## **Policy and Sustainability Committee**

## 10am, Thursday, 28 May 2020

# Decisions taken under delegated power and operational decision making – Covid-19

Executive/routine	Executive
Wards	All
Council Commitments	

#### 1. Recommendations

- 1.1 The Policy and Sustainability Committee is asked to:
  - 1.1.1 Note the governance structures implemented to support the Council's response to Covid-19.
  - 1.1.2 Note the three principles that were set out at the beginning of the response:
    - protect the most vulnerable in our city;
    - minimise the risks to our colleagues; and
    - continue to provide services in challenging circumstances.
  - 1.1.3 Refer the report to the Governance, Risk and Best Value Committee in July 2020.

#### **Andrew Kerr**

#### Chief Executive

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Report

# Decisions taken under delegated power and operational decision making – Covid-19

#### 2. Executive Summary

2.1 This report details the structures supporting the Councils initial response to Covid-19, in particular highlighting the governance arrangements.

#### 3. Background

- 3.1 The Covid-19 emergency has had a significant impact on the Council's ability to provide front line services due to the impact of the virus on resources, new duties and responsibilities or the consequences of the partial lockdown. A presentation was presented by the Chief Executive to the previous meeting of the Committee which set out the steps taken to date and further detail on some of the key issues during the crisis. This report will outline some of the context around service delivery and provide a full update on the governance and decision-making structures in order to provide clarity on the approach taken by the Council in response to Covid-19.
- 3.2 The Council used existing Resilience frameworks to update and understand critical services in light of Covid-19. In light of this exercise and the position from Government a diverse range of services such as cultural venues, recycling centres, nurseries and early years centres have had to close due to lockdown restrictions. Other services have had to adapt their service delivery such as schools which have maintained a service for key workers.
- 3.3 The Council has also changed the way services work to respond to the emergency. For example, five Council Resilience Centres were established to provide critical support to people most at need in three critical situations of experiencing homelessness or serious/significant harassment, or in need of pre-arranged emergency cash payments.
- 3.4 New services have arisen in response to the emergency such as the shielding programme to support the most vulnerable citizens and the volunteering arrangements created in partnership with the third sector.

3.5 Future reporting on the response to Covid-19 will be combined with the Adaptation and Renewal report.

### 4. Main report

4.1 The Covid-19 emergency and subsequent partial lockdown had a significant impact on the Council's ability to provide services as well as resulting in many new duties and responsibilities to respond to the situation. This report will aim to outline the governance arrangements that were established to support the response to the emergency and in particular detail the decision-making structures created.

#### **Operational Governance Structures**

- 4.2 The Council implemented changes both to its operational and political management arrangements to support the response to the emergency. The Corporate Leadership Team first met to consider the risks to the Council and the City over the course of February 2020 and later that month, the Council's Infectious Disease Outbreak Resilience Plan (Covid-19) was approved by the Chief Executive.
- 4.3 The Plan laid out the Council's incident management team structure and key actions that should be undertaken. For example, the initial actions that the Council took were to examine their key plans and protocols and ensure they were up to date. In addition, the Council's business continuity arrangements were reviewed with each service identifying key workers and identifying contingencies to maintain essential activities.
- 4.4 The groups below were all established to respond to the Covid-19 incident:
  - 4.4.1 Council Incident Management Team (CIMT) chaired by the Chief Executive and met daily from 13 March 2020
  - 4.4.2 Directorate Incident Management Teams with escalation to CIMT
  - 4.4.3 Specialist Incident Management Teams:
    - 4.4.3.1 Health and Social Care Command chaired by EHSCP Head of Operations
    - 4.4.3.2 PPE chaired by the Chief Procurement Officer
    - 4.4.3.3 Shielding, chaired by the Executive Director of Resources
    - 4.4.3.4 Vulnerable and Volunteering, chaired by the Executive Director of Communities and Families
  - 4.4.4 Cross-Council Risk Forum convened and chaired by the Head of Legal and Risk
  - 4.4.5 Weekly meetings with the Trade Unions
- 4.5 The CIMT and directorate IMTs have provided a clear, easy to understand and effective governance structure for organising services during the emergency. Action notes have been kept for all meetings and executive directors have reported to the CIMT any issues for escalation. During March and April, the CIMT and directorate

IMTs mostly met daily due to the pace of change and direction coming from Government. These meetings have reduced in frequency in recent weeks as the response to the emergency has stabilised but are all still in operation and operational business is still directed through these meetings.

