - We meet virtually with all the Trade Unions on a daily basis to address any areas of concern that have arisen and to ensure that the feedback they get from employees is heard and responded to. Working jointly with the Unions has enabled us to share knowledge and build a collective understanding of emerging issues and challenges and work jointly to an agreed response that balances the needs of the employee and the council. A specific request was received which asked for consideration to be given to the payment of an additional amount to front line workers. The email referenced that Lancaster Council had agreed to pay an additional £100 per month for at least a two-month period. Whilst recognising that the organisation was very grateful to all staff, wherever they work in the council, for all the efforts that are being made to maintain services during these unprecedented times, it was considered that this was not something that it felt was appropriate to do at the present time. The commitment was given to consider how the extraordinary contribution of staff should be recognised when the outbreak was over. It did not commit to what form that might take.
- 2.3 **Deploying our human resource** - At the beginning of the outbreak we asked all employees to complete a survey for us identifying any underlying health conditions that they may have. We also asked them to let us know if they had any previous experience of working in a social care setting. The vast majority of employees returned this survey, and this has given us a much clearer picture of our human resource. From all the information we have collected to date, we have pulled together a spreadsheet that enables us to search through the data and identify potential employees to volunteer for redeployment into business-critical services. Working with service managers we have used this information to ask employees in non-critical areas to volunteer to be redeployed to work in another area of council activity to help us ensure that we can continue to deliver those critical services. Any employee who volunteers to be deployed into another service or role will be provided with the basic training necessary to safely carry out tasks and any PPE required. Enhanced rates of pay will also be paid for any volunteers who help on a weekend who currently work Monday – Friday. Specialist training programmes have been created in an e-learning

format to ensure that training can be provided to employees prior to their deployment into a different area or role.

- 2.4 Monitoring absence levels** – to ensure that we understand the pressures on our staffing resource we are monitoring and reporting on absence levels on a daily basis. This reporting identifies any employees self-isolating, shielding or absent for other reasons. On a weekly basis this is shared with West Midlands Employers so that we can benchmark against others in the region. It also enables us to give immediate advice to employees as well as target any wellbeing or health support and be able to identify any employees who it may be appropriate to offer testing to.
- 2.5 Health and Safety advice to employees** - An important area of focus has been on the provision of advice and clear guidance on the use of Personal Protective Equipment (PPE) together with the revision of risk assessments to reflect the challenges of delivering service at the present time. In line with information received from Public Health England we have issued guidance on when PPE should be used and what levels of PPE are appropriate. In addition, health and safety guidance has been updated on working from home, use of display screen equipment, reporting to the HSE together with the provision of specialist manual handling training to support the deployment of employees into areas such as adult social care. The issuing of guidance in this area is of significant importance to the organisation in managing the risks associated with the potential for a likely increase in both public and employer liability claims in the future. As an employer, we must ensure that we approach the risk associated with COVID 19 in the same way that we would any other risk to the health and wellbeing of employees, taking sensible steps to discharge our duty of care and to document our assessment and adopted policies. Being able to demonstrate that we have considered the risks carefully and took sensible steps to mitigate those risks will be crucial evidence in defence of any subsequent claim. If someone becomes infected at work in the absence of evidence of such steps having been taken, we are vulnerable to being found in breach of duty and liable for losses arising. There is also the potential for us to be considered vicariously liable for the negligence of our employees for an example in a situation where an employee has been redeployed to another role and not provided with sufficient training/supervision. There is also the issue of a potential increase in public liability claims that arise from changes to working practices. The guidance, advice, support and risk assessments that we put in place all seek to mitigate this risk.
- 2.5 Well-being information** – The Council also has a wide range of resources available to support positive mental wellbeing. These include an Employee Assistance & Counselling Service which offers free, confidential advice and counselling on a wide range of issues. This programme is available 24/7 and

aims to support employees with both personal and work-related issues. We also have Mental Health toolkits for employees and managers which are full of advice, tips and resources to help support positive mental health and wellbeing at work. Working with the Trade Unions we have also recently introduced a Parental Leave Scheme which together with our revised our Bereavement Policy offering practical support and time off for bereaved employees.

2.6 Working from home - Where employees can work from home they are being asked to do so as a matter of course. If an employee is self-isolating whether they employee can work from home will very much depend on the employee's role, the terms of their contract and the circumstances of their self-isolation or quarantine. If it is possible and they are not actually unwell, then they can work from home. We have a SMART working toolkit and guidance booklet. This contains all the information needed when working from home. We have relaxed the flexible working policy to enable employees to care for a child whilst home working. We are continuing to provide information on a regular basis to those working from home.

