

A meeting of the Policy & Resources Executive Sub-Committee will be held on Tuesday 5 May 2020 at 3.00pm within the Municipal Buildings, Greenock.

Teleconference facilities are available for Members and Officers. Please note, videoconferencing facilities are being tested and Members will be advised of the teleconferencing or videoconferencing joining details as appropriate by Friday afternoon.

GERARD MALONE
Head of Legal & Property Services

BUSINESS

1. **Apologies, Substitutions and Declarations of Interest**
2. **COVID-19 (Coronavirus): Scrutiny Report**
Report by Chief Executive
3. **The Council's Financial Position - Update**
Report by Chief Financial Officer
4. **Death Registration Update**
Report by Chief Financial Officer and Corporate Director (Chief Officer),
Inverclyde Health & Social Care Partnership
5. **COVID-19 Recovery Structure and Strategy**
Report by Corporate Director Environment, Regeneration & Resources
6. **COVID-19 Impact on Mental Health – Request by Councillor C McEleny**
Report by Head of Legal & Property Services
7. **COVID-19 Impact on Education –Request by Councillor C McEleny**
Report by Head of Legal & Property Services
8. **SQA Qualifications Arrangements 2019/20**
Report by Head of Education
9. **Placing Requests and Appeal Hearings during COVID-19**
Report by Corporate Director Education, Communities & Organisational
Development

The documentation relative to the following items has been treated as exempt information in terms of the Local Government (Scotland) Act 1973 as amended, the nature of the exempt information being that set out in the paragraphs of Part I of Schedule 7(A) of the Act whose numbers are set out opposite the heading to each item.

10. **Enquiry on Proposed Temporary Lay-Up of Cruise Ships** **Paras 6 & 12**
Report by Corporate Director Environment, Regeneration & Resources on an enquiry regarding the proposed temporary lay-up of cruise ships.

Please note that because of the current COVID-19 (Coronavirus) emergency, this meeting will not be open to members of the public.

The reports are available publicly on the Council's website. The actions and decisions taken at the meeting will be published on the website as soon as possible.

In terms of Section 50A(3A) of the Local Government (Scotland) Act 1973, as introduced by Schedule 6, Paragraph 13 of the Coronavirus (Scotland) Act 2020, it is necessary to exclude the public from the meetings of the Executive Sub-Committee on public health grounds. The Council considers that, if members of the public were to be present, this would create a real or substantial risk to public health, specifically relating to infection or contamination by Coronavirus.

Enquiries to – **Sharon Lang** – Tel 01475 712112

Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Chief Executive	Report No:	LP/058/20
Contact Officer:	Aubrey Fawcett	Contact No:	01475 712701
Subject:	COVID-19 (Coronavirus): Scrutiny Report		

1.0 PURPOSE

- 1.1 This report updates the Sub-Committee on actions taken by officers of the Council in order to address and mitigate the risks arising from the COVID-19 emergency.

2.0 SUMMARY

- 2.1 As approved at the Executive Sub- committee's previous meeting, this report ensures there is Elected Member oversight and scrutiny of all actions implemented by officers in the COVID-19 emergency. Officers have taken actions based upon the principles that essential services continue to be delivered to the public, wherever possible, and the core business of the Council is maintained with key regard to the safety of its workforce.
- 2.2 The Policy & Resources Committee at its meeting on 24 March 2020 authorised the suspension of all Council, Committee and Sub-Committee meetings for the duration of the emergency and delegated full powers in the emergency to this Executive Sub-Committee. This report ensures that Members have clear oversight of all actions taken by relevant officers and with particular regard to service impact.
- 2.3 The items in the **Appendix 1** are updates of actions taken since the previous meeting and are detailed for Member scrutiny. The Executive Sub-Committee will wish to review the appendix for the strategic direction taken in response to the emergency and also for their assessment of how the operational aims of maintaining crucial public services whilst safeguarding the workforce were achieved. The log of actions is indicative of the position on Wednesday 29 April 2020 and Members will appreciate this is a constantly evolving situation.
- 2.4 Reports in this format with relevant updates are being made to each meeting of the Executive Sub-Committee.

3.0 RECOMMENDATION

That the Sub-Committee note:

- 3.1 the actions taken to date to mitigate the effects of the COVID-19 emergency in Inverclyde; and
- 3.2 that further reports will be submitted regularly for Members' scrutiny and review.

Aubrey Fawcett
Chief Executive

4.0 BACKGROUND

- 4.1 The Council and its partners have been working to implement arrangements to deal with the ongoing response to the COVID-19 pandemic. These arrangements are based upon an established corporate and incident response structure. Staff are able, by virtue of their roles and responsibilities, to deal with the emergency and it is recognised that the challenges posed by the current circumstances are profound and will require a continuous process of planning and preparation until its conclusion.
- 4.2 Internal and external communications, all decision-making by officers and the response arrangements are already firmly established through existing strategic and tactical meeting structures. The Corporate Management Team (CMT) is responsible for the strategic response and the tactical arrangements are discussed and proposed through the Council's Resilience Management Team (CRMT) (which also incorporates the Inverclyde Health & Social Care Partnership (H&SCP)). Additionally, the HSCP has activated its Local Management Resilience Team (LMRT) in which the Council has a number of representatives and this ensures that the Council and the HSCP are entirely joined up in decision-making. From a multi-agency perspective, the LMRT contributes to a Greater Glasgow & Clyde Health Board-wide gold command structure which covers acute, primary and social care. The Council is meeting weekly with multi-agency partners through the West Local Resilience Partnership (WLRP). At a strategic level LRP is also now operating at the level of the Health Board and this incorporates the six constituent Councils and appropriate multi-agency partners.

5.0 CURRENT ISSUES

- 5.1 The decisions noted in **Appendix 1** have been taken by the CMT on the basis of tactical updates provided by the CRMT and, also, assessment by the relative Corporate Directors and their teams. Notwithstanding the developing situation, a clear audit trail of all decisions has been maintained with relevant but brief, focused backing papers being circulated for consideration and decision at the CMT daily meetings.
- 5.2 In addition to the daily briefings which have been immediately implemented by the CMT to ensure that all Members of the Council had advance notice of any service impact decisions, there continues to be constant dialogue and contact with relevant Conveners and, where appropriate, Minority Group spokespersons/contacts on key issues.
- 5.3 It has to be noted that there continues to be many operational demands on the Council by reason of the emergency, but as the situation to an extent stabilises in part in relation to workforce issues, it is the intention to continue to report in this format to the Executive Sub-Committee for purposes of scrutiny and review of all decisions taken but it can also be anticipated that the more usual format and content of the Council's reporting to Members will be resumed (albeit for the duration of the emergency to this Sub-Committee).
- 5.4 Although a significant number of decisions have been taken across the range of Council services, the following key issues are identified and summarised as ongoing items for Members' information and for future business-planning:

HSCP

- 5.5 **Personal Protective Equipment:** The continuous community transmission of COVID19 has resulted in a challenging position nationally in relation to the provision of Personal Protective Equipment (PPE) for Health & Social Care staff within the community as well as the provision of PPE to commissioned care services e.g. residential care homes, support providers and carers/personal assistants. Inverclyde HSCP has been in the fortunate position in maintaining a robust supply of fluid resistant masks, disposable gloves, disposable aprons and eye protection as advised by Public Health Scotland for managing COVID19 with community health & social care settings.

The HSCP has also been able to maintain a supply of hand sanitiser and soap to allow staff, carers and service users to adhere to the National hand washing guidance.

The HSCP sources PPE through two main supply chains, NHS Greater Glasgow & Clyde NHS supplies for health care as well as National Services Scotland for social care provision. Where there has been pressure on deliveries on individual items of PPE, the HSCP has been proactive in sourcing this directly from the supplier/stores.

The HSCP in line with National guidance has established a PPE Supply Hub for social care providers, commissioned services, care homes, carers and personal assistants where they locally obtain a supply of PPE when their normal supply chain has been unable to deliver PPE to them. This allows services to maintain their support to service users whilst protecting care staff and services users as per Public Health Scotland infection control advice.

The community of Inverclyde has also responded with offers of PPE to the HSCP which mirrors community responses across the UK. All donated PPE is checked by Health & Safety teams in both Inverclyde Council and NHS GG&C for risk assessment and appropriateness for use. To date the HSCP has not required to utilise this PPE as nationally procured supplies have been maintained but rather it is held as a reserve stock.

- 5.6 **Inverclyde Care Homes:** The HSCP continues to work closely with the 14 Care Homes across Inverclyde during the current COVID19 outbreak. A representative of the Care homes attends the LRMT (Local Resilience Management Team) three times a week. This meeting keeps all the health and social care sector up to date on the latest updates nationally and locally.

We currently supply PPE to the Care Homes if their own stock runs low at any time. Our enhanced PPE Hub in central Greenock will become the supplier of PPE to Care Homes for the foreseeable future to deliver stock locally to Homes if and when they run low on stock. We have secured good levels of PPE and we distribute this if and when required.

The Care Home staff locally have dealt with the level of deaths very well during this outbreak and have offered kind and compassionate care to the residents and their families. There have been 27 COVID19 deaths in Care Homes in Inverclyde. It is a desperately sad time for all staff in Care Homes.

The HSCP will continue to offer advice guidance and support through our Adult Services management team and Commissioning team.

