

Wiltshire Council

Cabinet

18 August 2020

Subject: COVID-19 Update and steps towards recovery

Cabinet Member: Cllr Philip Whitehead, Leader of the Council and Cabinet Member for Economic Development, Military-Civilian Integration and Communications

Key Decision: Non-Key

Executive Summary

Delivery of Wiltshire's Recovery Plan is underway with the aims of ensuring the most vulnerable in the community continue to be supported, help is provided to local communities and businesses and that a range of measures are implemented to support health and wellbeing.

Services continue to reopen where it is safe to do so and we are providing support and guidance to schools and early years settings to ensure they are able to open in September in line with the government roadmap.

Proposal(s)

Cabinet is asked to:

- note the government's new Contain framework and additional enforcement powers available to Wiltshire Council
- note the additional chapter to the government's Roadmap to Recovery and associated timescales
- note the work underway within the four Recovery Coordinating Group themes and on organisation recovery

Reason for Proposal(s)

Implementation of the multi-agency Recovery Coordinating Group's Recovery Plan is successfully underway. Wiltshire Council continues to work closely with partners to deliver this in a rapidly changing environment.

Terence Herbert
Chief Executive

Wiltshire Council

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Purpose of Report

1. This report provides an update on Wiltshire Council's response to the pandemic and its plans for recovery. This builds on previous reports to Cabinet. A financial update is provided in a separate paper.

Background

2. As of Tuesday 4 August, 306,293 people in the UK had tested positive for COVID-19. Further information is available [online](#). The [ONS](#) suggest that as of Friday 24 July there were 55,994 registered COVID-19 deaths across the UK
3. With specific respect to Wiltshire, there have now been 1,310 people who have tested positive for COVID-19. The rate of positive cases in Wiltshire is 262 per 100,000 population which is lower than that seen in England which is 469 per 100,000 population. Up to the 24th July, 364 registered deaths involving COVID-19 in all settings in Wiltshire had occurred. Further information on weekly mortality is available from [ONS](#).

Main Considerations

4. Wiltshire's Local Outbreak Management Plan has been developed with input from a wide range of partners and was agreed by the Health and Wellbeing Board at a special [meeting on 23 July 2020](#). A copy of the LOMP is available [online](#). It is a dynamic plan and will be updated as new national guidance is published or legislation changes.
5. The Government published its [Contain Framework](#) on 17 July, setting out how national and local partners will work with the public at a local level to prevent, contain and manage outbreaks. The framework supports local decision-makers by clarifying their responsibilities and empowering them to take preventative action and make strong decisions locally, supported by mechanisms that safeguard key national assets and interests.

6. On 18 July 2020, legislation to grant local authorities new powers to respond to a serious and imminent threat to public health and to prevent COVID-19 (“coronavirus”) transmission in a local authority’s area took effect. The regulations include additional powers for local authorities to:
 - restrict access to, or close, individual premises
 - prohibit certain events (or types of event) from taking place
 - restrict access to, or close, public outdoor places (or types of outdoor public places)
7. The powers are intended as a last resort should approaches based on consent fail. To make a direction under these Regulations a local authority needs to be satisfied that the following 3 conditions are met:
 1. the direction responds to a serious and imminent **threat** to public health in the local authority’s area
 2. the direction is **necessary** to prevent, protect against, control or provide a public health response to the incidence or spread of infection in the local authority’s area of coronavirus
 3. the prohibitions, requirements or restrictions imposed by the direction are a **proportionate** means of achieving that purpose
8. There are also requirements for evidence, consultation with the police and Public Sector Equality Duty considerations. In addition, there are means of appeal via magistrates or the secretary of state.
9. Alongside this, government has published draft regulations setting out a range of possible interventions it could make at local level to slow the spread of the virus. These include closing whole sectors or types of premises in a certain area, introducing local 'stay at home' orders, preventing people leaving or entering defined areas, reducing the maximum size of gatherings beyond national rules and restricting transport systems serving local areas.
10. For a range of settings, the government has also produced [quick-reference guides provide key steps to help identify, report and respond to any potential COVID-19 outbreak](#) within local communities.
11. The Prime Minister announced in mid-July [additional chapters](#) for the national recovery plan alongside the Contain Framework. The new chapter outlined the following potential changes, contingent on infection rates continuing to fall:
 - Compulsory wearing of face masks in shops from 24 July (in addition to pre-existing requirements for public transport).
 - Permission for the opening of leisure centres and indoor swimming pools by the end of July and further leisure settings (such as bowling, ice rinks and casinos).
 - the return of schools in September;
 - the prospect of mass gatherings being allowed from October;
 - Potential changes to distancing from November;
 - Additional funding for NHS preparations for winter and the roll out of the biggest flu vaccination campaign to date.
12. On 31 July the Prime Minister [announced](#) that further relaxations proposed for leisure settings would not begin till mid-August. Alongside this, there will be requirements for face coverings in all public indoor settings such as libraries,