- 4.6 As part of the wider resilience response, a number of Multi-Agency Incident Management teams are in operation and are attended by Council officials.
  - 4.6.1 Multi-Agency Coordination Centre (MACC) is coordinating the national response, with Police Scotland as the lead partner.
  - 4.6.2 The East of Scotland Regional Resilience Partnerships is operating a Local Authority Shielding Call, chaired by the Scottish Government.
  - 4.6.3 The Lothian and Borders Local Resilience Partnership (LRP) is coordinating the regional response and has convened the following subgroups to ensure a coordinated approach:
    - 4.6.3.1 L&B LRP Covid-19
    - 4.6.3.2 L&B LRP Excess Deaths
    - 4.6.3.3 L&B LRP Care for People

#### **Decision Making**

- 4.7 Covid-19 has had and continues to provide a very challenging environment for the Council and has resulted in decisions being made at pace but never without efficient and effective governance at the core.
- 4.8 The 3 principles that were set out at the beginning of the response have been the framework for every decision taken.
  - 4.8.1 protect the most vulnerable in our city;
  - 4.8.2 minimise the risks to our colleagues; and
  - 4.8.3 continue to provide services in challenging circumstances
- 4.9 The Chief Executive established measures to ensure that decision making was as transparent as possible and that decisions were only taken by officers if necessary. The following principles were applied:
  - 4.9.1 The Chief Executive would be the only officer to take decisions in response to the Covid-19 emergency using powers outlined in the Scheme of Delegation to Officers;
  - 4.9.2 The Chief Executive would consult on all these decisions with the Leader and Depute Leader;
  - 4.9.3 Decisions would be considered and discussed at the Council's Incident Management Team;
  - 4.9.4 If possible, executive directors would discuss matters at their directorate incident management teams before escalating to the CIMT;

- 4.9.5 Decisions would only be taken by the Chief Executive if it was urgent and could not be considered in good time by the Leadership Advisory Panel; and
- 4.9.6 Decisions would be reported to the Leadership Advisory Panel for information.
- 4.9.7 When making decisions the potential risk and impact of the decisions; whether existing controls are effective; what new measures or controls may be required should be considered. This process should be as efficient and streamlined as possible.

#### **Political Governance Arrangements**

- 4.10 The Council so far has had two main phases to the political governance arrangements for the Covid-19 response. The first phase was agreed by the Chief Executive under emergency powers to extend the recess period of the City of Edinburgh Council from Friday 20 March 2020 to Sunday 29 March 2020 inclusive and from Monday 20 April 2020 to Sunday 26 April 2020 inclusive. The Leadership Advisory Panel which was an existing committee which had the power to take all decisions during recess, was stood up and met twice during this period.
- 4.11 The second phase followed a report considered by the Leadership Advisory Panel on 23 April 2020. This agreed that the Policy and Sustainability Committee would meet every two weeks from May and would have the power to make decisions on all matters of business. All business, with the exception of quasi-judicial matters, should be submitted to this committee. The Development Sub-Committee and the Local Review Bodies would also meet from May when required and the Governance, Risk and Best Value Committee would meet again from 9 June 2020. It was agreed that the Policy and Sustainability Committee would again review political governance arrangements in August 2020.