- 5.7 **Inverclyde Staff Testing Centre:** The drive through testing centre at Port Glasgow Health Centre opened on Thursday 9 April, is appointment based Monday to Friday 9.15am – 3.45pm, and staffed by 2 qualified nurses and 1 support worker. Testing is available in Glasgow at weekends. Referrals are made via an online form which has been circulated within the HSCP and also to providers including care at home, care homes and the hospice.

Testing is available for symptomatic staff or a symptomatic household member where this means the member of staff is required to self-isolate. Results are received within 24 - 48 hours, a negative result enables staff to return to work safely as long as otherwise well. Appointments are offered to those living in Inverclyde regardless of work setting and are also available to those in Renfrewshire area. Capacity can be increased to 44 appointments each per day if demand for testing increases.

An announcement was made by the Government this week that key workers working in other community settings can be tested at Glasgow Airport. The process for the Council is being developed by the Health and Safety Team.

Inverclyde HSCP Care Home Testing Proposal: The HSCP is currently following the direction of Scottish Government in establishing testing of symptomatic residents who have

been referred by their GP within a residential care home environment. The community care home liaison nursing service and qualified nursing staff within care homes who have had the appropriate training, will carry out testing of referred residents. The process is established by the HSCP to allow the appropriate testing and reporting of positive Covid-19 residents to allow the appropriate medical care and shielding to safeguard this vulnerable group of service users within the community.

It has recently been announced that Covid-19 patients who are discharged from hospital to a care home should have negative tests before discharge. Further guidance on the implementation of this announcement is expected shortly and will be communicated in due course. In the meantime, care homes are advised to continue to liaise with hospital discharging teams about individual patient test results and isolation periods. The HSCP offers to support safe transfers, not on a case by case basis, but by promoting good communication and planning around discharge. The Public Health Protection Unit (PHPU) is also available to provide advice whenever this is needed

EDUCATION AND COMMUNITIES

- 5.8 **Childcare hubs**: the childcare hubs continue to be successful and well-staffed. Numbers have increased and there is an increase in the ratio of vulnerable children who are attending. A full overview of numbers is available in **Appendix 2**. Approximately 12/13 pupils from across Inverclyde who are in P1-4 but not entitled to free school meals attend the hubs to pick up a meal.
- 5.9 **Food insecurity**: the Council has received £565,000 through the food fund Funding has been allocated to support those entitled to free school meals, hot food to vulnerable adults through HSCP and to 2 partner agencies (Bellville Gardens and I58) to provide food for those experiencing food insecurity. The Council also works in partnership with CVS to provide support in kind to volunteers and to co-ordinate food deliveries from Fare Share. Where vulnerable adults are not able to access shielding boxes, these are yet to be delivered or they have food allergies then there is a small supply of food boxes made up to ensure emergency demand. The numbers to date are:
- 3,300 young people receiving £25 a fortnight into their bank accounts
 - 900 families received packed lunches in the weeks between 6 April and 17 April 2020
 - Over 300 additional food and baby bags delivered to families every fortnight
 - Over 40 food boxes are delivered 3 days per week from the I58 Project to people who are referred because they are financially vulnerable.
 - Over 1,470 food boxes including fresh fruit and veg made up by Belleville Community Gardens
 - Approximately 1000 hot meals per week have been delivered to the most vulnerable adults identified by HSCP

The above does not include the many local charities and community organisations working through CVS who have also received funding directly from the Scottish Government and other funding providers to meet local need. This has included approximately an additional 9000 hot meals and sandwiches from Branchton Community Centre. Barnardo's, Homestart, Inverclyde Community Trust, Parklea and Inverkip Community Hub are supporting approximately 268 individual families with food through their own organisations.

- 5.10 **School trips**: There were school trips that were due to take place after schools closed. The process of refunds is complex because each trip was at a different stage of planning and companies have different terms and conditions. Many insurance companies across Scotland will not pay out for COVID -19 this is the case for Inverclyde. Each school is now negotiating with the individual companies and arranging to make refunds to parents if they are able to. This will differ depending on the individual company and how much money has already been

paid to the company. Schools have been supported in this aspect and have been advised of a broad range of principles.

- No school trips will take place before the summer holidays.
- Schools should not make any additional payments if asked to do so.
- Schools should refund any money to parents that has not been paid to the company (this will differ depending on the trip)
- Schools should negotiate with the company the process of getting a refund. If a total refund is not possible, then can the trip be renegotiated to the next year and the money used as a deposit.

Early negotiations have proved to be mixed. Some companies have offered to refund the entire deposit, others have offered to defer the deposit to a trip next year (thus allowing parents to eventually receive their deposit back, albeit delayed), and other companies have intimated that they will not be returning deposits. If companies are willing to give full refunds, they are reporting that there will be a delay in this process as they need to claw back the money from various different operators e.g. coach companies, airline companies and hotels and are asking for forbearance on this. The schools are still negotiating with companies to achieve the best outcome for families.

ENVIRONMENT, REGENERATION AND RESOURCES

- 5.11 A comprehensive financial update forms a separate report elsewhere on the agenda providing updates on the 2019/20 Revenue and Capital Budgets, extra costs associated with COVID-19 and updated positions regarding Government funding and payments to providers/suppliers. .
- 5.12 The current position with Businesses Grants is that as at 29 April, 481 Grants with a value of £5.41 million have been paid this represents 63% of all applications received. Crisis Grants applications and payments continue to run at over 100% greater than this time last year.
- 5.13 Officers have exercised their discretion within the approved Long Term Empty (LTE) Council Tax Levy Policy to not add any further properties onto the Levy list for a 3 month period commencing 17 March. In addition officers are considering any approaches from existing LTE levy property owners where it is clear that the current lock down has prevented them removing the property from the levy.
- 5.14 The Council and partners have a Humanitarian Assistance Centre working group meeting regularly. The Council is running a helpline for those who are "Shielding", a number currently standing at 2,700. The majority of those in this group have now been contacted although this is an ongoing process as more are added. Support is available to those who are Shielding with central provision for food support together with services available locally in a number of other areas. In addition to the Shielding group the Council helpline also takes calls and refers individuals for assistance through the national helpline with is open to a wider group with health vulnerabilities. From 29 April a separate helpline has been operating to support people with other vulnerabilities and support needs access services across the community.

6.0 HORIZON SCANNING

- 6.1 There are continuing issues that require to be dealt with at the present time.
- 6.2 **Workforce issues:** The issues in terms of workforce availability and confidence are crucial. Officers from Organisational Development, Policy & Communications are in contact with COSLA colleagues relative to workforce statistics, illness/absence rates, working from home, etc. This information is being collated at a national level and is helping to inform discussions

between senior leaders in SOLACE, COSLA and the Scottish Government regarding the impact of COVID-19 on service provision, and the key staffing issues that require some form of national consideration.

- 6.3 **Employee attendance:** Information is being gathered on a daily basis by managers across the Council. This allows managers to assess resource implications for delivering essential services and also to maintain contact and support those unable to attend work.
- 6.4 The Executive Sub Committee, at its meeting on 21 April 2020, requested more detailed information on workforce attendance figures in relation to key workers and a breakdown of figures for essential and non-essential staff. The table below provides approximate absence levels council wide and within some of our key essential service areas, as at 28th April 2020:-

Council	
Historic average absence rate (%) (Pre Covid-19 to give a baseline comparator.)	4.3%
Absence rate on 28 April 2020 (%) (This includes all those employees reporting sick, those isolating, those absent with caring responsibilities and those non-essential employees at home unable to work from home). Please note that this excludes employees working from home.	Council Wide 18.5% <u>Essential Services Breakdown (% of service area)</u> Home Care 27.3% Other HSCP 21.87% Waste Management 29.5% Facilities 23.0%

- 6.5 From this, the Executive Sub-Committee should note that it is essential for all officers to focus all efforts and available resources on addressing the Council's response to the emergency and, for that key reason, the support of all Members is requested in circumstances where the expectations of routine enquiries or normal timescales for operational response to Councillors cannot be met. The emergency will involve delays to otherwise usual Council business and recognition of this impact is needed and officers will, of course, continue to focus service support on the vulnerable in the community.

7.0 IMPLICATIONS

7.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

7.2 Legal

There are no Legal implications other than as noted within this report.

7.3 Human Resources

There are no Human Resources implications other than as noted within this report.

7.4 Equalities

Equalities

- (a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

- (b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

- (c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
--	---

NO

7.5 **Repopulation**

All of the steps undertaken by Officers seek to support the long-term interests of the Inverclyde economy and to provide a secure and safe environment for its workforce.