museums and cinemas (in addition to shops) from 8th August. In some parts of the north west additional temporary restrictions have been enacted including banning people from different households from meeting in indoor settings. However, shielding requirements remain paused from 1 August and people are being encouraged to return to workplaces where it is necessary and safe to do so.

13. Recognising that the focus is moving from the immediate response to the pandemic and into plans for containment and recovery, the Wiltshire and Swindon Local Resilience Forum formally agreed in July a Memorandum of Understanding outlining the handover of responsibilities from the Strategic Coordinating Group to a Recovery Coordinating Group chaired by the Chief Executive of Wiltshire Council. Similar arrangements are also in place in Swindon.

14. The Recovery Plan endorsed by Cabinet at its last meetings sets out objectives and principles for the RCG to work to and similar objectives for each cell to achieve. As a reminder the main themes are:

RCG - Restore community, public health and wellbeing, environmental and economic resilience following the response to COVID 19.

Economy - Evaluate and understand the impact on Wiltshire's economy and environment, providing support to secure business recovery, revitalise town centres, reduce carbon emissions and support those impacted.

Community Resilience - Build on the Community Resilience shown in the response enabling Wiltshire's communities to take responsibility for their wellbeing, build positive local relationships and to get involved and take actions for what is best for their own communities.

Care, Safeguarding & Education - support the recovery of all age statutory and specialist services and locality based community health & care services and act as the link with the Local Authority command structures.

Health and Wellbeing - Coordinate the health and wellbeing element of the overarching recovery to COVID-19. Ensure effective local outbreak management of COVID-19

15. Each member of the RCG will also have their own organisation recovery arrangements and a summary of progress on this for Wiltshire Council and for the themes above is included as **appendix 1**.

Overview and Scrutiny Engagement

16. Overview and Scrutiny (OS) engagement on the council's response to COVID-19 and recovery is being led by OS Management Committee and its Wiltshire COVID-19 Response Task Group. Reports to Cabinet on the COVID-19 situation receive prior scrutiny by the Task Group, with its comments being reported to Cabinet by its chairman.

Safeguarding Implications

17. Safeguarding implications have been fully considered as part of the work to support residents shielding and identified by the NHS as Clinically Extremely Vulnerable (CEV) through the Wiltshire Wellbeing Hub and coordinated via

the Community Resilience Cell. This work has transitioned to resilience Recovery Theme. The Care, Safeguarding & Education recovery theme will address safeguarding across adults and children including domestic abuse. The health and well-being theme will ensure recovery for mental health, learning disabilities, rough sleepers and substance misuse.

Public Health Implications

18. This has been referred to throughout the report.

Procurement Implications

19. A sequential approach to supplier relief has been agreed, ensuring that suppliers access central government support where possible first and work with us on an open book basis when necessary.

Equalities Impact of the Proposal

20. Work is progressing to understand the impact of the pandemic on those with protected characteristics. The Council continues working with partners across Wiltshire, to ensure that those most vulnerable in the community are supported through this incident. Equality implications are being considered as part of decisions made and in interim changes to service delivery. Recovery theme leads are also embedding use of a Health Equality Assessment Tool.

21. The Community Resilience theme working with partners is leading on work to enable Wiltshire's communities to be cohesive places where difference is celebrated. This ensures inequalities in Wiltshire created or made worse by COVID-19 and developing a partnership plan to address issues caused by COVID-19 in specific groups (including the black and minority ethnic community, gypsies and travellers, Carers and those with a disability).

Environmental and Climate Change Considerations

22. The pandemic has had a highly disruptive effect on the economy and consequently seen a reduction in greenhouse emissions. As recovery begins, the good practice and lessons learnt on areas such as video-conferencing and alternative service delivery will be evaluated to ensure this continues where appropriate. Appendix 1 provides more detail on the *Green Recovery* and a new environmental strategy.