3. NEXT STEPS

3.1 We will continue to update the Frequently Asked Questions part of the intranet and work with managers and supervisors to ensure that employees without easy access to the intranet on a day to day basis have easy access to the information that answers a number of their questions.

3.2 Working alongside the Trade Unions enables us to get direct feedback on the concerns of employees. We meet via Skype on a daily basis so that we can ensure that we respond in a timely manner to any concerns. This has proved to be positive and will continue for the period of the outbreak.

3.3 Ensuring that we are able to deploy our employees into business-critical areas and ensure that they are trained and feel safe and supported.

SHORT REPORT	
Subject Matter	Decision Making and Governance
Lead Director	Surjit Tour, Director of Law and Governance & Monitoring Officer
Date	22 April 2020



1. EXECUTIVE SUMMARY

New Regulations

- 1.1 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Remote Committee Regulations") came into force on 4th April 2020.

The Regulations;

- Enable the Council to determine the day and time of meetings, and alter the frequency, move or cancel meetings without requirement for further notice.
- Remove the need to hold an Annual Meeting (until 7th May 2021) and allow the Local Authority to hold such meetings as it requires.
- Extend any appointments that were due to be made at the Annual Meeting until the next Annual Meeting (eg Mayor, Deputy Mayor, Chairs, Vice-Chairs, appointments to Outside Bodies etc).
- Allow Local Authority meetings to be held virtually via webcasting, or telephone conferencing.
- Allow the Council to publish documents on the website where there is a requirement to publish information, or make documents available to the public for inspection at its offices.

- 1.2 A report on the consequential changes to the Council's constitution is included on the agenda for Emergency Committee.

The regulations set out clearly that a member is considered to be 'in remote attendance' where they are able to:

- Hear and be heard, and where possible see and be seen, by other members in attendance;
- Hear and be heard, and where possible see and be seen, by any members of the public who are entitled to attend to exercise their right to speak; and
- Be heard, and where possible seen, by members of the public.

2. KEY ISSUES

2.1 Business solution to enable remote participation

The Council has been testing the most effective platform to use to enable effective remote committee meeting to take place, and enable the requisite remote participation. Both Skype for Business and Microsoft Teams are being explored as potential solutions. Working alongside existing webcasting provisions, the solution will need to satisfy the requirements for Member attendance and participation alongside public attendance. Licensing Committee members are helping to pilot options so that technical and other issues can be quickly identified and resolved. The pilot is ongoing. The agreed solution will form the basis of all remote Council committee and Cabinet meetings. The plan is to bring on stream Committees meetings in a phased approach so that Members are supported appropriately and Officers in a position to manage the work necessary to support the Committees.

2.2 Rescheduling Committee meetings

Decisions are currently being routed through:

- the Emergency Committee for Council functions,
- the Leader for Executive functions
- The relevant Director in consultation with the Committee for planning and licensing functions or,
- in time critical instances, the Chief Executive using special urgency provisions with the approval of the relevant Scrutiny Board Chair and Cabinet Member.


These arrangements were put in place as a temporary solution until the Government enacted the regulations for remote participation.

Initially, Cabinet, Scrutiny Boards and Licensing and Planning Committees will be rescheduled, followed by the other remaining committees. The Emergency Committee will continue to meet until all Council Members are able to access meetings using an electronic solution and we are confident that a Full Council can be held.

3. NEXT STEPS

- 3.1 A robust IT solution will be worked up that can accommodate the Council's meeting requirements. Once that is established, a revised interim calendar of meetings will be presented to the Emergency Committee for approval.
- 3.2 The pilot will be completed which will map out and help deliver targeted support and guidance to Members so as to ensure they can confidently participate in the remote committee meetings.