8.0 **CONSULTATIONS**

8.1 The Corporate Management Team endorses this report.

9.0 **BACKGROUND PAPERS**

9.1 None

Policy & Resources Executive Sub-Committee
Weekly Update on Operational Decision Log
From Thursday 16 April 2020 to Wednesday 22 April 2020

Head of Legal & Property Services
GM/KB
22 April 2020

Service Impact	Reason	Reported to CMT	Supporting Report Yes – N/A	Implemented	Officer
Education, Communities & Organisational Development					
35. Supply Teachers Job Retention Payment. The Corporate Management Team noted the national agreement in place and that arrangements were now being made to make the necessary payments to Supply Teachers.	To ensure supply teachers are not adversely affected as a result of Covid-19	16.04.20	Yes	Yes	SMcN
36. Proposal to treat SJC Casual / Sessional Workers in a similar manner to Supply Teachers and receive compensation payments based on an average pay. This was noted by CMT and has now been agreed at national level.	To ensure Casual / Sessional Workers are not adversely affected as a result of Covid-19	16.04.20	Yes	Yes. 17.04.20	SMcN
Environment, Regeneration & Resources Directorate					
<u>Environmental & Public Protection</u>					
37. Temporary Local Mortuary Facility: currently not required.	We had previously been advised by the LRP not to progress plans for additional body storage at a local level. The LRP now has a significant facility open at Hillington which should give sufficient capacity for GG & C as a whole. We will also have access to planned additional capacity in West Dunbartonshire in the unlikely circumstances that Hillington is insufficient.	22.04.20	N/A	22.04.20	MMcN

<u>Legal & Property Services</u>					
38. Changes to alcohol licensing legislation to allow Hearings by tele/video conferencing and grant powers to deal with altered procedures for Hearings and other provisions.	To comply with social distancing and to give flexibility to local arrangements for formal Hearings	Yes	Yes	16.04.20	GM
39. Former McPherson Centre: currently not required.	1. Extensive lead-in times for building conversion; 2. the level of costs and 3. existing less costly viable alternatives	Yes	Yes	17.04.20	GM
<u>Regeneration & Planning</u>					
40. Postponement of Regeneration Forum meetings for current cycle	To comply with the requirement to deliver on social distancing and to protect attendees.	Yes	Yes	20.04.20	SJ
Health and Social Care Partnership					
41. Safe System of Delivery of Medication (including controlled drugs) to HSCP Alcohol and Drug Recovery Service (ADRS) patients self-isolating due to COVID-19	To support ADRS patients who are self-isolating, to reduce visits to patients and staff and to note costs of one-off funding allocation.	16.04.20	Yes	16.04.20	LL

Policy & Resources Executive Sub-Committee

Weekly Update on Operational Decision Log

From Thursday 23 April 2020 to Wednesday 29 April 2020

Head of Legal & Property Services

GM/KB

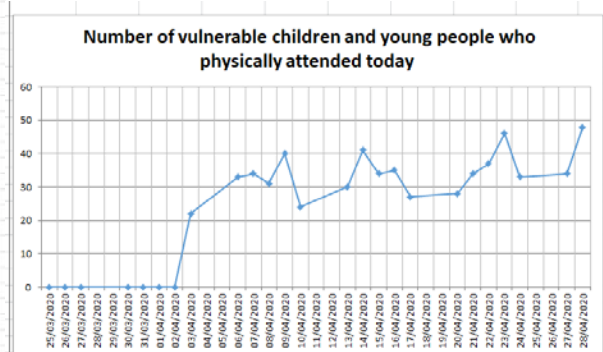
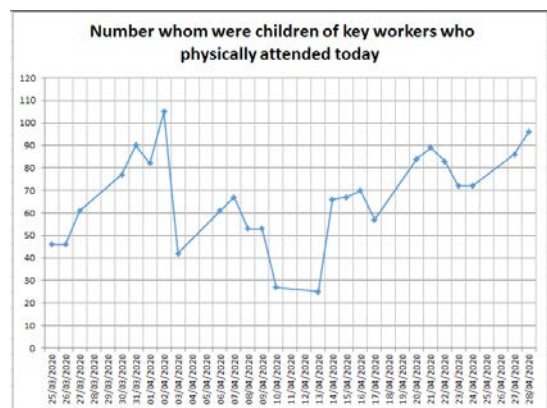
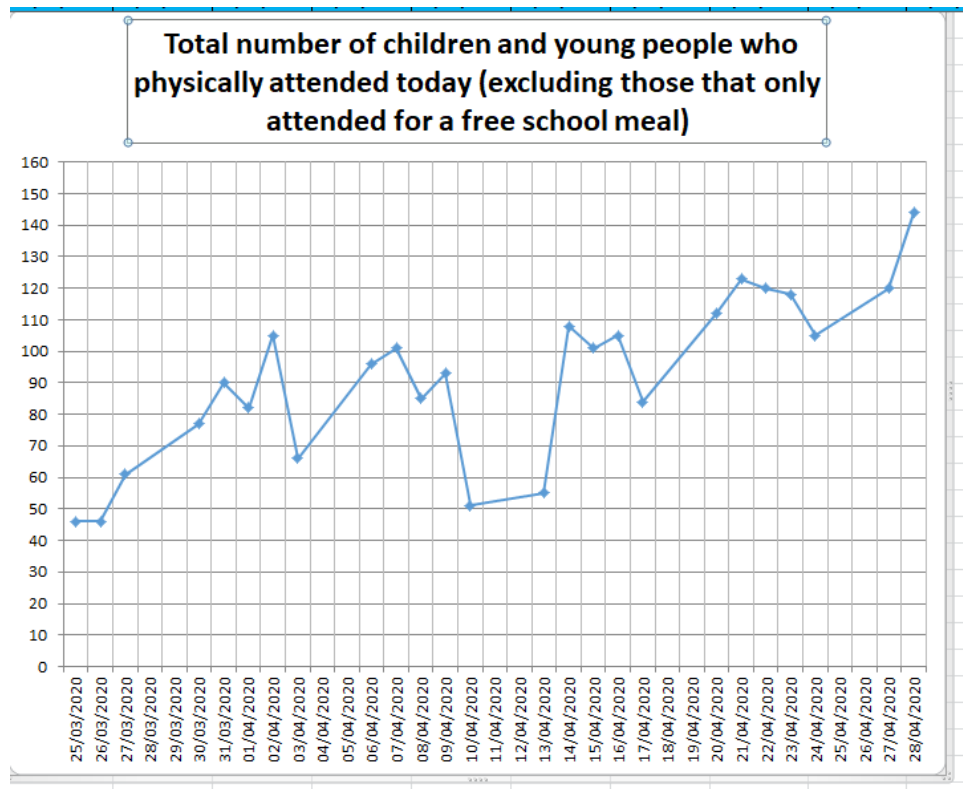
30 April 2020

Service Impact	Reason	Reported to CMT	Supporting Report Yes – N/A	Implemented	Officer
Education, Communities & Organisational Development					
42. Expansion programme for COVID 19 testing for key workers was noted and process agreed for referring essential Council staff for testing.	To allow key workers to be able to return to work sooner when isolating due to symptoms or living with someone with symptoms.	27.04.20	Yes	29.04.20	SMcN
Environment, Regeneration & Resources Directorate					
<u>Environmental & Public Protection</u>					
43. Separate Brown Bin collections and the sale of permits resumed on 27 April 2020.	To restore service provision for garden waste collection in line with Executive Sub Committee approval at the earliest feasible opportunity.	27.04.20	N/A	27.04.20	MMcN
<u>Finance</u>					
44. No further properties to be added to the Long Term Empty Property Levy list for 3 months to 16 June 2020 and review requests for this temporary exemption where it is clear current lock down has prevented removal from the levy.	To reflect impact on housing market and renovations and to be equitable in situations clearly outwith owners' control.	Yes	Yes	27.4.20	AP

<u>Legal & Property Services</u>					
45. Formal request for transfer of ownership interests in lease of multi-storey car park and shops at West Stewart Street/ Kilblain Street, Greenock	Recent marketing of building which is subject of 121 year lease (80 years unexpired) and compliance with original 1979 lease.	Yes	Yes	28.4.20	GM
<u>Regeneration & Planning</u>					
46. Amendment to General Permitted Development Order for local authorities and health boards	Scottish Government	No	N/A	24.04.20	SJ
Health and Social Care Partnership					
47. New fostering process agreed to allow register staff to become temporary foster carers	The need to recruit fostering carers quickly as COVID impact current availability of foster carers and reduction in external placements	Yes	Yes	28.04.20	LL

APPENDIX 2

Attendance at Childcare Hubs up until 28.4.20



Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Chief Financial Officer	Report No:	FIN/40/20/AP/LA
Contact Officer:	Alan Puckrin	Contact No:	01475 712223
Subject:	The Council's Financial Position – Update		

1.0 PURPOSE

- 1.1 The purpose of this report is to update the Sub-Committee on various matters in relation to the Council's finances.

2.0 SUMMARY

- 2.1 With the suspension of the normal Committee cycle, Members have not received the normal Budget Monitoring information. Working remotely, Officers from the accountancy team have prepared a period 11 monitoring report for each Service Committee and this has been collated into the Policy & Resources summary attached at Appendix 1. From this it can be seen that there was a projected surplus of £2.685million as at period 11 which is an increase in surplus of £90,000 from the period 10 position reported in March. The projected Contingency Reserve balance at 31 March is £3.77million which is £30,000 below the 2 % level set out in the Reserves Policy.
- 2.2 The Sub Committee are asked to note that due to many senior officers carrying out critical tasks associated with the COVID-19 pandemic, it has not been possible to have the same interaction with budget holders in the preparation of the period 11 position but Officers are confident that no major adverse financial movements occurred in the final weeks of 2019/20. The final out turn position is intended to be reported to the Policy & Resources Committee in August 2020.
- 2.3 Appendix 2 provides a summary of the 2019/22 Capital Programme position based on recent reviews by officers. From this it can be seen that slippage is estimated to be 17.2% which is an increase of 3.2% from the March Policy & Resources Committee. It should be noted that expenditure has still to be posted to 2019/20 in respect of internal fees/recharges and retentions, thus explaining the gap between actual and projected expenditure.
- 2.4 As is the case each year, a report will be presented to the August Policy & Resources Committee explaining the main reasons for movement between the approved Budget and Out-turn. This report will also include revised phasings and projections for the 2020/23 Capital Programme based on officers assessment of the impact of the COVID-19 shut down.
- 2.5 The 24th March Policy & Resources Committee received an initial assessment of the potential financial implications facing the Council arising from COVID-19. This assessment was made in advance of clarification from the UK and Scottish Governments regarding support for Councils to meet the large volume of unbudgeted costs. Following confirmation of approximately £3.5 billion in "consequential" funding from the UK Government, the Scottish Government have announced several funding schemes to either provide direct support to Councils or where Councils are to act as agents to administer support on behalf of the Scottish Government. The details of these supports and the current position of each funding stream are captured in Appendix 3.

