

## SLOUGH BOROUGH COUNCIL

**REPORT TO:** Cabinet                                   **DATE:** 18<sup>th</sup> January 2021

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**WARD(S):** All

**PORTFOLIO:** Councillor Sabia Akram – Portfolio Holder for Governance & Customer Services

### PART I NON-KEY DECISION

#### COVID-19 DECISIONS UPDATE

##### 1 Purpose of Report

The purpose of this Report is to inform Cabinet of the further significant decisions taken by officers, and to seek ratification of those decisions insofar as they relate to Executive functions. Ratification is also sought for a further Significant Decision taken by the Chief Executive and Executive Director, People (Adults) on the contract for Slough's Asymptomatic Testing Programme.

##### 2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve:

(a) That the report be noted; and

(b) That the Significant Decisions taken by Silver as set out in Appendix A be ratified.

(c) That the Significant Decision taken by the Chief Executive and Executive Director, People (Adults) on Slough's Asymptomatic Testing for Covid-19 Programme as at Appendix B be ratified.

##### 3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

The decisions taken by officers and set out in this Report have sought to support, as far as reasonably practicable at the present time, the objectives of the [Slough Joint Wellbeing Strategy](#) (SJWS) and the Five Year Plan

##### 3a. Slough Joint Wellbeing Strategy Priorities –

The decisions set out in this Report have been taken with the over arching objective of protecting public health and the well being of residents and ensuring that the Council is able to achieve this objective lawfully, and as effectively as possible, in the prevailing circumstances. The recommendations contained in this report seek to ensure that the Council are able to continue to try to meet this objective and thereby be in a position to continue to address the priorities of the SJWS and the JSNA appropriately.

### 3b Five Year Plan Outcomes

The recommendations contained in this Report, namely the noting and ratification of the further significant decisions taken by officers, by Cabinet, at the first available opportunity, will enable the Council to be in a position to be able to go forwards to try and continue to meet the following objectives of the Five Year Plan.

- *Our children and young people will have the best start in life and opportunities to give them positive lives.*
- *Our people will become healthier and will manage their own health, care and support needs.*
- *Slough will be an attractive place where people choose to live, work and visit.*
- *Our residents will have access to good quality homes.*
- *Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents*

### 4 Other Implications

#### (a) Financial

Any financial implications of significant decisions taken by officers in connection with the need to deal with the consequences of the Covid-19 pandemic are monitored weekly by a special finance group and will be reported to cabinet as part of the usual financial reports to cabinet.

#### Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
That the Cabinet note and ratify the significant decisions taken by officers since the “lockdown” came into force.	Failure by Members to note and ratify these actions and decisions increases the risk of challenge and disruption. Ratification provides the opportunity for the Council to build upon the good results already achieved and to move forward strongly by building upon these results with greater engagement across the Council	The significant decisions and actions have been taken in accordance with governance arrangements put into place in consultation with the Council’s statutory officers and in accordance with all applicable guidance issued by and best practice recommended by all relevant bodies.	Likelihood – Very Low – 2  Legal/ Regulatory – Critical - 3  Score: 6	Increasing return to usual decision making structures and processes as circumstances permit.

(b) Human Rights Act and Other Legal Implications

Any decisions taken by officers pursuant to the statutory regulations enacted by the Government to deal with the Coronavirus pandemic, to enforce business closures and restrict assembly, could potentially be challenged under the Human Rights Act 1998 as being a breach of article 11, relating to the freedom of assembly and association, and of Article 1 of the First Protocol to that convention, relating to the right to peaceful enjoyment of possessions. It is considered, however, that risks of successful challenge are low as, in the latter case, derogations are permitted to control use of property in the general interest and, in the former case, for the protection of public health.

Under the Council's Constitution, the Chief Executive has delegated power to act in case of emergency and urgency to exercise all council functions. Additionally, under the constitution, all matters not specifically reserved are deemed to be within the delegated authority of the Chief Executive and Directors for all purposes which fall within their directorate or budget area or area of responsibility to which they may be nominated from time to time

The Cabinet may ratify any decisions of officers falling within their functions.

(c) Equalities Impact Assessment

All the significant decisions set out in this Report were taken having regard, so far as was practicable in the circumstances, to the public sector equality duties and the protected characteristics set out in the Equality Act 2010.

(d) Workforce

The decisions taken by Officers which have affected the workforce are set out in the schedule to this Report.

(e) Property

The restrictions imposed by the Coronavirus Act 2020 on the ability of the Council as a landowner to take action to enforce payments of rents will have had an effect on the Council's asset management position. Any long term effects on the Council's property portfolio and asset management strategy evaluated and reported to the cabinet as part of the Council's normal financial reporting to the cabinet.

