

## Emergency Committee

**Wednesday 22 April 2020 at 14:14 at Sandwell Council House, Oldbury**

- Present:** Councillor Y Davies (Chair);  
Councillors Ali, Crompton, Hadley, Millard and Shaeen.
- Apology:** Councillor Moore.
- Officers:** David Stevens (Chief Executive), Neil Cox (Director - Prevention and Protection), Lesley Hagger (Executive Director – Children’s Services), Alison Knight (Executive Director – Neighbourhoods), Rebecca Maher (Service Manager – Finance), Elaine Newsome (Service Manager – Democracy), Tammy Stokes (Interim Director – Regeneration and Growth), Chantelle Simms (Democratic Support Officer), Sue Stanhope (Interim Director – Human Resources), Suky Suthi-Nagra (Democratic Services Manager) and Surjit Tour (Director of Law and Governance and Monitoring Officer).

### 11/20 **Chair’s Announcements**

The Chair reported that in accordance with the 2020 Coronavirus Regulations, the meeting was being held remotely to facilitate attendance and enable the consideration of important matters during the current COVID-19 situation, i.e. all members of the Committee joining in remotely were now able to contribute and vote on any matter.

Due to technical issues, the meeting was not being broadcast live but would be made available for members of the public to access after the meeting.

Now that guidance on remote meetings had been received, regular meetings of the Cabinet would take place to enable decision-making to continue during these uncertain times.

### 12/20 **Councillor Geoff Lewis**

The Committee stood in silent tribute to mark the passing of Councillor Geoff Lewis.

Geoff was committed to the people of Wednesbury and Sandwell, representing the Friar Park ward since 1991 and, at the age of 88, was Sandwell’s oldest serving councillor.



Throughout his years as a Councillor, Geoff was Chair of many Committees and also served as a Director of the Black Country Groundwork Trust and Groundwork Prosper Limited and a Board Member for Sandwell Homes.

Geoff was remembered as a true gentleman.

**13/20 Minutes of Meetings**

The minutes of the meetings held on 18, 23 and 25 March were confirmed as a correct record.

**14/20 Urgent Business**

There were no additional items of business to consider.

**15/20 Declarations of Interest**

No interests were declared at the meeting.

**16/20 Covid-19 Response Update**

Consideration was given to the Council's response following the outbreak of Covid-19. Sandwell Council had provided a co-ordinated response across services and with partner organisations to support its communities as follows:-

**Resilience Plan**

The Director – Prevention and Protection reported that the Council's Resilience Plan set out the Council's initial plans to address the varied and significant challenges that had arisen and would continue to evolve in accordance with the needs of the Borough.

A governance framework had been established to ensure the Council was delivering against this Plan, meeting the needs of local communities and responding to the ever-changing situation. This framework had 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.

## **Support for Elderly and Vulnerable Residents**

The Executive Director – Neighbourhoods provided details of the Council's response to supporting vulnerable people in our communities who were unable to leave their property due to the increased risk to them if they were to contract COVID-19, including how the Council had identified vulnerable people and the support that had been put in place to assist them during the current crisis.

This support included:

- contact with those identified as vulnerable – with referrals being made into the “Central Hub” (the team which matched need with support);
- establishment of a “Food Hub” at Tipton Sports Academy;
- delivery of food parcels to vulnerable/elderly residents and those contacting the Emergency Helpline;
- developing a range of volunteer support services with Sandwell Council of Voluntary Organisations (SCVO) to ensure that follow on support was available.

It was now proposed to:-

- ensure that all of those people spoken to who required assistance were provided with ‘ongoing support’ where required through the duration of the crisis;
- fully establish 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;
- 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;
- working strategically with a supermarket partner, who could provide the scale and variety of goods required for future food parcels.

## **Adult Social Care Update**

The Director - Prevention and Protection, in the absence of the Director – Adult Social Care, updated the Committee 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 had been made by central government.

It was reported that Personal Protective Equipment (PPE) was still being sourced to key frontline workers. To manage the demand for PPE, a single storage point had been created at Stoney Lane, West Bromwich and the Council has purchased a considerable amount of PPE to supplement stock supplied by government.

PPE would continue to be an issue over coming weeks and the Council would do whatever it could to ensure that sufficient supply was available to meet demand.

Approval was now sought to:-

- implement Care Act easements, with immediate effect, including the suspension of charging for adult social care and the adoption of a revised care management pathway. These would be applied only when necessary;
- a COVID-19 assessment process to be implemented to support the hospital discharge pathway;
- develop an offer to providers of care and support to enable their ongoing sustainability through this difficult period, for consideration at a future meeting of the Committee.

### **Children's Services Update**

A range of guidance had been provided by the Department for Education (DfE) over the past few weeks which included guidance for schools on school opening, free school meals, safeguarding responsibilities, exams and qualifications and school funding. The social care and vulnerable children guidance recognised that local authorities would not be able to meet all their statutory duties and recognised that risk-assessed decision-making and good documentation was vital, but there were no changes to the statutory requirements.

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

### **Registration Services**

The Director of Law and Governance and Monitoring Officer reported that the Coroners Service had reported a significant increase in the number of deaths referred to the coroner in the Black Country, however a number of measures had been implemented to mitigate the impact.

In response to new legislation and subsequent regulations associated with the Coronavirus Act 2020, it had been necessary to suspend several services provided by the Register Office team. All available resources were now focussed on certificate production and death registration following changes that had been introduced to mitigate the impact of the coronavirus pandemic. All death registration was now completed by telephone, with death registration now also available more routinely on weekends.