- 2.6 The Council is required to provide Cosla with a fortnightly update of its assessment of additional costs/income reductions arising from COVID-19 whilst a weekly update is provided by the IJB Chief Financial Officer of the estimated financial impact on the IJB. Appendix 4 summarises the main items from both returns.
- 2.7 The Sub-Committee has previously approved that any unbudgeted costs in relation to Covid-19 not met by other funding sources will be initially funded from the Council's Contingency Reserve and the net projected costs can currently be contained within this allowance. It should be noted that the impact on the Reserves Strategy and future years' Budgets will require to be reviewed as part of the 2021/23 Budget and incorporated into an updated Financial Strategy which it would be planned to present to Members over the summer.
- 2.8 The Sub-Committee has previously received updates in respect of potential payments to partners and suppliers for areas where the usual level of service is not being delivered. An update is attached as Appendix 5. Officers continue to liaise with early years' providers, school transport operators and a number of local community organisations. There remains a concern that even if the Council continues to fund some organisations at 100% of budgeted levels, this will not be sufficient to ensure that some businesses are sustainable and therefore it is vitally important that all these organisations access all other forms of income available from the UK and Scottish Governments in addition to approaching the Council for support.
- 2.9 The period April to June each year is when the Council prepares the Annual Accounts for audit. Officers in Finance supported by officers in the services have been striving to continue with the timescales and processes of previous years however this will be challenging due to the absence of key staff/information and as such it is anticipated that the timetable could slip. The Scottish Government has proposed that the accounts approval timescale could slip by 2 months to the end of November 2020 and has asked individual Councils to liaise with their external auditors to agree a revised timetable. Updates on progress with the annual accounts and the revised timetable will be advised to the Sub-Committee.
- 2.10 A related matter with the Audit of the Accounts is the consideration by Members of the 2019/20 Management Report. This would usually be considered by the Audit Committee. The report has been received from Audit Scotland and identifies a number of items around financial governance. Officers' responses are incorporated. The document is attached at Appendix 6 for comment and noting.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Sub-Committee notes the period 11 Revenue Budget position and latest position of the 2019/22 Capital Programme.
- 3.2 It is recommended that the Sub-Committee notes the updated position in respect of Scottish Government funding set out in Appendix 3 and the latest assessed financial impact on the Council and Social Care as set out in Appendix 4.
- 3.3 It is recommended that the Sub-Committee notes the current position in respect of support for suppliers and partner organisations set out in Appendix 5.
- 3.4 It is recommended that the Sub-Committee notes the Management Report 2019/20 prepared by Audit Scotland.

Policy & Resources Committee
Revenue Budget Monitoring Report
Position as at 29th Feb 2020

Committee	Approved Budget 2019/2020	Revised Budget 2019/2020	Projected Out-turn 2019/2020	Projected Over/(Under) Spend	Percentage Variance
	£,000's	£,000's	£,000's	£,000's	
Policy & Resources	18,225	15,654	13,634	(2,020)	(12.90%)
Environment & Regeneration	23,895	23,695	23,434	(261)	(1.10%)
Education & Communities (Note 1)	88,362	86,875	86,919	44	0.05%
Health & Social Care	50,529	50,522	50,368	(154)	(0.30%)
Committee Sub-Total	181,011	176,746	174,355	(2,391)	(1.35%)
Loan Charges (Including SEMP)	12,075	16,807	16,807	0	0.00%
Savings Achieved Early (Note 2)	46	46	0	(46)	(100.00%)
Saving Approved yet to be allocated (Note 3)	(128)	0	0	0	0.00%
Unbudgeted Covid Expenditure (Note 4)	0	0	44	44	#DIV/0!
Contribution to / (from) Statutory Funds	(240)	(240)	(240)	0	0.00%
Earmarked Reserves	0	2,627	2,627	0	0.00%
Total Expenditure	192,764	195,986	193,593	(2,393)	(1.22%)
Financed By:					
General Revenue Grant/Non Domestic Rates	(160,575)	(164,627)	(164,823)	(196)	0.12%
Contribution from General Reserves	(830)	0	0	0	0.00%
Council Tax	(31,359)	(31,359)	(31,609)	(250)	0.80%
Integration Joint Board - Use of Reserves	0	0	154	154	100.00%
Net Expenditure	0	0	(2,685)	(2,685)	

Note 1 - Reduction reflects loans charges and earmarked reserves.

Note 2 - Early achievement of savings removed from Education and Committee budget.

Note 3 - Approved saving to be removed from Service Committee budgets.

Capital Programme - 2019/20 - 2022/23

Agreed Projects

Committee	A	B	2019/20	C	D	E	2022/23	F	G	H	I	J
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Policy & Resources	522	253	505	423	423	423	423	-	2,126	2,126	-	247
Environment & Regeneration	53,840	11,222	11,753	16,171	16,171	6,850	6,850	230	100,066	100,066	-	9,621
School Estate	5,367	7,393	6,572	4,487	4,487	2,759	2,759	1,001	27,579	27,579	-	6,607
Education & Communities (Exc School Estate)	248	1,411	263	1,018	1,018	926	926	-	3,866	3,866	-	1,411
HSCP	582	885	371	3,923	3,923	3,500	3,500	-	9,261	9,261	-	844
Total	60,559	21,164	19,464	26,022	26,022	14,458	14,458	1,231	142,898	142,898	-	18,730

COVID 19 – SCOTTISH GOVERNMENT FINANCIAL SUPPORT TO COUNCILS

<u>Measure</u>	<u>Current Position- 27.4.20</u>	<u>Council position/impact</u>
<p>1/ a) Non Domestic Rates (Cost £0.972 Billion) 1 Year rates holiday for all retail, hospitality and leisure properties from 1.4.20. b) 1.6% relief on all properties from 1.4.20.</p>	<p>Government have approved a funding change reducing the Council NDR target by £6.8million and replacing this with Revenue Grant. Relief to be applied to 2020/21 NDR Bills. Letters sent to all Ratepayers advising that Annual Billing will be delayed. Software providers making changes to allow relief to be applied to 2020/21 NDR Bills. Target late June/early July 2020 for billing.</p>	<p>Cash flow impact due to delayed billing but GRG re-profiled so minimal net effect. The Council as a Ratepayer will have a one off saving of around £70,000 from the 1.6% relief</p>
<p>2/ a) Grants to Businesses –Ph1 (Cost £1.188 Billion) £10,000 grant for all SBBS qualifying businesses including those which qualify for rural & Early Years relief. b) £25,000 grant for all businesses in retail, leisure and hospitality sector for RVs between £18,000 and £51,000.</p>	<p>Guidance finalised 30.3.20. Councils has a dedicated team removed from other duties of 8 individuals working on processing claims. As at 27.4.20 760 applications received and 438 grants totalling £4.9 million paid. Government paid Council £10.6 million on 1.4.20 to fund the estimated payments. Government officials advise that it is too early to discuss what happens to any underspends.</p>	<p>The Revenues team are processing claims in line with the guidance which continues to be refined weekly. Internal Audit providing support and networks flagging up any potential fraud attempts.</p>

3/	<p>Business Support- Ph2 (£220million)</p> <p>a) £120million to extend the current Business Grant Scheme for multiple property owners/rate payers</p> <p>b) £100million to protect newly self –employed and viable micro/SME Businesses</p>	<p>Aim is to provide 75% funding to all subsequent eligible applications above those covered by Point 2 above. Details awaited and aim is to implement by 5th May.</p> <p>Councils to administer the self-employed element at an estimated cost of £34million on the basis of a simple application form. To be implemented from end of April</p> <p>SE to administer SME funding (£66million)</p>	<p>Web Site and Forms will need to be updated once details are received.</p> <p>Being managed by the Business Development Team. Form on the website and first applications received.</p>
4/	<p>Hardship Fund (£50 million)</p> <p>Flexible funding for Councils to meet extra costs not covered in other UK or SG supports.</p>	<p>Letter confirming Council funding received 20/3/20.</p>	<p>Council receiving £749,000 towards costs in Appendix 4 which greatly exceeds to sum allocated.</p>
5/	<p>Scottish Welfare Fund (£45 million)</p> <p>Funding on top of the annual £35 million SWF funding.</p>	<p>Government have advised that £22million is being distributed at this time and £23million to be allocated where need is demonstrated.</p> <p>Council currently increasing awards by 20% and have increased the SWF team to meet demand.</p>	<p>Council share is £447k giving a total SWF grant budget of £1.278million for 20/21.</p> <p>Crisis Grant claims up by around 100% in the first 6 weeks. Team very busy but coping with demand.</p>

