

Agenda

Executive Advisory Board: Supplemental Agenda

Thursday 21 January 2021

2.15 pm

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LGA's ' Hot Topics'

The following priority issues reflect the short term needs for councils in order to deal with the COVID crisis as well as topical policy issues.

National lockdown – We are working daily with councils on the immediate issues facing communities as result of the national lockdown. Particularly, we are addressing pressure on schools, supporting compliance with lockdown rules, the rollout of vaccines, community testing and councils' role in planning for the post-lockdown period.

Finances – The Spending Review went some way towards meeting core spending pressures and estimated COVID-19 costs in 2021/22, but only if councils make full use of council tax raising powers. The SR did not address the underlying pressures and urgent need for investment in early intervention, adult social care and public health. The worrying COVID-19 trends and the new national lockdown also mean that the funding package for 2020/21 must be revisited to cover councils for all cost pressures and income losses.

Immediate Covid Issues:

School and early years – School leaders are raising concerns about the pressures between supporting vulnerable children and children of key workers in schools, whilst managing online learning and having to make tough decisions about balancing the number of children. The updated key worker and vulnerable children guidance mean there are a higher number of children who could need to attend school, and therefore continue to spread the new variant of Covid in the community. Government must ensure that all pupils have laptops or tablets to be able to access online lessons to ensure that they do not fall any further behind in their studies, and to reduce the numbers of pupils who have to be at school. We have called for Ofsted to postpone the resumption of Ofsted monitoring inspections. Early years settings are to stay open to all children and young people throughout this lockdown. There has been some guidance clarifying the funding situation but concerns remain regarding funding and sustainability.

Schools testing – continuing concerns over logistics associated with secondary school return to school testing and associated transport requirements, including managing pupils testing positive on-site. DfE had received advice from PHE that due to the increased transmission of the new virus strain, the 7-day contact tracing using the LFD test will not go ahead in secondary schools. The focus will be on testing secondary school pupils in the week prior to return and the twice-weekly testing of primary and secondary staff.

Vaccination – We continue to press for a clearer role for councils in the rollout of the national vaccination programme, including identifying best vaccination sites, and ease of access for local people; some people may need support to get vaccinated closer to home/in own home; councils need real time data on when clinically extremely vulnerable individuals will be vaccinated and national plan for rollout to remaining priority groups so they can plan logistics, communications and build trust in local delivery of the vaccination programme .We are already hearing about councils wishing to change the national priority groupings for vaccination; many will be lobbied by interest groups unhappy with where they sit in the priority list; risk will be of councils breaking away from the national formula leading to differences of interpretation and a 'postcode lottery'

Vaccination-cohort 2 – The Standard Operating Procedure (SOP) for frontline care staff caring for those clinically vulnerable to COVID-19 in community settings has been published, with councils responsible for identifying and notifying those eligible for vaccination in this priority group, which includes ALL providers, not just those commissioned by the council, and is a significant logistical exercise, and will also mean fielding queries from providers and staff wishing to check their eligibility

Lockdown regulations – There is a request for a review of the guidance on places of worship and communal prayer where there is concern about distancing. It is also unclear

from the guidance if religious education in informal settings such as a madrasas are allowed to take place.

Asymptomatic testing – Following the expansion of targeted community testing to identify asymptomatic individuals using lateral flow devices (LFDS), consideration needs to be given during the national lockdown to its impact on local test and trace systems once restrictions are lifted, including the role of targeted community testing. Councils need clear advice on the appropriate application of different testing tools in different community settings, taking into account the risks and benefits, and how and when LFDs can genuinely add value to local outbreak management plans and priorities. For example, the low sensitivity of LFDs may be of acceptable risk in a school setting but raise concerns in a Care Home setting. This includes concerns about the use of LFDs to avoid self-isolation, as currently proposed in schools.

Test and trace systems – Councils have been seeking a localised system which is nationally enabled since the pandemic began and need sufficient resources to build up their tracing teams, achieving an integrated local and national approach. More localised test and trace will engage ‘difficult to reach’ groups. Testing and tracing needs to be embedded as it is likely to be needed into the future, even with the vaccination programme, to continue to manage transmission of the virus. The resource implications need to be considered.