#### Decisions taken under urgency provisions

4.12 The full list of decisions taken from 18 March 2020 to 14 May 2020 can be found in appendix 1.

#### **Risk Management**

- 4.13 As was reported to Committee on 14 May, Risk management processes were put in place to ensure that the risks associated with Covid-19 are identified, recorded, and mitigated where possible. Nine strategic risks were identified and recorded in the Covid-19 Risk Management Plan (RMP) and continue to be actively managed:
  - 4.13.1 health and safety of citizens and service users;
  - 4.13.2 health and safety of employees delivering critical services;
  - 4.13.3 Council premises and physical security;
  - 4.13.4 supply chain risk;
  - 4.13.5 technology and information;
  - 4.13.6 financial and economic risk;

- 4.13.7 Council response and governance;
- 4.13.8 fraud and serious organised crime; and
- 4.13.9 legal and commercial risk.
- 4.14 New and emerging risks continue to be highlighted at the daily Council Incident Management Team (CIMT); Directorate Incident Management Teams (IMT) and the weekly Covid-19 risk forum which is chaired by the Head of Legal and Risk and attended by relevant first line divisional risk managers/coordinators who provide input from Directorate IMT's.
- 4.15 Internal Audit is currently assessing the risks associated with new and amended Covid-19 service delivery processes and where appropriate will provide assurance that the design of high-risk processes include proportionate controls to support achievement of the Council's Covid-19 objectives and adequately mitigate risk.

#### Dashboard

- 4.16 A Covid-19 dashboard has been developed to monitor key indicators that help the Council to identify emerging issues, track the effectiveness of our response and make ongoing business decisions. The dashboard continues to evolve as we progress through the adaptation and renewal of the city and officers welcome further feedback to inform this thinking.
- 4.17 At the Committee's last meeting there was discussion regarding the content of the dashboard, specifically around business grant data, traffic data and care home data. The Edinburgh business grants data is covered in the current dashboard with national comparisons. With regards to traffic data, the Council does not hold regular traffic data that lends itself to inclusion in this dashboard. There are a number of external sources relating to traffic data but these tend to be annual and focused on specific road segments. The Council does have some traffic count data from the Scoot traffic control system, located on the City's main arterial routes, and officers are looking more closely at what this holds and will endeavour to produce an assessment of the changes in traffic conditions based on this in future iterations of the dashboard. In terms of Care Home data, Council officers and NHS colleagues are in discussion about the appropriate data set to include moving forward. The updated dashboard is provided in appendix 2.

#### PPE

4.18 As outlined above there is a PPE specialist group chaired by the Chief Procurement Officer which manages the supply and distribution of PPE within the Council. The Council's Commercial and Procurement Services are working with public sector partners to purchase PPE to maximise purchasing power and mitigate the risk of insufficient PPE being available for front line workers. A weekly dashboard on the supply of PPE is produced and it indicated that as of 10 May, more than 1.1m units of PPE had already been issued to front line staff, with an additional 1.2m units being held in storage and a further 1.3m units on order.

#### Vulnerable People

- 4.19 There are two specialist groups that are considering the needs of vulnerable people. A specific group on shielding and our responsibilities to support those at high risk of severe illness due to Covid-19 with food and pharmaceutical deliveries and the Vulnerable Groups Programme Board.
- 4.20 The Shielding Board is chaired by the Executive Director of Resources and has overseen the creation of a shielding service in partnership with the Edinburgh Integration Joint Board and NHS Lothian which has distributed over 1600 food parcels and 87 pharmaceutical deliveries.
- 4.21 The Vulnerable Groups Programme Board is chaired by the Executive Director of Communities and Families and seeks to provide a holistic view of the demand and delivery services now in place to support vulnerable groups and develop an understanding of the volunteering capacity in the city and how it is being used to support services and service citizen demand.

## 5. Next Steps

5.1 The next steps in regard to the Covid-19 emergency are outlined in the Adaptation and Renewal report. For the matters raised in this report, it is recommended that this report is referred to the Governance, Risk and Best Value Committee to allow for scrutiny of the decision-making processes.

#### 6. Financial impact

6.1 The financial impacts of Covid-19 are included in the report by the Executive Director of Resources.

## 7. Stakeholder/Community Impact

7.1 The governance arrangements surrounding the response to Covid-19 have been carried out in accordance with the legislation governing the Council, its responsibilities and duties in an emergency and with the Council's own governance documentation.