(f) Carbon Emissions and Energy Costs

The Council have not at present carried out any systematic analysis of the effect on carbon emissions and energy costs of the decisions taken by officers since the "lockdown" took effect. It is considered that it is self-evident, however, that the restrictions on travel and the reduction in the use and occupation of Council premises and other council activities means that it

is unlikely that there was an increase in emissions and energy costs during this period.

## 5 Supporting Information

### Governance

5.1 This report sets out the Significant Decisions taken by Officers in response to the coronavirus pandemic. Robust governance arrangements were put in place in March 2020 to manage SBCs response, which is led by a GOLD and SILVER command structure. GOLD/SILVER meetings have been held jointly since March. This is summarised as follows:

- **GOLD** – Chief Executive and Silver Lead from CMT on rotation  
Overall responsibility for SBC strategy and response, primary liaison with partners and leads on external communications. Lead Members are consulted where appropriate on decisions in their portfolio.
- **SILVER** – led by a member of CMT on rotation, includes CMT, Public Health, Communications and Operations Room Management)  
Responsibility for tactical implementation of GOLD Strategy, escalates strategic decisions to GOLD, refers issues for resolution to task groups.
- **Task Groups** – usually led by an Executive Director or senior Officer  
Manages operational matters and escalate issues to Silver  
Task groups established include Finance, Human Resources and Business Continuity, Community Hub, IT, Children, Adults, Safer Public Spaces, Testing, PPE, Recovery, Local Outbreak Management Plan Cell and Workplace Safety Group.
- **Operations Room** – led by Associate Director  
Seeks to coordinate activity in a single team; logs enquiries, actions and decisions and supports Silver.

### Timeline

5.2 A summary of the key events and phases is summarised as follows:

- 5<sup>th</sup> March – first death in UK from Covid-19 is confirmed.
- 12<sup>th</sup> March – SBC GOLD/SILVER response group meets. SILVER met daily between 23<sup>rd</sup> March to 24<sup>th</sup> April and at least weekly since. It currently meets twice a week.
- 23<sup>rd</sup> March – Prime Minister announces UK-wide partial “lockdown”.
- 26<sup>th</sup> March – Health Protection (Coronavirus Restrictions) (England) Regulations 2020 (‘lockdown regulations’) come into force.
- 13<sup>th</sup> May – National ‘Lockdown’ restriction start to be eased and this process continues through June and July. It is not until 25<sup>th</sup> July that indoor gyms and swimming pools are able to reopen.

- 1<sup>st</sup> July – local restrictions introduced in Leicester.
- 18<sup>th</sup> July – Health Protection (Coronavirus Restrictions) (England) (No 3) Regulations come into force giving local authorities in England new powers to close shops and outdoor public spaces in order to control Covid.
- 1<sup>st</sup> August 2020 – Shielding programme is paused.
- August / September 2020 – local restrictions across England start to be tightened, particularly in the North West and Yorkshire.
- 24<sup>th</sup> September 2020 – pubs and restaurants ordered to close by 10pm and ‘Rule of 6’ applies.
- 14<sup>th</sup> October 2020 – new Covid tiers come into force. Slough is places in Tier 1 – medium level alert.
- 24<sup>th</sup> October 2020 – Slough moves into Tier 2 – high level alert, which introduced a ban on household mixing.
- 5<sup>th</sup> November 2020 – Prime Minister announces a new national ‘lockdown’ until 2<sup>nd</sup> December.
- 26<sup>th</sup> November 2020 – new Tier system is introduced in England to come into force on 2<sup>nd</sup> December. Slough will enter Tier 3 – very high alert which means pubs and restaurants remain closed following national ‘lockdown’ and household mixing remains banned.
- 19<sup>th</sup> December 2020 – Government revises Tier system with a new Level 4 Tier – Stay at Home with restrictions similar to those during the national ‘lockdown’ in November. The Government decides to put Slough into this highest Tier.
- 4<sup>th</sup> January 2021 – Prime Minister announces new national ‘lockdown’ for England.

## 6 **Comments of Other Committees**

A further report on this subject, in the same terms, will also be submitted to full Council at their next meeting.

## 7 **Conclusion**

This report seeks Cabinet ratification of significant decisions at the first available opportunity and will enable the Council to continue to seek to meet its duties to protect public health and to serve the well being of those who live, work and visit its area.

## 8 **Appendices Attached**

Appendix A – Table of significant decisions

Appendix B – Significant Decision – Targeted Asymptomatic Testing Programme tendering