6/	<p>SSSA Benefits & Council Tax Reduction (£50 million)</p> <p>Split to be confirmed.</p>	<p>Have moved to phone based application process.</p> <p>Government have advised that the first £10million of CTR costs should be met by Councils as CTR is currently "over funded" in the settlement.</p> <p>No details on SSSA Benefits as this will not be administered by the Council.</p>	<p>Increased workload for Benefits & Customer Services. Backlog in CTR processing and resources being redirected to reduce this.</p> <p>Estimated share of the £10million cost is £200k and included in Appendix 4.</p>
7/	<p>Supporting Communities Fund (£40 million)</p> <p>To address social isolation, distancing and to go to Community Groups.</p>	<p>£10million released in mid-April to Community Anchor organisations. Cosla lobbying for Councils to have a role in distributing the remaining £30million.</p>	<p>Officers liaising with CVS to ensure they have the capacity to deliver.</p>
8/	<p>Food Fund (£70 million)</p> <p>For organisations to address food insecurity, especially older people and families who may not be able to rely on free school meals. To be partly administered by Councils.</p>	<p>Government have advised that £30million is to go to Councils at this time for FSM/Holiday Hunger plus support for the vulnerable. Concerns raised that this is not enough based on a 14 week shut down.</p> <p>£30million for food to Shielded Group being administered by Government and £10million for national organisations eg Fareshare.</p>	<p>Council share of the £30million in £565k.</p> <p>P&R Exec Sub advised of proposals. FSM payment numbers have increased for Early Years/ASN.</p> <p>Approx 3300 direct payments to bank accounts, operating smoothly.</p>
9/	<p><u>3rd Sector Partners Fund (£50 million)</u></p>	<p>These will not be administered by the Council</p>	<p>No role for Council but may reduce requests from 3rd sector for support.</p>

<p>10/ <u>Scottish Crown Estates (£7.2million)</u></p>	<p>Government announced that 2019/20 funding could be used flexibly to support communities impacted by COVID. Cosla pushing for early clarification of 2020/21 funding.</p>	<p>Negligible impact in Inverclyde as the Council received under £3.5k in 2019/20.</p>
<p>11/ <u>Consequential -20 April (£155million)</u></p>	<p>Funding derived from £1.6billion support for English Councils announced on the 20 April. Cosla lobbying for all this funding to come to Councils</p>	<p>Awaiting further details but indications are this may already be included in announcements made.</p>

COVID 19 - Main Areas of Expenditure

Area of Cost/Income Lost	Estimate £'000
Health & Social Care Partnership - IJB Return (See note 1)	
Fitzgerald Centre - Suspend Day Service. Loss of income	81
Homecare Commissioned Services	300
Homelessness Service - Security Costs	54
23 TFA's	276
Bed & Breakfast Support	128
50 Care Home Beds	1,976
Additional Staffing Costs across Directorate	1,243
3.3% Living Wage uplift on Care at Home Provision	135
Other Expenditure Areas	25
Gross Expenditure - Integrated Joint Board	4,218
Education, Communities & ODHR - Local Authority Return	
Inverclyde Leisure	450
Payment of School Meal Grant - Provide families who are entitled to a free School meal with £25 per fortnight.	530
Belville Community Gardens - Provide food parcels	30
Foodbank 158	20
HSCP Hot Food Provision for the Elderly	60
Loss of School Meal Income	245
Loss of Wraparound income	100
School Trips - Maximum potential loss of £287k depending on liability.	287
Lower Provision of School Meals	(200)
Other Expenditure Areas	17
Environment, Regeneration & Resources - Local Authority Return	
Building Services:	
Reduction in Rev/ Capital income	66
Planning income - reduction in demand	348
Suspension of Parking Charges	
- Parking Charges	70
- Penalty Notices	70
Suspension of normal Waste Collection procedures - all waste to be collected via Residual Waste.	
- Additional Cost of Landfill	208
- Loss of external income	228
- Reduced cost of landfill from reduced external income	(116)
ICT: Additional licences and equipment to support mobile working, staff overtime	56
Statutory Additions Income	118
Prior Years Council Tax Income	140

Assumptions	Comments
Note 1	Costs reflect Government assumptions of length of extra cost period.
6 months	Loss of income due to suspension of all day services
6 months	Paying providers on planned hours rather than actual, anticipated additional cost.
6 months	Additional security at Inverclyde Centre
12 months	Net cost of additional 23 flats.
12 months	Based on an extra 10 B&B rooms each night
12 months	Purchase of 50 extra beds at gross cost of £39,500 per year.
6 months	Based on 10% across all services per Government advice. Officers reviewing
12 months	£135k is additional cost of 1.1% above what was built into budget.
6 months	Loss of income and delivery costs.
	Assumed to be funded by Health Directorate and IJB
3 months	Based on net income loss for Inverclyde Leisure after the furlough scheme.
3 months	Largely funded from additional Scottish Government COVID funding.
3 months	Largely funded from additional Scottish Government COVID funding.
3 months	Largely funded from additional Scottish Government COVID funding.
3 months	Largely funded from additional Scottish Government COVID funding.
3 months	Largely funded from additional Scottish Government COVID funding.
3 months	Schools individually discussing with travel companies.
3 months	Saving in material costs of school meals.
3 months	Loss of Library/Museum Income
One off	2019/20 impact only, 2020/21 being assessed.
6 months	Estimate 6 months with no income
6 months	
6 months	
3 months	Relates to trade waste, tipping permits and bulky uplifts.
3 months	Relates to trade waste, tipping permits and bulky uplifts.
3 months	
One Off	£44k committed to date, up to £12k on additional licences and assumed overtime over the public holidays
40% reduction	
40% reduction	

COVID 19 - Main Areas of Expenditure

Area of Cost/Income Lost	Estimate £'000
Scottish Welfare Fund	
- Crisis Grants	372
Other Expenditure Areas	50
Corporate Expenditure - Local Authority Return	
Cashflow: NDR Income	20
Cashflow: Council Tax Income	45
Council Tax, Loss of Income due to reduced collection levels	630
Reduction in Internal Resources Income due to low interest rates	180
Council Tax Reduction	630
Gross Expenditure -	4,654
Government Grant - Food Insecurity	(565)
Government Grant - Scottish Welfare Fund	(447)
Government Grant - Hardship Fund	(749)
Net Expenditure	2,893

Assumptions	Comments
12 months	Funded by increased Scottish Government Grant.
	Loss of income/overtime and other sundry costs.
	Based on delays to annual billing.
	Downturn in Council Tax receipts.
	2% reduction in collection in 2020/21.
	50% reduction due to low interest rates and poorer cashflow.
	10% increase in CTR expenditure.
	Current projected spend is £640,000
	Projected spend is £372,000.
	Share of £50million Grant

COVID 19 – Supplier/Community/Provider Support

Appendix 5

<u>Organisation/Sector</u>	<u>Request from Supplier/Sector</u>	<u>Position – 27,4,20</u>	<u>Cost £000</u>	<u>Contained in budget £000 Y/N</u>
School Transport Providers	Continue payments to the end of the summer term	<p>Councils requested to consider paying providers subject to local review. Payment for period to mid-March made mid April at 100% of contract rate.</p> <p>All providers were written to by SPT asking to supply relevant financial information. Once received 100% of next payment will be released to the provider whilst officers review information and decide on level of payments to the end of the summer term.</p> <p>Report due to Sub-Committee before May payment is made (in mid-June)</p>	April- June quarter £600k	Yes
Early Years Providers	Continue with SLA payments	<p>Scottish Government guidance issued asking Councils to consider paying contracted payments in full to Providers.</p> <p>Officers have paid 100% of April payment and requested financial information. Information received from 4 of the 5 Providers and 100% payments agreed for these 4 for May/June.</p> <p>HMRC advice is that it expects that public funded payments will continue and furlough payments can only be applied for privately funded income.</p>	£70-80k/month if 100% paid	Yes Government Ring Fenced Funding

Beacon	Continue with SLA payments	Beacon closed. BAC also progressing other supports (80% furlough scheme etc) Creative Scotland have confirmed payment of their contracted £50k in April. Currently unlikely extra funding will be needed unless there is a prolonged shut down. Awaiting updated cash flow.	£50k/quarter	As things stand Yes
Inverclyde Leisure	Extra support above Management Fee & Free Swimming subsidy	SLA payments continuing. IL partly mitigating the £400-450k a month income loss and have applied to the furlough scheme. A funding gap of around £150k/month remains. Discussions on going but at this time it is proposed to defer IL reimbursing Council for payroll costs pending open book review of the impact once hard information is available.	£120k/month in the budget Up to £150k/month for loss of income	No
Elderly Care Day Centres: Muirshiel and Crown Care	Continue SLA payments whilst service delivery is redirected to support HSCP COVID response	Agreed by CMT 9.3.20	TBC	Yes
Home Care Providers	Continue to honour contracted visits and potentially meet extra agency costs	Agreed to pay based on Planned hours rather than actual. This adds about £50k/month to the cost. 3.3% Living Wage cost increase to Providers will add a further cost to the IJB but will be reclaimed from the Government	Extra cost of £50k/month excluding the Living Wage uplift	No.