#### 8. Background reading/external references

8.1 Leadership Advisory Panel 23 April 2020 – <u>Interim Political Management</u> <u>Arrangements 2020</u>

## 9. Appendices

Appendix one – Decisions taken under delegated authority

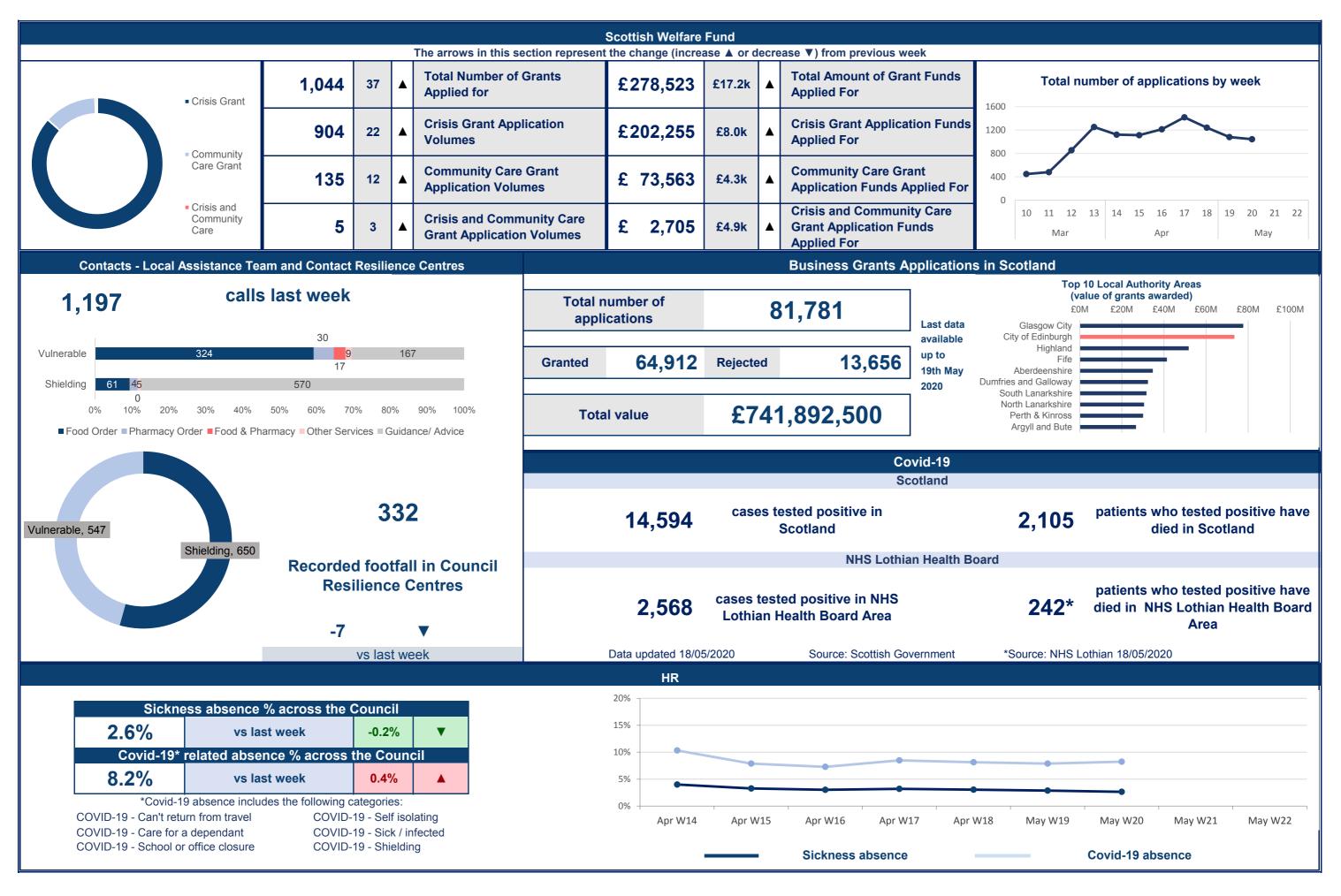
Appendix two – Covid-19 Dashboard

## Appendix 1: Decisions taken by Chief Executive, in consultation with the Leader and Depute Leader under Delegated Authority

