

# Elected Members Briefing



7 April 2020

## Introduction

This week's briefing covers new and emerging areas which have required a national and local response over the past week. It aims to provide you with the information you need to support the Local Government workforce and your communities, in addition to the specific local guidance and information that will come to you from your local authority officers.

The **COSLA Facebook** page and **COSLA Twitter** feed are constantly updated with information and resources. The **COSLA Website** and **KHub** for Elected Members are added to daily.

The number of cases and the risk level is updated regularly on the **Scottish Government Website**.

## Key Messages

The ongoing key public health messages continue to be that it is vital people stay at home apart from for essential shopping and collection of medicines, for exercise once a day, for medical/care needs and for work where essential.

People at highest risk of severe illness from COVID-19 (those in the "shielded" category) have started to receive deliveries of essential groceries. We are grateful to our Local Government workforce and those working in partnership across the public, third and private sector.

**The NHS Inform COVID-19 webpage continues to be the source of up to date public health information.**

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## **Finance Update**

A letter has been sent to the UK Treasury by the COSLA Resources Spokesperson in relation to the funding assurance required in order that Local Government can continue to respond to the issues that will emerge in relation to dealing with the crisis.

A Financial template has been issued to all councils to collect their net additional cost of dealing with COVID-19, over the next 3 weeks. This will be repeated as the situation develops and will inform COSLA discussions with Scottish Government.

Scottish Government issued a letter to local authorities on Monday to clarify their position in relation to payment to early learning and childcare providers. The default position for Local Government should be to continue to pay all private and third sector providers and childminders who deliver statutory provision, however, providers should maintain a transparent, open book approach over the coming months.

Engagement has taken place with Scottish Government in relation to councils as commercial landlords. Group Leaders confirmed the COSLA position that deferral of rent payments is preferable to a national abatement although abatement can be considered if locally appropriate. Scottish Government has committed to joint discussions of other possible approaches to supporting businesses, ensuring that any support is appropriately resourced.

## **Workforce**

COSLA continues to work with Scottish Government and public health clinicians to ensure relevant and appropriate guidance on Social Distancing and PPE. Four nations guidance was issued last week for health and social care workers. However, there were differences of interpretation which led to the Chief Nursing Officer providing a short piece of supplementary guidance to provide clarification.

Guidance for non health and social care workers has yet to be issued by public health clinicians.

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## **The National Care Home Contract**

The National Care Home Contract rate for 2020/21 has been agreed between Scotland Excel, Scottish Care and COSLA. This agreement is based on the Care Home Cost Model for direct care costs, which benchmarks wages against Agenda for Change for nurses and Living Wage for people working in care homes providing direct care. Agreeing the National Care Home Contract will ensure that the national approach is retained, and the care home workforce will receive an uplift for their wages as soon as is practically possible, given the pressures on Local Authorities and Providers.

## **Food Fund**

COSLA Group Leaders agreed a distribution for £30m of the £70m Food Fund announced by Scottish Government to address food insecurity, especially for older people, vulnerable individuals and families who rely on free school meals. Councils can use this flexibly to meet emerging local needs, working with their communities including local businesses to ensure those who are vulnerable or isolating have access to food. **Guidance** has been produced to support this. It remains unclear how the remaining £40m of this fund will be deployed.

## **Justice and Community Safety**

COSLA is working with Justice and Community Safety Partners on potential implications of the emergency legislation that applies to community justice, including the early release of prisoners. To date, Scottish Government have outlined that under the emergency legislation prisoners will only be considered for early release as a last resort, and that this would exclude prisoners who have committed violent or sexual offences. A Survey has been undertaken by the Scottish Community Safety Network (SCSN) supported by COSLA to gather information from all local community safety partnerships across the country on responses to COVID-19. Findings from the survey should be available at the end of April.



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## **Housing and Homelessness**

Local Government, Scottish Government and third sector partners have been working closely to move rough sleepers into emergency accommodation where they can self-isolate and receive support. Other marginalised groups such as destitute migrants and those with no recourse to public funds are being supported and offered emergency accommodation irrespective of their immigration status. Additional measures are also being taken to support the Gypsy and Traveller community access sanitation and waste facilities on temporary roadside encampments. It is also acknowledged that women and children at risk of violence and domestic abuse are particularly vulnerable at this time and may require additional support or alternative accommodation to be kept safe.

The Coronavirus (Scotland) Act (2020) **now prevents the eviction of tenants for a period of up to 6 months**. This measure will help support those facing financial hardship from eviction and homelessness. However tenants are still liable for rental payments during this time and local arrangements will be put in place to deal with rent arrears.