Sheriff Officers	Increase Commission per clause in the contract	At the request of the Council the Sheriff Officer has suspended new enforcement action and this has had a material impact on income levels.	Up to £2k/month for 2 3 months	No

E4i PPP Schools	Continue to pay monthly UC	Service comfortable that e4i are continuing to make schools available and will be delivering other parts of their contract whilst the schools are closed and as such payments should continue.	£850k / month	Yes
Ind & Commercial Tenants	Rent Holidays/Deferrals	Based on a comprehensive round robin of Councils the position nationally is to treat each case on its merits and to be sympathetic re time to pay but no rent holidays. Many businesses will receive support from the SG Business Grants, have no or limited NDR liability in 20/21 and could access the UK 80% wage subsidy fund.	No net extra cost	Yes
Supported Living Service	Treat the same as Home Care Providers ie pay on planned rather than actual hours	Different market from Home Care as involves some very big organisations. CMT agreed to pay average of last few months.	£600k/ month	Yes
Community Transport Organisations	Continue current funding levels	IVCSS and Port Transport have been supporting the transport and delivery of meals/food and are invoicing for mileage incurred charged to the COVID budget. Potential for early release of 20/21 Grants to Voluntary Organisations payment if required.	TBC	No
Self-Managed Community Centres	Confirm 2020/21 Grant funding level	Officers are requesting similar information to that sought from Early Years providers. Recognised that there has been a drop off in income but also that other funding streams may be available. Plan to conclude during May.	£127k/ quarter	Yes

Inverclyde Council

Management report 2019/20



 AUDIT SCOTLAND

Prepared for Inverclyde Council

April 2020

Audit findings

Introduction

1. This report contains a summary of the key issues identified during the interim audit work carried out at Inverclyde Council. This work included testing of key controls within financial systems to gain assurance over the processes and systems used in preparing the annual accounts. We will consider the results of this testing when determining our approach to the audit of the 2019/20 annual accounts.

2. Our responsibilities under the [Code of Audit Practice](#) require us to assess the system of internal control put in place by management. We seek to gain assurance that the audited body:

- has systems of recording and processing transactions which provide a sound basis for the preparation of the financial statements
- has systems of internal control which provide an adequate means of preventing and detecting error, fraud or corruption
- complies with established policies, procedures, laws and regulations.

3. We also carried out work on the audit dimensions as required by the [Code of Audit Practice](#). This focussed on financial management and financial sustainability, governance and transparency and value for money

COVID-19

4. The audit work contained in this report pre-dates the COVID-19 global pandemic and our audit approach may require further revision once we are clearer about the accounting and auditing frameworks that will apply to the audit of the 2019/20 financial year.

Conclusion

5. Overall, we found the key controls in place within Inverclyde Council's main financial systems operate satisfactorily. We identified several control weaknesses covering the timely completion of bank reconciliations, authorisation of access privileges for new users of the CHRIS system and preparation of debt write-off reports. These are detailed in [Exhibit 1](#) and we will be carrying out additional work in response to three of these findings as part of our audit of the 2019/20 financial statements.

6. The weaknesses identified represent those that have come to our attention during the course of normal audit work and therefore are not necessarily all the weaknesses that may exist. It is the responsibility of management to decide on the extent of the internal control system appropriate to Inverclyde Council.

7. All our outputs and any matters of public interest will be published on our website: www.audit-scotland.gov.uk.

8. The contents of this report have been discussed with relevant officers to confirm factual accuracy. The co-operation and assistance we received during the course of our audit is gratefully acknowledged.

Internal control systems and action plan

9. In accordance with *ISA 330: the auditor's response to assessed risk*, our risk-based audit approach allows us to take a three-year cyclical approach to controls testing. This approach enables us to place reliance on previous years' audit work once we have confirmed that the control environment and operation remain unchanged and no significant weaknesses had been identified.

10. Our 2019/20 testing covered key controls in a number of areas including bank and feeder system reconciliations, payroll controls (including starters, leavers, validation and exception reporting), authorisation of journals, changes to supplier bank details, second officer checks over payments, controls over changes to standing data and IT access. Additionally, our testing covered key areas for preventing and detecting fraud including the issuing of credit notes, the awarding of discretionary discounts and grant payments. We also assessed the financial controls within social work services for care payments which also supports the assurances required for the audit of the Inverclyde Integration Joint Board.

Additional audit work due to systems weaknesses

11. Interim testing has identified systems weaknesses which require us to reconsider our audit procedures. We have identified a need to undertake additional audit work during our financial statements audit as follows:

- We will review year end bank and feeder system reconciliations and sample test any significant reconciling items (see [Exhibit 1](#) Key controls reconciliations)
- We will review access privileges for new users of the CHRIS system to ensure that appropriate access rights have been granted (see [Exhibit 1](#) Payroll system access)
- Our substantive testing of payroll expenditure during the financial statements audit will include checks on a small sample of payroll reductions between April 2019 and May 2019 as a result of the weakness identified (see [Exhibit 1](#) Payroll exception reports)
- In 2018/19 we were advised that an electronic solution was put in place to address our concerns relating to confirmation of standing data for employees. However, returns for some services have not been made to validate the payroll standing data. We will substantively test a sample of paid employees to ensure they exist as current employees of the council, through confirmation to other records (see [Exhibit 2](#) Payroll validation).

Exhibit 1 Key findings and action plan 2019/20

Issue identified	Management response	Responsible officer / target date
<p>Key control reconciliations</p> <p>Testing identified instances where bank reconciliations had not been prepared or authorised until up to two months after the period end. We also identified instances where monthly payroll and trade receivables reconciliations had not been</p>	<p>Management will formally remind all staff involved in preparation and authorisation of bank reconciliations that these should be completed within the appropriate timescales.</p>	<p>Finance Manager, May 2020</p>
<p>Management will ensure that payroll reconciliations will be authorised by</p>	<p>Payroll & Admin Team Leader, May 2020</p>	

Issue identified	Management response	Responsible officer / target date
<p>authorised until up to two months after being prepared.</p> <p>A delay in preparing and/or authorising reconciliations increases the risk of error in the ledger.</p>	<p>the 19th of the month following period end.</p>	
<p>Payroll system access</p> <p>We found that authorisation of access privileges for new users of the chris21 system could not be provided.</p> <p>The Council's Information Systems Access Policy requires that system access is not granted to any user without appropriate approval. Authorisation is normally granted following receipt by the Systems Administrator of an email request from the service department. However, following recent staff changes, these were not retained.</p> <p>Confirmation should be retained where authorised users have been granted access and that users have been limited to specific defined, documented and approved applications and levels of access rights.</p>	<p>Management will review the process for maintaining access for chris21 users.</p> <p>Confirmation will be retained where authorised users have been granted access including limits for access rights.</p>	<p>Organisational Development Team Leader, June 2020</p>
<p>Payroll exception reports</p> <p>Our testing identified that all system generated reports have been investigated with the exception of pay reductions in the May 2019 pay run. We are advised that this was because the April 2019 pay run included large amounts of back pay and almost 800 employees appeared on the reductions list.</p> <p>Transactions on exception reports should be checked on at least a sample basis to ensure that they are fully supported and accurate.</p>	<p>Management will continue to undertake exception and sample testing on a regular basis to maximise the detection of errors.</p>	<p>Payroll & Admin Team Leader, May 2020</p>
<p>Debt write offs</p> <p>Our testing confirmed that regular quarterly write-off reports have not been carried out since July 2019. These reports are run to monitor and confirm debts to be written off in accordance with the Council debt recovery policy.</p> <p>There is a risk that debt to be written off in accordance with Council policy is not being identified.</p>	<p>This has occurred due to long term staff absence in a small team. Management will ensure a write-off report covering the period from July 2019 is produced, thereafter quarterly reports will be reintroduced.</p>	<p>Revenues & Debt Recovery Supervisor, June 2020.</p>

Source: Audit Scotland

2018/19 risks and action plan update

12. Our 2018/19 management report identified three control weakness which were reported to the Audit Committee in April 2019. [Exhibit 2](#) outlines the progress made by management where planned action was agreed in response to the audit recommendations made.