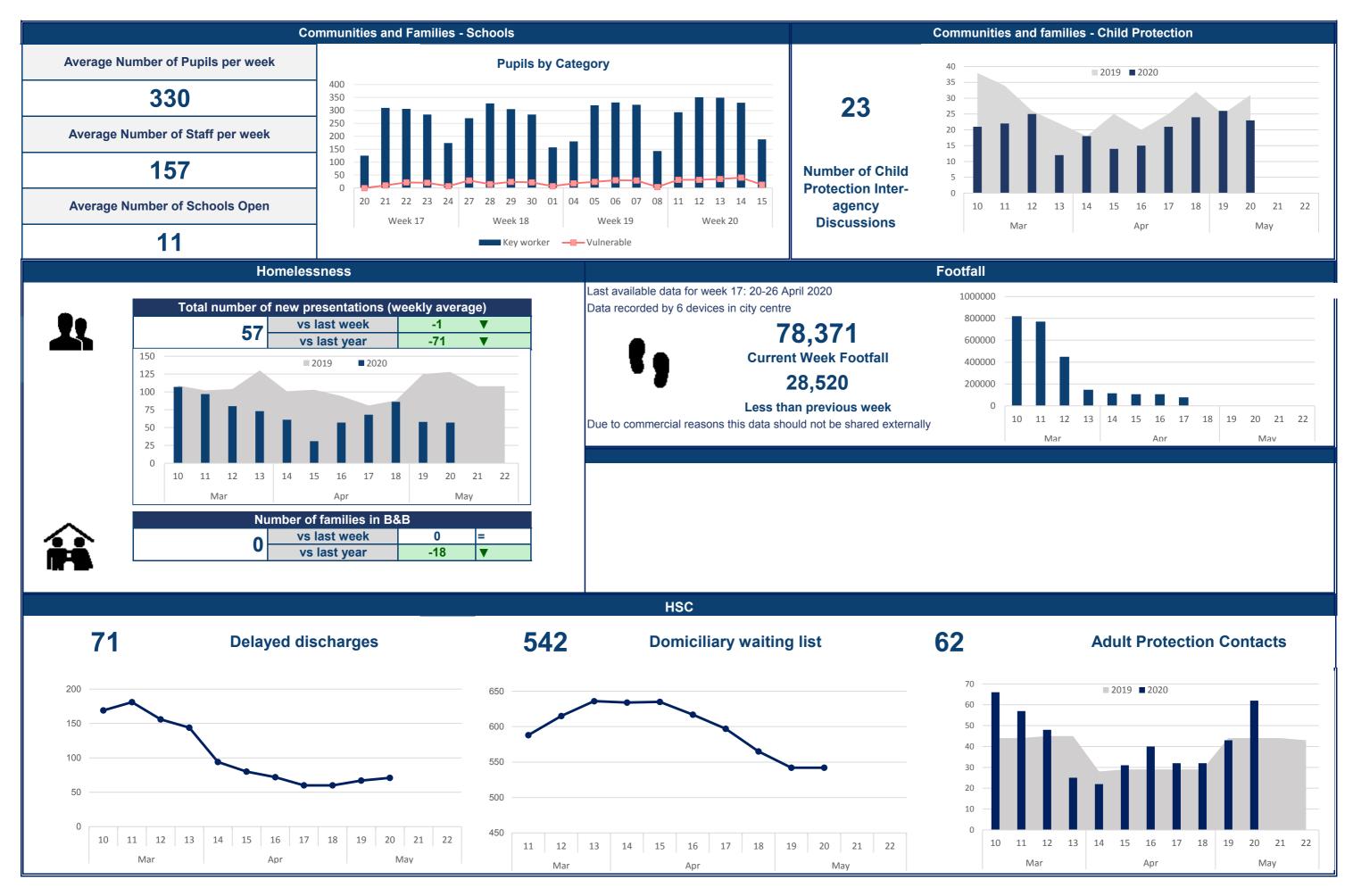
Ref.	Approved decisions	Date
D1	WFH - Working from Home approach approved and communicated to all staff on 19/03	18/03/2020
D2	Leadership Advisory Panel confirmed to make all urgent committee decisions.	18/03/2020
	Membership includes Leader, Depute Leader and Conservative, Green and Lib Dem group leaders	
D3	<b>Decisions</b> - Chief Executive has operational authority for all Covid-19 decisions in conjunction with Leader and Depute Leader.	18/03/2020
D4	<b>Building Closures</b> - Decision taken to close Usher Hall, Assembly Rooms, Churchill Theatre,	18/03/2020
04	Ross Bandstand and museums & galleries until end-April	18/03/2020
D5	Adult education classes suspended with immediate effect	18/03/2020
D6	School Lets suspended with immediate effect.	18/03/2020
D7	School will be closed for 2 weeks and we will provide payment for 2 week term + 2 week	19/03/2020
0,	Easter break to families who are entitled (£11.25 per head).£45 per family.	
D8	City Chambers partial closure	19/03/2020
D9	Edinburgh Leisure venues to be closed at 10pm tonight	19/03/2020
D10	<b>City Chambers</b> closed to the public and elected members working remotely from 5pm today	19/03/2020
D11	Waverley Court - Closure of Waverley Court reception to the public from tomorrow	19/03/2020
D12	<b>Transport</b> - Edinburgh Trams and Lothian buses announce reduced service (from Sun & Mon, respectively)	19/03/2020
D13	Council tax. Agreement not to chase non-payment and also extend period of recovery	20/03/2020
D14	Recycling - Glass recycling services suspended	20/03/2020
D15	Libraries and Community centres closed	20/03/2020
D16	(Council) Critical Response Centre is the name put forward. Name to be checked and approved and also the Guidance/Governance (See PowerPoint).	20/03/2020