Test and Trace support payments – The increase in the transmission of the virus has led to increased pressure on both the discretionary and non-discretionary elements of the T&T support payments. The Department for Health and Social Care (DHSC) has made an additional £20.4m available until the end of January (of which £10m is for ‘discretionary’ payments). DHSC have also extended the scheme until the end of March. Funding for the main scheme and administration costs will be reviewed at the end of January, and DHSC are also discussing the potential for reviewing the eligibility criteria. Funding for the discretionary element has once again been fixed, which continues to cause consternation in councils who will run out before the end of March.

While changes to the scheme may be needed, these must be designed in consultation with councils and implemented with extreme care and clear messaging to avoid causing further confusion and delays. There is also need for greater integration between MHCLG work on ‘non-financial support’ and the DHSC-led work on T&T payments. We are pressing for this with both departments. Councils need sufficient funding to ensure the payments can deliver on the policy objectives of supporting households at risk of financial hardship and stopping the spread of the virus. Some councils are also concerned about the costs of administration and pressures on their revenues and benefits teams.

Care homes – Care providers are facing significant financial and staffing pressures and other pressures including the roll out of the vaccination programme to care homes, the implementation of infection control measures including increased testing of staff, residents and visitors, and the discharge of Covid-positive patients to ‘designated’ settings from hospital. The additional grant of £149m to support increased testing, plus an extra £120m just announced for extra staffing is welcome but may not be enough. Care providers are still struggling to get the necessary insurance to enable them to accept COVID + patients and Government have been reluctant to take action on this despite calls from the LGA ADASS and provider organisations. **Vaccination** of staff and residents in care homes (over 65s) is well underway; some vaccine hesitancy reported among care home staff and managers has been reported

Public Services – Capacity issues remain a very significant challenge in many areas.

Compliance and enforcement – with the Government focusing again on how compliance and enforcement work can help prevent the spread of the virus, councils are being asked to refocus their efforts in the coming weeks on supermarkets and other retail premises which

remain open. We are highlighting the work councils are doing in this space and sharing best practice to support this.

Longer term Covid planning:

Councils need a longer-term strategy for maintaining the lockdown, any possible return to the new tier system and clear guidance over the events that will be affected by continuing restrictions in the months ahead. We also need to start looking further into the future, and whether measures such as test and trace, support/incentives for self-isolation, and some enforcement measures need to become established for the longer-term.

Elections & Democracy – Councils need certainty that they will be legally allowed to hold decision-making meetings remotely and flexibly beyond the beginning of May 2021. If legislation is required then this should be brought forward as soon as possible. We continue to seek assurances from government that the additional costs involved in running elections in May should be fully reimbursed by the government. Local elections need to be held safely and all eligible voters should be able to vote and that candidates and political parties also need to be able to campaign safely and fairly.

Culture, leisure & sport – The LGA has been making the case for supportive investment to tide these services over until footfall returns to sustainable numbers: this has resulted in councils being eligible for the £1.75 billion cultural recovery fund, receiving £100 million for outsourced leisure providers, and £1000 per library service to expand their e-book offer. However, it is still not enough to sustain public leisure long-term and there is a real risk of closure of many facilities in 2021.

Children's services – An independent review of children's social care was launched on 15 January. This will cover the increasing demands on the system and bring in the voices of care experienced young people. The impact of the pandemic is expected to significantly increase the need for children's services. The £300 million announced for adult and children's social care in the Spending Review is not sufficient. How will councils be supported to increase capacity and resources to support children and families to overcome short-term difficulties and avoid these escalating into crises?

PPE supply – The current arrangement for free supply of PPE extended to end of June 2021 and a review will commence in April looking to the longer term.

Economic vulnerability – The mainstream benefits system should be the principal safety net for low-income households. We are asking Government to maintain the £20pw uplift in Universal Credit into 2021/22 if - as is likely – evidence shows that this is still needed. Councils have delivered a range of vital short-term, crisis support. Supporting people to recover financially requires the local knowledge and strong relationships that councils are best placed to provide. We need to move towards a more sustainable, preventative approach to economic and financial wellbeing to secure an effective recovery. We also need clarity on the sustainability of key VCS partners.