Exhibit 2

Key findings and action plan 2018/19

Issue identified	Management response, responsible officer and target date	Progress
<p>Audit findings</p> <p>Payroll validation</p> <p>Payroll validation is no longer performed by payroll or HR staff. Service managers are expected to review payroll standing data and report any errors or changes to payroll on an ad hoc basis.</p> <p>Nil returns are not required therefore there is no evidence that this control is operating.</p> <p>Without positive confirmation, there is an increased risk of incorrect payments being made due to inaccurate payroll records.</p>	<p>A quarterly temporary workers report is sent out to services detailing anticipated end dates so services can identify and take action where necessary. As part of the Bottom Up Budgeting process, information is collated annually on all employees by service and cross referenced with chris21 information so any discrepancies can be highlighted.</p> <p>A six monthly validation template report will be set up on chris21 (with information on Post, Designation, Grade, Salary, Hours, Term Time) – a six monthly email will be sent out to Service Managers asking them to run the report, check, and advise of amendments, or submit a nil return.</p> <p>HR Manager/Payroll and Admin Team Leader,</p> <p>First Validation Report July 2019</p>	<p>An electronic solution, to address our concerns, was put in place last year. This allowed each Service to run their own extracts from chris21 to confirm standing data for their employees. This electronic solution was initially tested within Education Services but there have been some difficulties experienced and it has now proved to be inefficient and problematic. In order to address this matter payroll distributed validation lists to Heads of Service (as previously done) in January 2020 for dissemination to Service Managers. However, returns for some services have not been made to validate the payroll standing data. Management will continue to explore an improved electronic solution for data verification in the longer term.</p> <p>Recommendation partly implemented.</p>
<p>Payroll system access</p> <p>Sample testing identified one member of HR staff who had inappropriate read/write access to the CHRIS system. The permissions reflected those a Manager would have.</p>	<p>The service has commenced a full review of menu roles and access privileges to highlight any anomalies and will use this User Privileges</p>	<p>The department undertook an extensive review over user access to the payroll system in June 2019. This highlighted some anomalies and</p>

Issue identified	Management response, responsible officer and target date	Progress
<p>There is a risk that users have inappropriate access rights and are able to make unauthorised changes to the payroll system which could result in fraud or financial loss.</p>	<p>Report on a six-monthly basis going forward.</p> <p>HR Manager/Payroll and Admin Team Leader,</p> <p>Initial Review complete, first 6 monthly review June 2019</p>	<p>inappropriate access rights that were then corrected. Management have since taken the view that an annual review is sufficient and do not plan to undertake a further review until June 2020.</p> <p>Recommendation implemented, however see Exhibit 1 Payroll system access.</p>
<p>Key control reconciliations</p> <p>Testing identified instances where monthly payroll reconciliations had not been authorised until up to two months after being prepared. A failure to properly document and/or authorise reconciliations increases the risk of error in the system.</p> <p>There is an increased risk of error in the system not being identified.</p>	<p>The Finance Manager will formally remind all those involved in the preparation and approval of reconciliations that signatures are required in all cases.</p> <p>Finance Manager, July 2018</p>	<p>Testing of key control reconciliations in 2019/20 did not identify any instances where the preparer or person authorising had not appropriately evidenced this. However, there were instances where monthly payroll and trade receivables reconciliations had not been authorised until up to two months after being prepared.</p> <p>Recommendation partly implemented (see Exhibit 1 Key control reconciliations).</p>

Wider Dimension Audit Work

Financial Management

Budget monitoring projects a year-end surplus for 2019/20

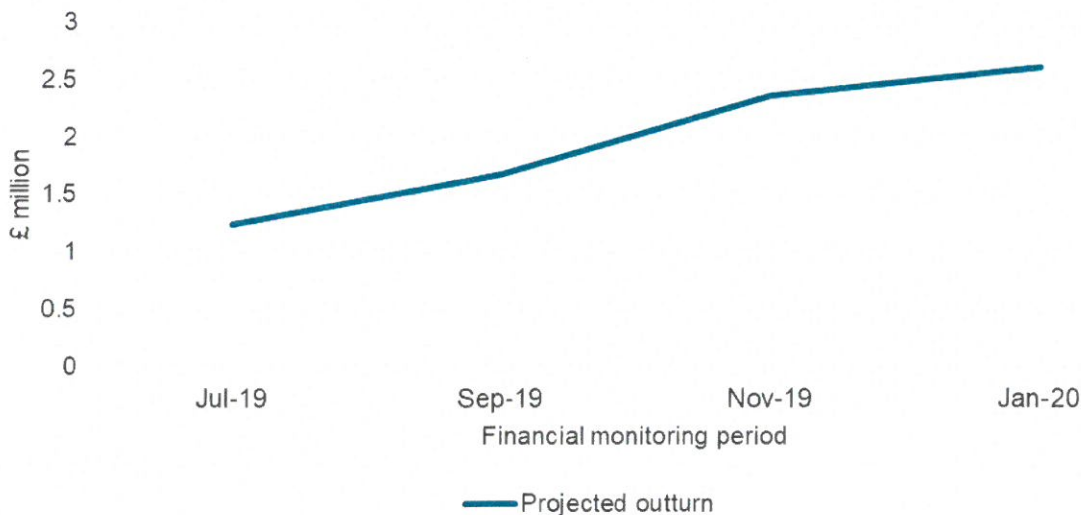
13. The council effectively monitors the budget position through bi-monthly budget monitoring reports to the Corporate Management Team and the Policy and Resources Committee. In addition, performance against budget for each service area is reported to the relevant service committee. Detail of how the year end outturn position has developed throughout 2019/20 is included in [Exhibit 3](#).

14. Financial forecasting is an embedded part of management and reporting within the council. From our review of budget monitoring reports, we have concluded that they provide an accurate overall picture of the budget position at service level and include good narrative explanations for significant variances against budget. This allows both members and officers to carry out effective scrutiny of the council's finances.

Exhibit 3

Outturn reporting of the projected year-end surplus during 2019/20

An increasing year-end underspend (including IJB) has been developing throughout the year



Source: Inverclyde Council Revenue Budget Monitoring Reports

The 2019/20 outturn was forecast to be a surplus of £2.6 million at 31 January 2020. This included unused inflation contingencies of £1.1 million

15. The most recent revenue budget monitoring report shows that the 2019/20 revenue outturn is forecast to be an underspend of £2.6 million (1.3%). This is mainly due to release of non-pay and pay inflation contingency not required, a projected over recovery of Internal Resources Interest from the loans fund and a one-off projected underspend due to a reduction in NDR payable for schools relating to prior years.

16. Inflation contingencies of £1.1 million were not required. We reported in our 2018/19 Annual Audit Report that the year-end outturn for at least the last three

years has included a saving due to inflation contingencies not being used (£1.2m in 2018/19; £1m in 2017/18 and £0.4m in 2016/17). This would suggest that inflation contingencies were again set too high in 2019/20.

17. The Chief Financial Officer has explained that the reason this level of inflation contingencies were not required in 2019/20 is that the teachers' pay award and pension increase was not finalised when the budget was set and the Scottish Government had not confirmed how much was being funded centrally.

18. We will review the council's budget setting process for 2020/21 and provide an update in our 2019/20 Annual Audit Report. However, we are informed that the 2018/19 action has been completed with contingencies reviewed and significant reductions made.

Financial sustainability

The 2020/21 budget is based on achieving further savings of £5.8 million

19. The 2020/21 budget was approved by the council in March 2020. The budget was set at £198 million after closing an initial funding gap of £6.7 million through savings of £5.8 million and a 3% council tax increase (£0.9 million). The approved proposals have also resulted in a further general increase of 3% in fees and charges, as well as the loss of 18.5 FTE posts.

20. The council's Members' Budget Working Group (MBWG) has continued to work together successfully. Difficult decisions have been made after careful consideration and debate across political parties. This includes increases in fees and charges and loss of posts, as noted above.

The council has a long-term financial strategy and a medium-term financial plan

21. We reported in our 2019/20 Annual Audit Report that the council has a good process in place for financial planning. The council's financial strategy covers the period 2019/20 to 2028/29. It is updated on a six-monthly basis and ensures that strategic initiatives that require long-term revenue and capital commitments are properly incorporated into the financial planning process. Such longer-term initiatives include the asset management strategy, school estates management plan and roads asset management plan.

22. The strategy provides detailed financial forecasts over the medium-term period 2020/21 to 2022/23 and identifies issues that will impact in the longer-term so that the council can plan ahead. Through this process, officers have identified that the council has a budget gap of £5.4 million in 2021/22 and an additional gap of £5.6 million over the period to 2023. This is a mid-range estimate. Optimistic and pessimistic scenarios for the period 2021 to 2023 are £2.8 million and £18.2 million respectively.

Governance and transparency

The council has made good progress in investigating National Fraud Initiative (NFI) matches and could consider a more proportionate future approach

23. The National Fraud Initiative (NFI) in Scotland is a counter-fraud exercise coordinated by Audit Scotland. It uses computerised techniques to compare information about individuals held by different public bodies, and on different

financial systems, to identify 'matches' that might suggest the existence of fraud or irregularity. NFI activity is summarised in [Exhibit 4](#).

Exhibit 4 NFI activity



2,788

Matches



2,746 (98%)

Completed/closed
investigations



10

In progress investigations

Source: NFI secure website: www.nfi.gov.uk

24. The council prioritises reviewing and investigating high risk matches but aims to investigate all matches. Since January 2019, when the matches became available, the council has investigated and closed 2,746 matches (98 per cent). To date the council have achieved outcomes from 146 cases concluded as fraud or error with a cumulative value of £27,719 and are progressing the recovery of a further 18 cases, with a cumulative value of £22,437. Outcomes are predominantly from single persons discount fraud or error.

25. The coverage of matches is extensive (98%), compared to our knowledge of other audited bodies and we have proposed that the council might consider introducing a proportionate risk-based approach to future match investigation work. In response, the council have confirmed that they will consider a proportionate, risk-based approach once clarity has been provided on the criteria for each of the categories (high, medium and low) used for the matches.

26. Internal Audit continues to regularly report the outcomes of the NFI exercise to the Audit Committee.

Value for money

Performance management arrangements have been developed with clear links between priorities, indicators and outcomes

27. Following the publication of the Accounts Commission's new [SPI Direction](#) in December 2018, the council carried out a review of its statutory and key performance indicators early in 2019. The aim of the review was to identify a set of measures that would help to demonstrate improved service delivery, linked to the achievement of the council's Corporate Plan organisational priorities and the delivery of outcomes.