A Local Authority Housing Resilience Hub has been established will meet weekly to identify priorities for the local authority housing sector during the COVID-19 outbreak and coordinate response activity based on locally identified needs.

## **Coronavirus Business Interruption Loan (CBIL) Scheme**

During a Conference Call between Council Leaders and the Permanent Under Secretary of State for Scotland Douglas Ross MP on Friday afternoon a number of members asked for more details on the expansion of the CBIL Scheme and how people can apply. The expanded scheme will be operational with lenders from Monday 6th April 2020. Further information is **available online**.



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## **Health Protection (Coronavirus) (Restrictions) Regulations**

Local authorities have powers under The Health Protection (Coronavirus)(Restrictions) Regulations 2020 to enforce **Regulations 3 and 4** in relation to the closure of certain premises and application of social distancing provisions within premises that remain open. The Society of Chief Environmental Health Officers in Scotland and the Society of Chief Trading Standards Officers in Scotland have worked over the past week to ensure that councils are ready to enforce the relevant provisions of the regulations and that there will be consistency across the country in the approach to doing so, seeking to engage, explain, encourage and as a last resort enforce. An Expert Group, formed by the two professional Societies, has established a single point of contact with Police Scotland to further ensure consistency and co-ordination across the national regulators. The regulations contain a list of all food premises that must be closed. These include restaurants, public houses and cafes but with exceptions for particular workplace canteens and services providing food to the homeless. Other premises that are required to be shut include cinemas, hairdressers, gyms, nail bars, museums and art galleries amongst others, a full list is included in the regulations. There is a further list in the regulations of premises that are allowed to remain open but which must comply with social distancing provisions if they do so. Other types of business which are not on this list but who sell or hire goods must only continue to trade if they operate by taking orders remotely and delivering goods. Types of premises which are not covered by these regulations have been advised by the Scottish Government to close unless they are providing an essential service.

The Regulations do not give legal powers for either Local Authorities or the Police to enforce this. Neither do they give powers to enforce social distancing in these types of premises.



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## **Health Protection (Coronavirus) (Restrictions) Regulations Contd**

All types of holiday accommodation provided as part of a business must cease to operate during the emergency period. Except in certain limited circumstances such as the occupant having no other main residence in the UK or for providing the accommodation for the homeless.

Local authority officers have the power to issue prohibition notices and if necessary, submit reports to the Procurator Fiscal with regards to non-compliance under Regulation 3 and 4. This applies for both the requirements to close premises and to ensure social distancing measures are being observed.

Immediate priorities are to ensure that businesses which are operating (are legally able to do so) have appropriate social distancing measures in place to protect public health; and to ensure that businesses which must be closed, close.

## **Cyber Resilience**

As a result of the significant rise in COVID-19 related scams, over the next few months, the Scottish Government Cyber Resilience Unit are sharing important information from trusted sources. Please consider circulating this information through your networks, adapting where you see fit.

We want to amplify the authoritative guidance and information. The National Cyber Security Centre, Police Scotland and Trading Standard Scotland are recognised authorities on cyber security, cyber-crime and scams respectively and we are working with them and others to identify and disseminate the latest updates on the cyber scams and provide advice on how to prevent or mitigate the impact of the scams and associated threats exploiting the COVID-19 situation. This first issue points to authoritative sources where you can find further information and guidance. The full Cyber Resilience Notice document with links to relevant organisations can be found at [\*\*Elected Member KHub page\*\*](#).

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## Thank You

As has been the case over the past number of week, Local Government has worked at pace to adapt and support local communities. It is a challenging and scary time for all and we continue to be grateful to our Local Government workforce, and those in partner agencies and organisations, for the work they are doing.

Further briefings will be issued, however our social media channels, **KHub** and **website** will be continually updated.

Signing up to Knowledge Hub is easy. Go to **<https://khub.net/sign-up>** and complete the registration form, you will be sent an email verification. Click the link in the email you receive to verify your account, then go to **<https://khub.net>** and sign in with the password you created at registration. Once you've logged in, go to the group direct to request to join: **<https://khub.net/group/scottish-elected-members-coronavirus-network>**. We will only accept membership requests from official council email addresses that belong to elected members. If you register with a personal email, we will need to verify this through your council.

If you or your officers require any clarity from COSLA officers on policy matters, please contact the team in the usual way. If you are not sure who to direct your email to, please contact COSLA member support: **[membersupport@cosla.gov.uk](mailto:membersupport@cosla.gov.uk)**

**Thank you all for your efforts during this challenging time.**



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