Risk Management

23. Risks associated with COVID-19 response have been incorporated into this report and COVID 19 related risks are owned and regularly reviewed by the Chief Executive. Where appropriate response risks have been carried over into the recovery structure. Preparations are underway with Local Resilience Forum partners to address the multiple concurrent risks for December 2020 under the national banner of 'D20'. These include risks associated with usual winter pressures, seasonal flu, COVID-19 outbreaks, floods and the end of the Transition Period with the EU (when the UK leaves the single market and

customs union). Wiltshire Council is seeking additional support from central government to prepare for these.

Section 151 Officer Commentary

24. The response to the COVID-19 pandemic will have immediate and undoubtedly long lasting significant financial implications for Wiltshire's economy, communities and residents as well as the Council itself. The government has promised that in the forthcoming Spending Review it will determine what support councils need to help them meet the pressures of income loss from council tax and business rates. An update on the financial implications and latest outturn is presented in a separate report.

Legal and Governance

25. The governance arrangements underpinning recovery are summarised as follows.
26. The LRF is not a legal entity in its own right, but a partnership that brings together a wide range of partner agencies to co-ordinate delivery on a multi-agency basis of the duties under the Civil Contingencies Act 2004.
27. The Recovery Plan states:

This overarching Recovery Plan, developed by the Recovery Co-ordinating Group (RCG) will be agreed by the Local Resilience Forum (LRF), who will own the recovery plan for this major incident across the LRF footprint.This plan covers strategic recovery in Wiltshire, the responsibility for which will be transferred from the Strategic Coordinating Group to Wiltshire Council, as chair of the RCG.

28. The Recovery Plan further states:
- Every organisation represented on the RCG will be required to put forward strategic level officers that must be able to take corporate decisions on behalf of their organisation in support of the overall RCG strategy and plan. It is therefore of paramount importance that strategic representatives are invested with the authority necessary to undertake the role provided with the necessary back up and support to ensure any undertaking given by them to the RCG is actionable and deliverable.*
29. Therefore, for Wiltshire Council, it is for Wiltshire Council representatives on the RCG to ensure that they have the necessary authority to commit the council to any actions or resources that may be agreed by the RCG as part of the overall Recovery Plan. This is a matter for the internal governance of the Council. The RCG as a collective does not have the power to direct the Council to act in any particular way or provide resources.
30. For these purposes the normal decision-making arrangements of the Council will apply, as set out in the Council's Scheme of Delegation in Part 3 of the Constitution. This means that significant policy matters will be determined by Council, Cabinet, individual Cabinet Members or Committees as appropriate and officers will make operational decisions within the Scheme of Delegation to Officers. Overview and Scrutiny Select Committees will in due course be

involved in reviewing and scrutinising recovery activity and decisions and Area Boards will have an important role within the community resilience theme.

31. Other representatives on the RCG will be authorised in accordance with their own organisation's governance arrangements. Where these apply across more than one organisation e.g. health and social care steps will be taken to ensure that these operate efficiently and effectively within the overall governance framework of the RCG.
32. The latest decision notices for executive decisions made by officers under delegated authority in response to the COVID-19 pandemic, including those made under emergency powers under the Council's Scheme of Delegation to Officers, are available [online](#). The use of emergency powers remains a last resort within the criteria prescribed by full council in the constitution and, wherever possible these are taken in consultation with the Leader and the relevant Cabinet Member, with reporting to the next Cabinet meeting and publication of decision notices to ensure openness and transparency.

Workforce Implications

33. We have maintained government guidance on working at home and staff have been asked to remain working at home wherever possible in order to maintain their safety and the safety of staff who have to attend a council workplace.
34. Some services, teams and groups of staff are working in COVID-19 secure workplaces where attendance is deemed essential for the delivery of services. These include:
 - Council owned hubs, buildings, sites or other settings
 - Respite centres, resource centres
 - Council depots
 - Libraries and Leisure centres
 - Places that they visit as part of their role within the community (e.g. home visits)
35. The Council, in common with other organisations, is undertaking its own organisation review and reshaping resources to align these with the post pandemic response. An organisation recovery group is assessing, evaluating and reviewing the way in which the council has operated during lockdown to embed some of the positive COVID-19 driven changes and to identify further opportunities to deliver services differently. An update is provided in Appendix 1.

Conclusions

36. Wiltshire Council is taking a systems approach to recovery and are working with the LGA and partners to deliver this work successfully in a rapidly changing environment.

Terence Herbert
Chief Executive

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10th August 2020

Appendices

Appendix 1: Updates from Recovery Theme Leads