D17	Update on the North East Centre being used for Main enquiries for Homelessness. Critical need. Everyone will be seen, however, NE for critical.	20/03/2020
D18	Council tax. Agreement not to chase non-payment and also extend period of recovery.	20/03/2020
	Communications are being prepared for the public about our approach to Council Tax, debt and arrears management in-line with advice from the Scottish Government.	
D19	<b>Council Tax</b> - Council tax payments to be deferred for three months for those struggling to pay	22/03/2020
D20	<b>CRC-</b> Council Resilience Centres to be open Monday 23rd.	22/03/2020
D21	<b>Public Spaces</b> – 3G pitches and Markets (licencing). Further discussion on beaches. Signage to be produced to encourage social distancing.	23/03/2020
D22	Key Worker - Police to be changed to Cat 1 Key Worker	23/03/2020
D23	Schools - 23 PPP schools (12 primary, 11 high-school) to open from Wednesday 25th for	23/03/2020
	children of Key workers. Other identified children of key workers (who don't normally	
	attend PPP schools) to attend from Friday – allowing preparations to be made for	
	temporary change of school for these pupils	
D24	<b>Critical Response Centres</b> - Four Critical Response Centres to remain open and we will not use the Centre identified in Newkirkgate. A new venue in Leith to be explored.	24/03/2020
D25	Queensferry Primary to be used as a West of Edinburgh school.	24/03/2020
D26	Pay & Display - Suspension of Pay and Display parking.	24/03/2020
D27	Playparks closed.	24/03/2020
D28	Recycling Centres closed	24/03/2020
D29	Special Uplifts cancelled	24/03/2020
D30	Parking - Beauty Spot car parks closed	24/03/2020
D31	<b>Parking</b> - On-street car parking charging suspended across the city. Offer of support from NSL to redeploy their attendants to other Council services	24/03/2020