New legislation and subsequent new regulations associated with the Coronavirus Act 2020 had identified a need to adjust the level of burial and cremation related services to the public.

To account for social distancing advice, the numbers permitted to attend funeral services has been reduced to immediate family only (maximum of 10 persons). Webcasting and recording of funeral services at our crematoria for all families is now free of charge.

A regional-wide protocol had been developed to ensure, so far as reasonably and practicably possible, a consistent approach was adopted. There had been discussions with funeral directors to ensure they did all they could to support families, reinforce the protocol and facilitate timely burials and cremations.

The additional storage facility at Birmingham Airport was a huge undertaking with considerable challenges that was being delivered at significant pace. Considerable effort had been expended by the Council in meeting this challenge and had placed increased pressures on officers.

The anticipated increase in deaths remained difficult to predict. Registration Services monitored the situation carefully and had taken effective mitigation measures to ensure it could maintain the necessary services required.

### **Support to Employees**

The Interim Director – HR provided details of the support, communication and advice that was being provided to Council employees and the work being undertaken with the Trade Unions.

The Council's approach to meeting the staffing resource challenges faced as a consequence of the impact of COVID 19, in particular how we were redeploying employee volunteers around the organisation and the advice and support on issues such as Personal Protective Equipment (PPE), self-isolation and shielding, was noted.

### **Decision Making and Governance**

The Director of Law and Governance and Monitoring Officer provided an update on 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") which came into force on 4<sup>th</sup> April 2020.

The Regulations:

- enabled the Council to determine the day and time of meetings, and alter the frequency, move or cancel meetings without the requirement for further notice;
- remove the need to hold an Annual Meeting (until 7<sup>th</sup> May 2021) and allow the Local Authority to hold such meetings as it required;
- extend any appointments that were due to be made at the Annual Meeting until the next Annual Meeting (e.g. 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 was a requirement to publish information, or make documents available to the public for inspection at its offices.

A robust IT solution would be developed to accommodate the Council's meeting requirements. Once that was established, a revised interim calendar of meetings would be presented to the Emergency Committee for approval.

The pilot would be completed which would map out and help deliver targeted support and guidance to Members so as to ensure they could confidently participate in the remote committee meetings.

### **Financial Impact during Covid-19**

The Service Manager – Finance reported the estimated total financial pressures across this period, for the Council and Sandwell Children's Trust (SCT), were **£23.641m**. The additional funding that the Council had been allocated to cover the cost of Covid-19 was **£12.494m**. These funding pressures were likely to vary and were still high-level estimates, due to the following:-

- the country was still in the early stages of this crisis and there were likely to be further additional costs that had not currently been captured;
- the current situation may continue for more than five months;
- the financial pressures covered in this report did 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.

Financial Services would continue to assess the financial pressures daily and this was collated into regular submissions both regionally and to the Ministry of Housing, Communities and Local Government. Current projections indicated the Covid funding would be insufficient to offset our pressures over the next 5 months.

The service would 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.

The Chair placed on record her appreciation to all staff who had voluntarily been redeployed to areas to assist residents in feeling safe. The Chair was immensely proud of staff, the Council and the voluntary sector in Sandwell who were working in collaboration to reach all residents in Sandwell.

However, further support was required by the Government to help get through this crisis. The Chair felt that in view of the West Midlands being the greatest hotspot outside of London with high levels of Covid-19 cases, the Government should consider proportionally allocating funding to local authorities.

**Agreed** That the steps taken by the Council as part of the initial response and resilience plan to address the Coronavirus outbreak be endorsed.

17/20

**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**

With reference to Minute No 16/20 above (Decision-making and Governance), consideration was given to the key provisions of the 2020 Regulations.

At present, Council, Cabinet and Committee Procedure Rules required a meeting to be postponed after 15 minutes of the scheduled start time if quorum requirements were not met, and that if during a meeting Elected Members left and a quorum was no longer present, that the meeting was adjourned for 15 minutes to enable the meeting to become quorate.

To mitigate against any potential technology issues that may impact on the ability of Council meetings to commence or proceed, it was proposed to suspend the associated standing orders. This enabled the Chair of the relevant Council meeting to determine when the meeting should be postponed or adjourned.

Work was underway to give effect to the 2020 Regulations. Once the pilot had concluded, training and guidance would be provided to Chairs and Committee Members. Procedures for the management of Council meetings would be drawn in consultation with the Members of the Emergency Committee and would address issues such as how motions/recommendations would be moved, debated, and voted upon etc.

**Agreed:-**

- (1) 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) that the Director of Law and Governance and 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) that the Council's 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 and Monitoring Officer brings to a future meeting of the Committee an interim Calendar of Meetings for consideration and approval.

18/20

### **Rent Arrears on the Council's Commercial Portfolio**

Approval was sought to not pursue rent arrears on the Council's commercial portfolio and market traders during the current quarter to allow individual businesses to develop a revised fiscal plan protecting jobs and reducing the impact on Sandwell's micro economy.

By supporting the local economy with these measures, it would allow commercial tenants to develop resilience and contingency measures to protect and improve the sustainability of their business model.

From the June 2020 quarter date and as appropriate, individual tenants who had 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.

#### **Agreed:-**

- (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 charging rent to Market traders be ceased 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.

19/20

### **Decisions taken by the Leader and Chief Officers in accordance with Delegated Powers**

The Committee noted details of actions taken since the last meeting of the Committee by the Leader of the Council and Chief Officers in accordance with their delegated powers.



20/20

**Date of Next Meeting**

It was noted that the next meeting of the Committee would be held on Wednesday 6 May 2020 at 14:30.

Meeting ended at 15:10