Exiting the pandemic – We need a clear joint strategy for moving the country out of the pandemic. This includes the need to look at the Coronavirus Act 2020 in advance of May 2021 and an urgent review of councils' statutory duties to allow capacity on Covid-19 response and help with inevitable staff absences. Our offer to help co-design the strategy and agree shared priorities for the next three months still stands.

Other issues of immediate importance for the sector:

EU Exit – The Government and the EU have agreed a future trade deal. Any new LG responsibilities must be seen in the context of all the winter pressures on councils, including the impact of recent border controls on port towns. We will be monitoring key issues,

including added pressure on port towns and regulatory services and whether there is an adequacy decision on data protection.

Free School Meals – The Government has announced that it will not be providing free school meals over February half-term and that councils should provide them using funding allocated under the Covid Winter Grant Scheme. We have highlighted that this grant money has already been allocated for other support and was never intended to replicate or replace free school meals. We are calling on the Government to continue to provide food vouchers over half-term, for uplifts in benefits to be retained and for separately identified funding for local welfare schemes to be restored.

Social Care – The Spending Review (SR) provides some new funding for adult social care; this will help address some, but not all, pressures facing councils. We continue to make the point that the precept is not a sustainable, long-term solution. The SR announced proposals for ‘sustainable improvement’ of adult social care will be brought forward next year.

NHS Reform – The LGA has published its submission to the NHSEI consultation on the future of integrated care systems. We are urging NHSE and DHSC to actively engage with councils locally, regionally and nationally in further developing proposals for collaboration to improve health and care services and improve health and wellbeing outcomes.

Economic Recovery – We need continued national/local collaboration, especially to shape the future UKSPF and Levelling Up funds. There is an offer to co-design from the sector. We also need to support councils to equip them with skills required to lead their communities towards recovery and renewal.

Planning Reform – We still await a Government response to the White Paper consultation and the remaining proposals from the ‘Current changes to the planning system’ consultation. The government has responded to the proposals to update the standard method for calculating local housing need.

Note of previous Executive Advisory Board meeting

Title: Executive Advisory Board
Date: Thursday 3 December 2020
Venue: Zoom

Attendance

An attendance list is attached as **Appendix A** to this note

Item Decisions and actions

1 Declarations of Interest

There were no declarations of interest.

2. The LGA's current "hot topics"

Mark Lloyd, Chief Executive, introduced the high-level summary of current and anticipated headline issues most concerning to member councils and sought confirmation that focus was being given to the right issues. He highlighted the work undertaken by the LGA on member councils' behalf which included seeking clarification from government on its plans for exams, work on the vaccine roll out and obtaining priority for residents of care homes and their carers, supporting councils through the tiering system, community testing and local government's contribution during the vaccine rollout.

Mark also raised the significance of the spending review that had been announced the previous week, noting that it was better than expected but that funding for local government was still not where it needed to be and emphasised the importance of the upcoming local government finance settlement in building a sustainable local government fit for the future. Mark explained that the LGA was also giving high priority to work surrounding the arrangements for the local elections in May 2021 by working with the Cabinet Office to ensure that elections can take place in a COVID-safe way.

Mark also commented on NHS England's recent consultation on the future of integrated care systems. The document proposed to make integrated care partnerships statutory NHS bodies and Mark recognised the need for the LGA to respond and contribute powerfully by the January 2021 deadline.

Mark gave assurances that the LGA continues to work on the Devolution agenda and advised that the White Paper would likely be seen after the local elections in 2021.

Due to the substantial overlap between items 2 and 3, these items were taken together and discussion that followed is detailed in the section below.

Decision

Item Decisions and actions

Action

Members of the Executive Advisory Board noted the update.

3. COVID-19 Policy Work

Cllr Hudspeth, Chairman of the Community Wellbeing Board, gave an overview of the LGA's policy work on COVID-19 but emphasised that as the agenda was so fast moving, the report was very much a snapshot in time and that current hot topics were likely to be swiftly overtaken by other events.

Cllr Hudspeth welcomed the news that a vaccine had been approved and a national inoculation programme was underway but highlighted the continued importance of mass testing and emphasised the need to maintain good relationships with NHS colleagues to ensure the success of vaccination and testing programmes.

Cllr Hudspeth highlighted the logistical challenges and other difficulties ahead. This included the need to ensure that local government be fully funded for its contribution to vaccine and testing roll out, in addition to the funding required to support local areas through the current tier system.