SHORT REPORT	
Subject Matter	Financial Impact of Covid-19
Lead Director	Rebecca Maher
Date	22 April 2020



1. EXECUTIVE SUMMARY

1.1 It is difficult to provide an accurate update about the impact of the Covid-19 pandemic on the council's financial position. It is assumed that the current crisis circumstances will continue for five months, in line with the assumption that has been used in preparing the draft return to the MHCLG for 15th April 2020 submission. The estimated total financial pressures across this period, for the council and Sandwell Childrens Trust (SCT), are **£23.641m**. The additional funding that the council has been allocated to cover the cost of Covid-19 is **£12.494m**. These funding pressures are likely to vary, and are still high-level estimates, due to the following: -

- The country is still in the early stages of this crisis and there are likely to be further additional costs that have not currently been captured.
- The current situation may continue for more than five months.
- The financial pressures covered in this report do not include the impact on Council Tax and Business Rates collection.
- There may be additional costs for the temporary mortuary, both for provision of the current capacity but also for a potential increase in capacity.

2. KEY ISSUES

ADDITIONAL EXPENDITURE

2.1 As at 14th April, the total additional expenditure that has been committed or is expected to be incurred by SMBC and SCT over the next 5 months is **£14.517m**. This is broken down as follows (using the format of the MHCLG return): -

	Projected Expenditure
	£
ASC - Additional Demand	807,928
ASC - Supporting the market	10,696,038
ASC - Workforce Pressures	320,000
ASC - Other including PPE	159,044
Childrens Social Care - Other	994,350
Education Other	30,000
Housing inc Homelessness	345,175
Environmental & Regulatory (including excess deaths)	1,004,940
Financial & Corporate	159,760
Total Expenditure	14,517,234

- 2.2 The Temporary Mortuary costs reflect a capacity of only 3,335 bodies compared to the initial requirement of 6,900. There are also a considerable number of 'known unknowns' and the estimated costs of this provision are changing almost daily. It is therefore possible that the actual costs are significantly higher than the current estimate.

LOSS OF INCOME

- 2.3 The estimated loss of income (excluding Business Rates and Council Tax) for the period April to August 2020 is **£9.124m**. This is as a result of both services closing and decisions being made to cease charging for some facilities to ease the burden on residents and businesses. This is broken down as follows: -

	Total for 5 months
	£
Education	1,002,000
Highways & Transport	1,537,000
Housing inc Homelessness	478,000
Cultural Services	734,000
Environmental & Reg (including excess deaths)	580,000
Planning & Development	2,752,000
Financial & Corporate	2,042,000
Total	9,124,000

2.4 The following income streams are not reflected within the above projection:

Council Tax Income

2.5 With regard to Council Tax, due to this being the start of a new financial year, it is not possible to estimate what the impact may be until we have completed a monthly cycle of recovery activity. At the end of April 2020, we will be able to compare the collection rate and number of reminders issues against the same point in the previous year. This will enable us to forecast the potential impact of the decision not to pursue recovery past final reminder stage.

2.6 To provide some context around this, the amount of 2019/20 debt for which liability orders were raised was £14.180m and £10.666m of this was collected because of enforcement action. This was for the full financial year but gives an illustration of the potential impact of no enforcement action.

Housing Rents

2.7 The Housing Revenue Account (HRA) income is expected to be adversely affected because of the deterioration in tenant's financial circumstances and increased rent arrears where people have been unable to access council offices to make cash payments. It is not possible to estimate the impact at this stage but with annual rental income in excess of £116m it is likely to be significant.

Council Tax Reduction

2.8 The impact of Covid-19 on many residents will be a loss of income/earnings. Many of these residents will be entitled to Council Tax Reduction (CTR). This will have a positive effect on collection rates, however any amount of CTR awarded is income which the Council foregoes. We must therefore monitor the cost of the CTR Scheme to accurately assess the financial position of the Council.

2.9 The total annual cost of CTR at the beginning of 2020/21 financial year was £28.902m.

Business Rates

2.10 It is hoped that there will be less of an impact on Business Rates collection as most of the business affected by the pandemic will receive relief and the council will be reimbursed for this through Section 31 grants. However, the amount of debt that was collected through enforcement action for Business Rates was approximately £8m.

2.11 The amount of 2019/20 debt for which liability orders were raised was £9.895m and £8.437m of this was collected because of enforcement action.

3. NEXT STEPS

- 3.1 Financial Services teams continue to assess the financial pressures daily and this is collated into regular submissions both regionally and to the MHCLG. Current projections indicate the Covid funding will be insufficient to offset our pressures over the next 5 months.
- 3.2 The service will also need to work closely with directorates to understand the impact on the council's reserves, current savings plans and the medium-term financial strategy.

