

Policy and Sustainability Committee

10.00am, Thursday, 11 June 2020

Public Health response: COVID-19

Executive/routine Wards Council Commitments	Executive All
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1. Recommendations

1.1 It is recommended that Committee notes this report.

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Report

Public Health response: COVID-19

2. Executive Summary

- 2.1 The Council has responsibilities under the Public Health etc. (Scotland) Act 2008 and discharges these in partnership with the local NHS Board and where necessary other partners, including Scottish Government.
- 2.2 In early March 2020 there was a confirmed case of COVID-19 involving delegates attending a conference in the city. This report sets out the information which was known to the Council and the steps that were taken.

3. Background

- 3.1 At its meeting of 28 May 2020, Committee called for a report into concerns relating to events in late February and early March 2020, when the first known case of COVID-19 in the city was confirmed.
- 3.2 The motion was agreed on the following terms:
 - 3.2.1 To note that the Council first stood up its Council Incident Management Team on 27 February in response to the COVID-19 virus and had met almost daily thereafter.
 - 3.2.2 To note that the Council was first advised of a suspected COVID-19 case by the local health protection team from NHS Lothian on 3 March and was advised that a test was being carried out and the results would follow. The Chief Executive was informed the same day.
 - 3.2.3 To note that the positive test result was shared on 6 March and the Chief Executive was immediately informed. The Chief Executive then sent an email (on the same day) to all councillors and Council colleagues informing them that there was a confirmed case in the Lothians.
 - 3.2.4 To further note that the incident was being managed by the NHS including the dissemination of any information.
 - 3.2.5 To note that Council Officers were informed by the Scottish Rugby Union that full liaison had taken place with public health authorities prior to the event, and to further note that decision to hold the event was not within the authority of the Council.

- 3.2.6 To note that the Council continued to issue proactive public messages and advice on its website and other sources promoting and reinforcing the latest public health guidance from government. This included emphasising the organisations or individuals should contact Health Protection Scotland in the event of a suspected case.
- 3.2.7 To note that points 3.2.1-3.2.6 answer the questions in the motion but to request a further update to Policy and Sustainability Committee in one cycle either as a stand-alone report or within an appropriate update report to expand on points above and cover any other relevant points.
- 3.2.8 To agree that, as set out in the Adaptation and Renewal Programme report, the Council should continue to work proactively with NHS Lothian, Health Protection Scotland and other partners to keep Edinburgh residents as safe as possible during this global crisis.
- 3.2.9 To further note the considerable public concern over the handling of this outbreak and that the health and safety of the public was paramount.
- 3.2.10 To therefore request that the report should:
- i) Provide an overview of the outbreak and clearly set out the various responsibilities and duties of the parties involved in responding, including Public Health Scotland, the Council, NHS Lothian and the Scottish and UK Governments;
 - ii) In light of later developments, consider whether the Council response was adequate, and make suggestions as to changes to the Council response procedure for outbreaks in future.

4. Main report

Public Health Responsibilities

- 4.1 The Public Health etc. (Scotland) Act 2008 sets out the legal framework and general principles of dealing with a public health incident, including any infectious diseases. COVID-19 was added to the list of notifiable diseases earlier this year. Local authorities are under a duty to protect public health, and that duty is shared with Health Boards and Scottish Ministers.
- 4.2 Health boards and local authorities have a duty to cooperate in order to protect public health. In practice health boards have the primary responsibility for dealing with individuals and local authorities have the primary responsibility for dealing with premises.
- 4.3 When a public health incident arises, normally the health board would create an 'Incident Management Team' (IMT) to lead and manage the response. Depending on the type of public health incident the Council may be part of the IMT, but that is not always necessary.