D32	Registrars - In line with Scot Gov advice, birth registrations and weddings suspended – as	24/03/2020
	have death registrations, which will move to system of remote registration once	
	introduced nationally	
D33	Building Sites - we are seeking clarity on the closure.	24/03/2020
D34	<b>Trams</b> - Tram to Newhaven construction suspended – communications issued	25/03/2020
D35	<b>Newkirkgate</b> will stay as the venue in Leith for the CRC. No alternative was found to be suitable.	26/03/2020
D36	Community Centres: If mgmt. committees want to open for essential charitable purposes	26/03/2020
	in line with Government guidance e.g. foodbanks, then they can do that.	
D36	Community Centres: To not open community centres and to assist organisations wishing	27/03/2020
А	to use the buildings for charitable reasons to find other venues	
D37	We have agreed we will purchase in advance 96 beds at Crowne Plaza Hotel. Urgent resource for homelessness.	26/03/2020
D38	NEW Queensferry High School We do not accept a partially accepted building and	30/03/2020
	therefore start paying for something not complete. Further decision to be made.	
D39	Open <b>PPP Hub Schools</b> for Easter, including Good Friday and Easter Monday, to provide key worker child support.	30/03/2020
D40	Agreed to provide <b>funding</b> (£24k to be confirmed by LR and HD) to <b>Volunteering</b>	01/04/2020
	Edinburgh ahead of grants approval from Scottish Government. This is based on	
	expectation we will receive the money back when Scottish Government funding arrives.	
D41	<b>School meals</b> payment to be approved every fortnight. NH to advise when each payment is due and then discuss at CIMT.	02/04/2020
D42	Paper on Supplier Relief due to Covid-19 presented by HD was approved.	02/04/2020
D43	AK confirmed <b>Death registration</b> to 7 days a week	04/04/2020
D44	Commercial Property Investment Portfolio paper approved	06/04/2020
D45	EICC to continue as planned.	06/04/2020
D46	Bethany Night Shelter. Allows us to close the night Shelter run by Bethany	08/04/2020
D47	Essential contractor letter approved at CIMT	08/04/2020
D48	<b>Food Distribution – EVOC</b> plan in principle approved. Final Plan circulated <b>20/04</b> . Approved MOU officially <b>23/04</b>	09/04/2020
D49	(Parks) - Gardens on the Southside to be closed due to social distancing not being carried	14/04/2020
	out and Police having to attend due to incidents. GB	
D50	<b>DECISION</b> – ACTION WAS TO: (FOI) NS to have another look at the request and liaise with	14/04/2020
	Laurence Rockety and Kevin Wilbraham to investigate. <i>Confirmation this is not to be</i>	
	shared and request has now been declined.	
D51	<b>EIJB</b> met yesterday and agreed to suspend meetings until end-June. Operational decisions,	14/04/2020
	as usual, to be taken by Chief Officer and team with assurance through Council and NHS incident management teams, as appropriate	
D52	EH&SCP briefing on Support for residential and nursing care home sector. Discussion on	16/04/2020
052	this paper and agreed in current version by CIMT.	10/04/2020
D53	<b>Consultation Approach.</b> This has now been signed off by Leader and Deputy Leader	17/04/2020
033	confirmed by LR. Approved at LAP also on 24/04	17/04/2020
D54	Free School Meals Payment to be made for the first two weeks in May. £129k	20/04/2020
D56	Glass collection recommence on 28th April. See CIMT note on 22/04	22/04/2020
D55	MOU with Volunteering Edinburgh - confirmed at CIMT on 23/04	23/04/2020
D57	(LAP) - Step down LAP. Replace with fortnightly P&S.	23/04/2020
D59	<b>New Queensferry HS</b> agreed not to accept the school without a completion certificate and	24/04/2020
	no payment of the utility charge to be made.	
D60	Limited grass cutting will recommence whilst observing physical distancing and the	24/04/2020
	following depots to open: The Inch, Murrayburn and Inverleith.	
D61	(Testing) Homelessness to CAT1. Confirmed on 07/05	28/04/2020
D62	APPROVED – group leaders agenda.	28/04/2020