REPORT TO EMERGENCY COMMITTEE

22 April 2020

Subject:	Implementation of The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020
Director:	Surjit Tour - Director of Law and Governance & Monitoring Officer
Contribution towards Vision 2030:	
Contact Officer:	Suky Suthi-Nagra suky_suthinagra@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Committee:

1. Acknowledges and confirms that the Council's constitutional arrangements relating to meetings and the conduct of Council business shall be subject to the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the 2020 Regulations");
2. Agrees that the Director of Law and Governance & Monitoring Officer, in consultation with the Committee's Members, be authorised to put in place the necessary arrangements and/or make the requisite changes necessary to give effect to 2020 Regulations.

3. Agrees that standing orders 4 and 18 (Quorum of the Council and Quorum of Committees respectively) relating to the requirement for council meetings to commence within 15 minutes be suspended whilst the 2020 Regulations remain in force; and
4. That the Director of Law and Governance & Monitoring Officer brings to a future meeting of the Committee an interim Calendar of Meetings for consideration and approval.

1. PURPOSE OF THE REPORT

- 1.1 The Constitution sets out the Council's governance and decision-making arrangements. Until 4th April 2020, legislative provisions required Elected Members to be physically in attendance at meetings in order to participate in decision making and committee business.
- 1.2 As part of the response to the Covid-19 virus, the Government enacted the 2020 Regulations that now enable Elected Members to be in attendance and participate in council meetings remotely, as well as enable the greater use of technology in the Council's decision-making arrangements.
- 1.3 The regulations are temporary in nature and will remain in force until 7 May 2021.
- 1.4 This report confirms that the Council proposes temporary assimilation of the regulations into the constitution and will allow for Councillors and members of the public to attend meetings using a variety of electronic mechanisms.

3. IMPLICATIONS FOR VISION 2030

- 3.1 The Council is committed to maintaining its governance and decision-making functions in order to deliver the priorities within the Sandwell Corporate Plan.

4. BACKGROUND AND MAIN CONSIDERATIONS

- 5.1 The 2020 Regulations apply to any meeting of a Local Authority, Executive Meetings, and any joint committees of two or more Councils, and any related committee/sub-committee meetings, for e.g. Licencing Committee, Planning Committee, West Midlands Combined Authority, Fire and Rescue Authority meetings.
- 5.2 The key provisions within the Regulations are:-

- The Council may determine the day and time of meetings, and alter the frequency, move or cancel meetings without requirement for further notice.
- The removal of the need to hold an Annual Meeting (until 7th May 2021) and allow the Local Authority to hold such meetings as it requires.
- Any appointments that were due to be made at the Annual Meeting are extended until the next Annual Meeting (eg Mayor, Deputy Mayor, Chairs, Vice-Chairs, appointments to Outside Bodies etc).
- Local Authority meetings can be held virtually via webcasting, or telephone conferencing.
- The Council can publish documents on its website where there is a requirement to publish information (including agenda, minutes, background papers, special notices etc) (where previously they had to be made available to inspect at its offices).
- A member is considered to be 'in remote attendance' where they are able to:
 - i) Hear and be heard, and where possible see and be seen, by other members in attendance;
 - ii) Hear and be heard, and where possible see and be seen, by any members of the public who are entitled to attend to exercise their right to speak; and
 - iii) Be heard, and where possible seen, by members of the public.

Remote attendance contributes to the quorum required for each meeting

- The regulations broaden the definition of 'place' in current legislation relating to local authority meetings, and states that any reference to 'place' now includes virtual locations such as live webcasting, and telephone conference calls.
- Public attendance provisions have been expanded to include access through remote means including video and telephone conference, live webcasting and interactive streaming. This now means that there is no requirement for a member of the public to be physically present at the meeting.

- 5.3 At present, Council, Cabinet and Committee Procedure Rules require a meeting to be postponed after 15 minutes of the scheduled start time if quorum requirements are not met, and that if during a meeting, Elected Members leave and a quorum is no longer present, that the meeting is adjourned for 15 minutes to enable the meeting to become quorate.
- 5.4 To mitigate against any potential technology issues that may impact on the ability of council meeting to commence or proceed, it is proposed to suspend the associated standing orders. This enables the Chair of the relevant Council meeting to determine when the meeting should be postponed or adjourned.
- 5.5 Work is underway to give effect to the 2020 Regulations. The Council's Licensing Committee is part of a pilot that involves the configuration of the Council's systems and applications to enable remote council meetings to be held and for Elected Members, public and other stakeholders to engage (as applicable). Once the pilot has concluded, training and guidance will be provided to Chairs and Committee Members. Procedures for the management of Council meetings will be drawn in consultation with the Members of the Emergency Committee and will address issues such as how motions/recommendations will be moved, debated, and voted upon etc.

6. CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 6.1 The Council is liaising with neighbouring authorities to ensure a consistent approach to applying these regulations is taken across the region.

7. ALTERNATIVE OPTIONS

- 7.1 The Council, as a local authority, is required to apply the legislation to the conduct of its meetings held before 7 May 2021 and for the public and press access to these meetings.

8 STRATEGIC RESOURCE IMPLICATION

- 8.1 There are no additional direct resource implications anticipated at this time as the Council's ICT infrastructure is able to provide the requisite platform necessary to host remote council meetings. Should additional resources be required, they will be met from existing approved/available budgets.

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 The Council is required to comply with and give effect to the 2020 Regulations as far as practicably possible. Council meeting must comply with all legislative requirements such as those set out in The Public Bodies (Admission to Meetings) Act 1960, the Local Government Acts, The Local Government (Access to Information) Act 1985, The Local Government and Public Involvement in Health Act 2007, The Localism Act 2011 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and other relevant Statutory Instruments.

9.4 Where there is a conflict between the 2020 Regulations and other legislation and the Council's Constitution, the 2020 Regulations will prevail.

10. EQUALITY IMPACT ASSESSMENT

10.1 There are no direct issues or implications relating to equality. The Council will continue to comply with its equality and diversity obligations and where necessary, make reasonable adjustments as appropriate.

11. DATA PROTECTION IMPACT ASSESSMENT

11.1 There are no direct issues or implications relating specifically to data protection. The Council will continue to comply with its duties and obligations under the Data Protection Act 2018 and General Data Protection Regulation (GDPR).

12. CRIME AND DISORDER AND RISK ASSESSMENT

12.1 There are no direct issues or implications relating specifically to crime and disorder and risk.

13. SUSTAINABILITY OF PROPOSALS

13.1 The 2020 Regulations take effect from 4 April 2020 until 7 May 2021 and measures to enable remote meetings to take place are already underway.

14. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

The proposals will ensure that the Council is still able to respond and make decisions in the event of further disruption as a result of Covid-19.

15. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

The proposals have no direct implication on Council managed property or land.

16. BACKGROUND PAPERS

[The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#)

17. APPENDICES:

None

**Surjit Tour
Director of Law and Governance
& Monitoring Officer**

REPORT TO EMERGENCY COMMITTEE

22 April 2020

Subject:	Rent arrears on the Council's commercial portfolio
Director:	Executive Director of Neighbourhoods – Dr Alison Knight Interim Director – Regeneration and Growth Tammy Stokes
Contribution towards Vision 2030:	 
Contact Officer(s):	David Harris Service Manager Strategic Assets and Land

DECISION RECOMMENDATIONS

1. That debt recovery on the Council's commercial property portfolio actively not be pursued over the period of March to June 2020.
2. That in connection with 1. above, the Interim Director - Regeneration and Growth and the Section 151 Officer review the position on a month to month basis and the decision to reinstate charges and debt enforcement to be reported back to the Emergency Committee.
3. That the Interim Director - Regeneration and Growth agree, where appropriate, individual plans in respect of any repayment of rents to allow for business continuity and support for the Council's commercial tenants.
4. That approval is given to cease charging rent to Market traders for the period 23 March 2020 onwards, to be reviewed on a monthly basis by

the Interim Director - Regeneration and Growth and the Section 151 Officer and the decision to reinstate charges to be reported back to the Emergency Committee.

1 PURPOSE OF THE REPORT

- 1.1 By not pursuing rent arrears during the current quarter, this will allow individual businesses to develop a revised fiscal plan protecting jobs and reducing the impact on Sandwell's micro economy.
- 1.2 By supporting the local economy with these measures, it will allow commercial tenants to develop resilience and contingency measures to protect and improve the sustainability of their business model.
- 1.3 From the June 2020 quarter date and as appropriate, individual tenants who have expressed a cessation of their rent to be contacted to agree a bespoke repayment plan tailored to their individual needs, business model and financial position.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council's corporately owned and managed commercial portfolio provides land and premises for business to operate in Sandwell.
- 2.2 The portfolio provides the opportunity for business start-up, inward investment and the facility for existing businesses to expand. These situations are responsible for positive economic stimuli in the borough.
- 2.3 Sandwell's economy therefore benefits from continued employment opportunities, business rate payments and local spend within the borough.