- 4.4 Scottish Ministers have a duty to make or secure provision for the purpose of protecting public health. Additionally, they have power to intervene, or can direct health boards and councils in certain circumstances. The UK Government has no direct role, as all matters related to health are devolved to the Scottish Parliament.
- 4.5 At a regional level the Joint Health Protection Plan sets out arrangements on how the various public bodies would be organised and delivered. Where a public health incident is being investigated, the normal channel of communication between the Council and NHS uses established links between NHS Lothian's Health Protection Team (HPT) and the Council's Environmental Health Service (EH).

First confirmed COVID-19 case

- 4.6 On 3 March 2020 officers within EH were contacted by the HPT to advise that a suspected case of COVID-19 was under investigation and that test results were awaited. The purpose of that call was to make EH aware that there might be an operational need to become involved in the response, and that if the case was confirmed further discussion would take place. Other than indicating that the patient had been a delegate at a conference in the city, no further details were given about the timing or location of the conference. It was clear that, at that time, the investigation was being fully managed by the NHS in conjunction with national agencies, including Health Protection Scotland. Senior managers within the Council, including the Chief Executive, were made aware of this development.
- 4.7 EH officers kept in contact with the HPT on 4 and 5 March 2020 whilst the test results were awaited. On 6 March a public health consultant from the HPT advised EH that the test results had returned positive and the case had been confirmed. At that stage EH was advised of the date and location of the conference attended by the delegate, but not the patient's identity or location. Hilton Carlton Hotel was used as the venue for the conference between 25 and 27 February 2020.
- 4.8 EH officers confirmed with the local HPT that a) the NHS intended to continue to manage the issue and that no support or further involvement was requested from EH or the wider Council; and b) that members of the HPT had been in contact with the hotel to discuss any steps that may have been required, and no action was required by the Council.
- 4.9 On 6 March the Chief Executive sent an email to all councillors, informing them that there had been a confirmed case in the Lothians.
- 4.10 The local HPT undertook contact tracing based on the clinical advice, in addition to working with health services in other countries. Members will be aware that this position has also been set out by Ministers in answer to questions raised directly with them. The details and extent of the contact tracing were not shared with the Council, nor would officers expect to be provided with such unless the Council was directly engaged in such tracing.
- 4.11 Members will be aware that the First Minister has indicated that a report from the Public Health Scotland IMT on the Hilton Carlton conference is being prepared, and that it will include information necessary to understand whether the positive case at the conference was the source of further infection within the city.

- 4.12 Once this review is complete and findings published, if there are any actions arising for the Council to take forward, these will be reported to the appropriate Committee.

Rugby International 8 March 2020

- 4.13 In advance of the rugby international on 8 March 2020, officers engaged as normal with the Scottish Rugby Union (SRU) and were advised they intended that the match would proceed as planned.
- 4.14 On 5 March 2020 the Regulatory Services Manager contacted HPS to confirm that there was no additional advice relevant to the proposed match. HPS confirmed that there was no specific advice at that time for mass gatherings or sporting events.
- 4.15 Rugby and football matches do not require specific permission or licences to go ahead, and at that time the Council had no clear legal power which would have allowed it to intervene, had intervention been suggested. Members will be aware that on 15 March 2020 Scottish Ministers issued guidance that mass events should no longer go ahead due to the pressure that these might put on emergency services. In late March 2020 the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 introduced legal powers to prevent any mass gathering whilst the COVID-19 emergency remains.
- 4.16 The Council first stood up its Council Incident Management Team on 27 February in response to the COVID-19 virus.

5. Next Steps

- 5.1 Should the report of the IMT make recommendations on issues within the Council's remit then a further report will be prepared for Committee.

6. Financial impact

- 6.1 There are no financial implications from this report.

7. Stakeholder/Community Impact

- 7.1 This report does not recommend any changes to existing council procedures at this time. The procedures outlined in this report are considered to be sufficient to discharge the council's statutory duties under the Public Health etc. (Scotland) Act 2008 and any associated pieces of legislation.

8. Background reading/external references

- 8.1 None

9. Appendices

9.1 None.