In the discussion that followed the following points were raised:

- The importance of the prevention and early intervention work of social care to the success of the NHS and the health of the nation.
- The pandemic raised the issue of social care up the national agenda.
- That there is much to celebrate following the approval of a COVID-19 vaccine, however messages about the importance of testing must remain in place.
- Concerns were raised that those who have been vaccinated may become complacent and not observe rules and restrictions.
- That, despite a viable vaccine, a robust track and trace system was still vital in the fight against COVID-19
- It was suggested the LGA's response to proposed NHS legislation should include the LGA's green paper on adult social care titled 'The lives we want to lead'.
- The importance of isolation payments.
- The significant impact of the pandemic on the lives of children and their outcomes, which must not be underestimated or forgotten.

In summary Mark stressed the importance of reinforcing community testing in the short term whilst also encouraging people to participate in vaccination programme and said that councillors have the ability to be great influencers in their communities to encourage take up of the vaccine and testing.

Decision

The Executive Advisory Board;

- (a) Noted the LGA's recent work public health and enforcement related activity in relating to managing local outbreaks of COVID-19, and what the LGA has

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been able to secure for the sector.

(b) Commented on the LGA's work programme going forward and agreed that these are the right priorities.

(c) Provided views on the LGA's support offer to councils.

4. **UK's Exit from the EU**

Cllr Kevin Bentley, Chairman of the EU Exit Taskforce, gave a verbal update on the work that the LGA had undertaken to support councils in preparing for Britain's exit from the EU and the end of the transition period since the previous meeting.

In particular, he raised the following points:

- COVID-19 had overshadowed Brexit somewhat however the UK and European parliaments both set aside the Christmas period to settle the trade deal.
- The delivery board had a meeting with minister Luke Hall before the report was written. Cllr Bentley requested a delivery board meeting immediately following a trade deal.
- Important to put on record what we have been asking for.
- Regulatory services staff have been redeployed because COVID-19 and also winter pressures.
- No definitive answers had been given as to who had been trained on the new software. Day to day work after Brexit will fall to local government and working knowledge of the software within the sector would be crucial.
- Announcement in the spending review of £1.5 billion UK SPF.
- A joint working group had been set up between the LGA and Treasury on structural funds.
- The LGA had secured EU nationals the right to stand and vote in 2021 local elections.
- £220 million for had been made available pilot schemes mainly for culture, sport, neighbourhoods and housing.
- Continue battle on behalf of port authorities.
- Difficult to plan because gov hasn't confirmed money.

Decision

Members of the Executive Advisory Board noted the update.

5. **COVID-19: Local Government Finance update**

Cllr Richard Watts, Chair of the Resources Board, provided a summary of the work by the LGA on finance issues since the previous meeting of the Board on 22 October 2020, including the impact of COVID-19 and the 2020 Spending Review.

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In particular, he raised the following points:

- Spending review announcement provided a clearer view but not absolute clarity about what the spending package for councils will be next year. A council by council settlement was not yet available.
- Three quarters of local government's increased spending power comes from Government's expectation of councils to increase local taxes on residents. The vast majority of councils will do so.
- £3 billion of support had been allocated for COVID-19 support next year. There was support for council tax reduction schemes and 75 per cent of council tax and business rate losses would be covered for councils.
- £300 million was made available for adults and childrens social care.
- The levelling up fund must be allocated in a transparent way.
- Noted that as a sector councils will be raising its own tax at twice the rate of inflation meaning that residents will be paying more and getting less.

In the conversation that followed, the following points were made:

- PWLB interest rate reduction was welcomed but the restrictions on its use remained problematic and it was felt that this contradicted the Government's message that councils ought to raise their own revenue streams.
- Remaining concerns of a lack of a long-term solution to the social care challenge which is crippling council budgets. This marks another increasing the precept and a transfer of tax responsibility and liability to local taxpayers. There is disparity in ability to raise tax across the country and this is not how social care should be funded.
- Government is expecting more and more from local government without providing the finances to back it up. Pay and cost pressures were not factored in.
- Expecting local government settlement in the next few weeks eagerly awaiting.
- Some district councils were not in receipt of any direct payments from Government at all. Districts cannot raise through the precept and unable to borrow from the PWLB or profit from anything they build or buy.
- Members gave recognition of the lobbying work the LGA had done over years on adult social care. Officers were thanked and congratulated for the clear and consistent messaging.
- Local authority areas most able to raise the adult social care precept may not be those with the greatest need.
- The ability to defer raising the social precept for a future tax year was welcomed considering the financial impact of the pandemic on residents.
- Deferment of the precept is useful. Medium term financial plan which is helpful
- That council tax, being a regressive form of tax and not fit for purpose, should not be used as a national funding solution to pay for social care.