3 THE CURRENT POSITION

- 3.1 The Council have received a number of approaches from tenants advising that they are unable to meet their ongoing rent commitments at the current time due to the COVID 19 pandemic and expressing concern that the continued debt may lead to the Council taking recovery action or even their lease agreements being terminated.

4 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 4.1 The situation as currently exists is unprecedented and not covered under the commercial portfolios resilience measures and has not been subject to any previous consultation.
- 4.2 There exists a historic debt legacy with some tenants that has been proactively managed as part of a recovery strategy to try and assist business to thrive prior to the Covid 19 pandemic taking hold.
- 4.3 Councillors Millard and Ali have been consulted as part of the process with no matters being raised.

5 ALTERNATIVE OPTIONS

- 5.1 To continue to pursue outstanding rent arrears could cause distress to businesses both on an economic and physical level.

6 STRATEGIC RESOURCE IMPLICATIONS

- 6.1 In total, the Council's commercial portfolio yields approximately £3.6 million of rental income per annum.
- 6.2 The non-pursuance of accrued rental arrears on commercial portfolio along with rent cessation for Markets will have a medium-term impact on the commercial revenue stream.
- 6.3 The impact on revenue will be a deferral of income receipts due to longer term repayment plans agreed with tenants for a period beyond 12 months.
- 6.4 There will also be an increased risk of bad debts from the accrued rental arrears.
- 6.5 It is impossible to predict the duration or extent of the impact on the businesses operated by the tenants at this juncture, but it is suggested that in liaison with Finance and Debt Recovery Officers, a quarterly review is undertaken to assist with the Council's overall budget projections and to ensure the sustainability of income moving forward.

6.6 The rental income budget set for Markets and Street Trading in 2020/21 is £89,000 per month. This income will be lost until such time as policy changes to allow normal trading. However, even when trading restriction are removed, it is likely that there will be a residual deficit as some market traders may have been forced to cease trading permanently, due to failure of their business, or relocated to rival markets elsewhere in the region.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

7.1 All commercial leases include a covenant that rental should be discharged by the tenant whether demanded or not. Commercial leases will also contain a mechanism for the Council as Landlord to forfeit the lease upon default or persistent late or non-payment of rent.

7.2 This is however at the discretion of the landlord so will not present as a problem if the Council provides a rent deferment holiday in these unprecedented circumstances.

8 EQUALITY IMPACT ASSESSMENT

There are no equality impact implications of the proposals.

9 DATA PROTECTION IMPACT ASSESSMENT

There are no data protection implications of the proposals.

10 CRIME AND DISORDER AND RISK ASSESSMENT

There are no crime and disorder risks as a result of the proposals.

11 SUSTAINABILITY OF PROPOSALS

The sustainability of local businesses is paramount to Sandwell on a wider economic level to ensure job growth and creation, business rate income and a sustainable rental income model to support the Council's financial commitments.

12 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

There are no health and wellbeing implications.

13 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 13.1 Should any businesses within the portfolio be unable to continue to trade and potentially liquidate, this will result in an increased vacancy rate with the direct economic result of a loss of rent and business rates.
- 13.2 This will incur the Council further expense with security measures to manage any voids and the potential costs of any works to the premises necessary in accordance with statutory compliance prior to remarketing.

14 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 14.1 The current COVID-19 pandemic and the government's implemented measures to help slow the virus has had a detrimental effect on business within Sandwell and its micro economy.
- 14.2 Sandwell Council's commercial portfolio comprises shop premises, small industrial units and small enterprise centres that encourage start-up businesses. These premises are predominantly occupied by micro businesses or sole proprietorships.
- 14.3 The portfolio also comprises ground leases which are traditionally occupied by Small - Medium Enterprises (SME) that provide wider employment opportunities for the benefit of the borough and its residents.
- 14.4 The Council's markets are also included in the portfolio and it would be consistent with the wider portfolio approach if the same policy was applied to market trader arrears.
- 14.5 The government's implementation measures (lock down) have severely restricted the ability of both these micro businesses and SME's to operate or trade and the Council has received a number of approaches from tenants concerned that they are unable to meet their rental commitments.
- 14.6 If the situation is not addressed the result could see commercial tenants and micro businesses in particular get into financial difficulty or even go into liquidation.
- 14.7 These scenarios would see a negative impact on Sandwell's micro economy resulting in localised unemployment and the council income stream from its commercial estate drastically reduced.