D63	<b>Casual, Supply, Tertiary worker</b> paper approved. Take to 4pm call with Leader and Deputy leader. <b>approved</b>	28/04/2020
D64	Reinstatement of Garden Waste collection	28/04/2020
D65	Redesign of <b>Road space</b> paper. Take to 4pm call with leader and Deputy Leader. <b>Approved.</b>	28/04/2020
D66	<b>£50k food fund</b> formally approved.	28/04/2020
D67	Enforcement Powers Paper (Andrew Mitchell) 27th March.	30/04/2020
D68	<b>Community Centres</b> - Link to <b>D36</b> . David Bruce & AK – now agreed to hold as we were – remain shut for public health purposes – AK to check with Adam and Cammy acceptable at 4pm. <b>28/03</b> Confirmed to remain shut.	30/04/2020
D70	<b>CIMT meeting rhythm</b> . Change to 3 times a week. CLT + HOS Monday and CLT only with invited participants Tuesday & Thursday. To start w/c 04/05	30/04/2020
D71	( <b>Council letter of comfort</b> ) AK to discuss the option of sending a letter to Tfe, Lothian Buses and Edinburgh Tram. HD confirmed this letter was sent on the <b>27th</b> .	30/04/2020
D72	<b>No</b> further <b>road closures</b> until CIMT have had sight and also been to P&S.	30/04/2020
D73	4 Early Years Hubs to open (x3 PPP schools & Queensferry Primary School)	30/04/2020
D69	<b>REFUNDS</b> Paper and <b>TAXI Licence</b> - <b>30/03</b> A Mitchell confirmed that the Chief Executive made an urgent decision that was verbally reported at <b>LAP</b> .	01/05/2020
D70	<b>Bereavement Service</b> fees and charges uplift – increase approved from 1 July 2020, in light of current events.	04/05/2020
D71	Re opening of <b>Craigmillar Depot Office</b> approved – to provide welfare facilities and parking for Street Cleansing Teams.	04/05/2020
D72	Briefing note on VIP Process for Urgent Coronavirus Enquires - approved 24/04/2020	05/05/2020
D73	Corporate Safe Working Practices Strategy (COVID – 19) - Approved and circulated on 04/04/20	05/05/2020
D74	Garden Waste suspended 07/04. Briefing was sent and media.	05/05/2020
D75	Russel Road depot. Confirmed 07/05	05/05/2020
D76	<b>Cammo Walk</b> proposal to partially close to provide dedicated space for walking and cycling. This has been notified to local ward Councillors and no objections were received.	07/05/2020
D77	<b>Braidburn Terrace</b> GB to talk to Cllr Rust re proposal. After discussion, AK and PL to sign off. Update required at CIMT on 11/05 to record formally. <b>APPROVED 12/05</b>	07/05/2020
D78	Risk will report to P&S as weekly group leaders has been cancelled.	07/05/2020
D79	Supported Bus Service Briefing approved	12/05/2020
D80	Reintroducing Grass Cutting for Garden Aid Customers	12/05/2020
D81	Recommencement of Special uplifts	12/05/2020
D82	<b>Early Years Partner Provider Payment</b> briefing paper. CIMT approved. Awaiting confirmation.	12/05/2020
D83	Jack Kane Community Centre - The detail of your email was discussed at a meeting of the Corporate Leadership Team and the decision is that the Council's position is unchanged from that previously communicated. All non essential CEC buildings are to remain closed to allow the Council to follow Scottish Government advice to stay at home, protect the NHS and save lives. Full letter can be sent if required.	12/05/2020
D84	Safer Walking and Cycling Paper to be approved - no decision yet.	14/05/2020



#### **High Level Overview - Key Indicators**



#### Week 20 - 11/05/2020-17/05/2020