Decision

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The Executive Advisory Board noted the update and officers were tasked to proceed with the delivery of the LGA's work on local government finance, including the Spending Review and on the response to, and recovery from, COVID-19.

6. Model Councillor Code of Conduct

The item was in confidential session to avoid the code of conduct being used by councils before it was agreed by the Executive Advisory Board. Abigail Gallop, Senior Adviser, introduced the report.

Abigail raised the following points;

- Extensive consultation had taken place including workshops and an item at Councillors' Forum with over 1000 responses received.
- The Code will be reviewed annually as additional best practise will emerge as we go forward. Members stated that this will be helpful, but that the code must not be rewritten every year.
- That the Code could be tailored locally.
- Officers were waiting for the Government's response to the committee on standards and public life's recommendations which may lead to a change in legislation.
- The aim was for a code that is fit for purpose for the sector.
- Next steps included producing accompanying guidance alongside with the Code, which is itself a quite short, to include what members can expect if a complaint is made against them and the role of the monitoring officer as well as digital citizenship and the role of social media.

Decision

The Executive Advisory Board agreed, with unanimous support, to approve the LGA Model Councillor Code of Conduct 2020 and tasked officers to begin development of the associated guidance.

7. Note of last Executive Advisory Board meeting

Decision

The minutes of the previous Executive Advisory Board meeting were agreed.

Appendix A -Attendance

Position/Role	Councillor	Authority
Cllr James Jamieson (Chairman)		Central Bedfordshire Council
Cllr Nick Forbes CBE (Senior Vice Chair)		Newcastle City Council

Item	Decisions and actions	Action
	Cllr Howard Sykes MBE (Vice-Chair) Cllr Marianne Overton MBE (Vice-Chair)	Oldham Metropolitan Borough Council Lincolnshire County Council
	Cllr John Fuller OBE Cllr Robert Alden Cllr Peter Fleming OBE Cllr Ian Hudspeth Cllr David Renard Cllr Kevin Bentley Cllr Michael Payne Cllr Anntoinette Bramble Cllr Tudor Evans OBE Sir Richard Leese CBE Cllr Richard Watts Cllr Judith Blake CBE Cllr Nesil Caliskan Cllr Ruth Dombey OBE Cllr Gerald Vernon-Jackson CBE Cllr Anita Lower Cllr Bridget Smith Cllr Clive Woodbridge Cllr Rosemarie Harris Cllr Robert Stewart Cllr Marc Bayliss Cllr Simon Henig CBE Cllr Peter John OBE Cllr Shabir Pandor Cllr Nicholas Rushton Cllr Linda Haysey Sir Stephen Houghton CBE Cllr David Williams Cllr Teresa O'Neill OBE Cllr Izzi Seccombe OBE Cllr Georgia Gould Cllr Paul Woodhead Cllr John Hart Cllr Roy Perry Alderman Sir David Wootton	South Norfolk District Council Birmingham City Council Sevenoaks District Council Oxfordshire County Council Swindon Borough Council Essex County Council Gedling Borough Council Hackney London Borough Council Plymouth City Council Manchester City Council Islington Council Leeds City Council Enfield Council Sutton London Borough Council Portsmouth City Council Newcastle upon Tyne City Council South Cambridgeshire District Council Epsom and Ewell Borough Council Powys County Council Swansea City and County Council Worcester City Council Association of North East Councils Southwark Council Kirklees Metropolitan Council East Midlands Councils East Herts Council SIGOMA County Councils Network (CCN) Bexley Council Warwickshire County Council Camden Council Cannock Chase District Council South West Councils South East England Councils (SEEC) Local Partnerships