15 **BACKGROUND PAPERS**

None

16 **APPENDICES:**

None

Decisions taken by the Leader of the Council and Chief Officers in accordance with Delegated Powers

The following matters have been determined by the Leader of the Council and Chief Officers since the last meeting of the Emergency Committee on 25 March 2020, in accordance with their delegated remit.

Leader of the Council – Urgent Decision

31 March 2020 Temporary Suspension of Parking Charges on Town Centre Car Parks

The Leader of the Council, acting in accordance with her delegated authority **Agreed:-**

1. To suspend Parking Charges on Town Car Parks from 30th March until 30th June 2020
2. The Chief Executive monitors the impact of removing the car parking charges and consider amendments or reversal of this decision should there be evidence that social distancing requirements are not being met.
3. To maintain parking charges on-street and in Sandwell Valley.

Reason for Decision

Implementation of the proposals would assist key workers and those making essential trips for shopping during COVID 19 partial lockdown, to be able to do so without incurring additional charges.

Chief Executive

1 April 2020 Increase of Cash Deposit Limits

The Chief Executive, acting in accordance with his delegated authority:

- Agreed that in light of the current COVID-19 crisis, approval is given to increase the Council's short term cash deposit limits with approved financial institutions and Money Market Funds (MMFs) from £1 Om to £20m during the period of the pandemic.

Reason for Decision

Due to the current COVID-19 crisis, there is a necessity to give greater flexibility to the Council's daily cashflow processes to allow it to deposit money into safe instant access accounts where it can be called upon immediately.

The Council is due to receive an amount of approximately £73m in relation to the Small Business Grant Fund on V April 2020 and, whilst plans are being finalised on how to most effectively utilise and distribute these resources, they need to be invested in secure financial instruments that can be called upon immediately.

The number of safe institutions and funds that the Council can invest with is limited and so it is necessary to temporarily increase the limits to allow greater cashflow flexibility until the crisis is over.

3 April 2020 - The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 Appointment of Officer

Decision:

1. That the Director of Prevention and Protection is granted delegated authority to exercise the statutory provisions of The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020.
2. That the Director of Law and Governance and Monitoring Officer be granted delegated authority to commence any proceedings required in line with the Regulations.

Reason for Decision

These new powers came into force on 26th March 2020 as part of the national response to the COVID-19 Coronavirus. It was for the Council's Head of Paid Service to authorise officers to act in order that the Council can be compliant with any statutory provisions.

Director – Prevention and Protection

31 March 2020 - Variations to the Private Hire and Hackney Carriage Licensing Policy

Decision:

1. That approval is given to proposed temporary variations to the Private Hire and Hackney Carriage Licensing Policy as detailed in Appendix 1 so as to enable:
 - The delivery model for Child Sexual Exploitation and Safeguarding Training to be changed from 'face to face' to online with a self declaration on completion
 - Timescales for medical assessments and alternative methods for securing assurance on medical fitness to drive to be permitted with a monthly review.
 - MOT renewal dates to be extended in line with the Department of Transport permitting 6 month extensions to MOTs with renewal dates from 30 March 2020.
 - Extension of expiry dates for interim vehicle checks by three months
 - Suspension of the requirement for licence holders on renewal to display plates with valid dates subject to the issue of an exemption document that confirms renewal requirements have been met.
2. That where appropriate and/or necessary to address the impact and implications of Covid-19, approval is given to the deferment of payment of licensing fees
3. That the above-mentioned approval of temporary variations to the Private Hire and Hackney Carriage Licensing Policy and authority to defer payment of licensing fees shall continue until 31 December 2020 unless otherwise revoked by the Director of Prevention and Protection or Licensing Committee.

Reason for Decision

As the council and other organisations continue to develop their response to the Covid-19 outbreak many non-essential services are ceasing or becoming subject to restrictive access. This includes services that drivers need to fulfil the requirements of the councils Private Hire and Hackney Carriage Licensing Policy.

It is therefore proposed that variations are made to the requirements under the current policy to maximise the potential for taxi drivers to continue working and to reduce the risk to drivers and council officers by reducing the need for face to face contact