28. Within the Corporate Plan 2018-22, each priority is detailed with specific performance indicators and has information on what outcomes are being contributed to by fulfilling that priority.

29. Performance against these indicators is reported within the Corporate Plan Annual Report each year. Each indicator is given a red, amber or green status depending on the performance and progress made. As per the 18/19 Corporate

Plan Annual Report, of the 48 measures for which there is new data available, 25 (52%) have a green status (improved performance), 10 (21%) have an amber status (small decline in performance) and 13 (27%) indicators have a red status (performance has declined by 5% or more). Four measures did not have information available. Each priority includes information surrounding the contributing factors which have resulted in the improvement or decline of each. It also provides details of the next steps to be taken for the indicators which have a red status.

30. The Corporate Plan Annual Report is just one element of the council's strategic planning and performance management framework. Another element is the annual SPI / KPI report. Both performance reports aim to provide a range of information that enables elected members and the public to make an informed judgement on the council's progress in delivering its organisational priorities and in turn, the delivery of improved outcomes for residents.

31. The Statutory and Key Performance Indicators Annual Report 18/19 sets out the Corporate Plan Organisational Priorities numbered 1-10. The report is then framed around these priorities where each KPI is linked to an Organisational Priority. The KPIs are then further explained with narrative explaining 'what the data tells us' as well as 'further information' on where it comes from.

32. The Corporate Plan established 10 organisational priorities for the council, 8 of which support the delivery of the Inverclyde Local Outcomes Improvement Plan (LOIP), with the remainder being 'enabling' priorities that focus on service delivery and its role as an employer. The LOIP sets out the same wellbeing outcomes that were already in place, and sets out three strategic priorities (Population, Inequalities, and Environment, Culture and Heritage). These were agreed from the conclusions of a strategic needs' assessment undertaken in 2017 by the Inverclyde Alliance. The local priorities are also linked to National Outcomes to ensure the alignment is clear. Indicators are also in place to ensure progress against outcomes can be measured.

33. The LOIP Annual Report 2018/19 highlights progress since the introduction of the new Outcomes Improvement Plan in 2017 using key performance data, examples of activities to demonstrate how we are working together to improve the local outcomes. A range of performance indicators have been identified to allow the Inverclyde Alliance to measure progress in achieving their three outcomes. The annual report includes a selection of performance indicators to illustrate how they are doing.

34. In relation to outcomes, progress can be seen in moving towards achievement of these and a clear link is in place between the desired outcomes and the performance indicators in place at both a local and national level. The 'what will be different in 10 years' section in each priority reflects the desired outcome and there is clear ambition and action towards getting there in the LOIP Annual Report.

35. A new 'council performance' web page has been created, which can be found on the performance page of the council's website. Each of the council's organisational priorities has its own web page with performance information collated in the one place, taken from the SPI / KPI report and the Corporate Plan Annual Report 2018/19.

36. A performance summary in the form of infographics has also been developed and is also on each individual page. The aim of this is to provide performance information in a more user-friendly format.

37. Overall, it is evident that performance management and reporting arrangements in place are good. There are clear links in place between corporate priorities, performance indicators, and desired outcomes and accessible reporting of these including KPIs.

Inverclyde Council

Management report 2019/20

If you require this publication in an alternative format and/or language, please contact us to discuss your needs: 0131 625 1500 or info@audit-scotland.gov.uk

For the latest news, reports and updates, follow us on:



Audit Scotland, 4th Floor, 102 West Port, Edinburgh EH3 9DN
T: 0131 625 1500 E: info@audit-scotland.gov.uk
www.audit-scotland.gov.uk

Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Chief Financial Officer/Chief Officer, Inverclyde Health & Social Care Partnership	Report No:	FIN/44/20/AP/LA
Contact Officer:	Alan Puckrin	Contact No:	01475 712223
Subject:	Death Registration Update		

1.0 PURPOSE

- 1.1 The purpose of this report is to update the Sub Committee in respect of changes to the Death Registration process which have occurred as a result of the COVID-19 pandemic, to provide information in terms of the number of deaths registered in Inverclyde and to update the Sub Committee on emerging analysis of the reasons for the high number of deaths within Inverclyde during this period.

2.0 SUMMARY

- 2.1 There have been a number of changes to the Death Registration process since the middle of March including the move to remote Death Registration and the provision of a 7 day a week Death Registration service. The Council's Registration team have continued to provide a high level of service during this period with death registrations being up to date.
- 2.2 From the outset of COVID-19 crisis, Officers had been recording deaths registered on a daily basis and quickly identified that Inverclyde was experiencing a significant increase in the number of death registrations and, appeared on the basis of the daily Scotland wide statistics to have a disproportionate number of COVID related deaths. This was formally confirmed when the National Registers of Scotland (NRS) announced COVID death figures at a Council level on the 22nd April. This information is now provided on a weekly basis.
- 2.3 Based on the NRS figures, of the 1616 registered by 19 April where COVID-19 appeared as the only or as a contributory factor on the Death Certificate, 76 (4.7%) were for individuals whose main residence was assessed to be Inverclyde. On the basis that Inverclyde makes up approximately 1.5% of Scotland population then Inverclyde, at the 19th April 2020, had over 3 times the average number of COVID related deaths.
- 2.4 Appendix 1 provides an analysis based on the number of COVID related deaths per 10,000 population based on the figures released by NRS on the 22nd April. A further column has been added based on Officers analysis based on the figures announced on the 29th April covering the period to the 26th April. From this it can be seen that there are only 2 other Councils within 50% of the Inverclyde rate of COVID deaths of 11.9/10,000.
- 2.5 A further worrying trend identified by Officers and now confirmed in the NRS analysis has been the significant increase in general deaths where COVID is not identified as a contributory factor. Within Inverclyde it is estimated for the 5 weeks ending the 26 April overall deaths were 135% higher than the 5 year average for the same period. After removing the 93 COVID related deaths, deaths in 2020 are still 46% higher. NRS reported statistics at a national level highlighting this issue and Officers have received this analysis from NRS at an Inverclyde level. Appendix 2 provides further analysis based on the information received.

- 2.6 Reports and analysis at a UK and Scotland level are identifying a number of factors which could potentially explain the higher number of COVID-19 related deaths and the general increase in deaths within Inverclyde. It is believed that health inequalities, social economic inequalities plus Inverclyde having an older population are all contributory factors. Officers are liaising with Public Health Scotland and the Greater Glasgow and Clyde Health Board Public Health experts to get further insight and updates will be reported back to Members via the IJB.
- 2.7 Based on the most recent Death Registration information and allied to what is being reported at a Scotland wide level it appears that Inverclyde may have passed the peak of COVID-19. However as Members will be aware, this situation could change depending on the impact of any lifting of current restrictions and the potentially cyclical nature of the pandemic.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Sub Committee note the contents of this report and the ongoing analysis and the support being received by Public Health Scotland, National Records Scotland and Greater Glasgow and Clyde Health Board.

Alan Puckrin
Chief Financial Officer

4.0 BACKGROUND

- 4.1 Until the middle of March, Registration Services were delivering face to face Death Registrations, Birth Registrations and Marriage service. In the 3rd week of March significant changes were made whereby all Birth Registrations and Marriage appointments stopped and after a 3 day delay when no deaths were registered, the Registrars moved to a remote Death Registration service only where registrations take place over the phone and evidence is sent into the Registration Service electronically.
- 4.2 The Registration team adapted well to these changes and quickly resolved any backlog which had built up whilst registrations could not take place.
- 4.3 A further change to the service was implemented by the Scottish Government in mid April whereby, in order to ensure that the most up to date information was available at a Scotland level, all Councils were instructed to provide a 7 day per week Death Registration Service. Whilst Inverclyde Council has complied with this request it is not believed by Officers that this change has had any material impact on the quality of information being provided to date as Death Registrations are fully up to date within Inverclyde and the medical death certificates required to undertake a death registration have not always been sent to the Registrars over the weekend.

5.0 DEATH REGISTRATION FIGURES

- 5.1 On the 22 April NRS published Death Registration data at a Council level and sadly the figures confirmed what Officers had suspected for a number of weeks i.e. that Inverclyde was being disproportionately impacted by deaths in relation to COVID-19.
- 5.2 Of the 1616 deaths registered where COVID-19 was the cause or contributory factor on the Death Certificate, 76 (4.7%) were for individuals whose main residence is assessed to be Inverclyde. This differed by 5 from the Council's own figures as families can register deaths at any Registration Office. Inverclyde makes up just under 1.5% of Scotland's population and therefore it can be seen that Inverclyde has experienced over 3 times the average number of COVID-19 deaths.
- 5.3 This assessment was confirmed by the analysis of Deaths per 10,000 population which is a measure used by Health colleagues. Inverclyde had 9.72 COVID-19 deaths per 10,000 compared to the Scottish average of 2.98. Greater Glasgow & Clyde Health Board was reported as having 4.4 deaths per 10,000 which was the highest Health Board figure and it can be seen that Inverclyde is over twice that figure. Appendix 1 provides more detail plus the figures announced on 29 April for the period to 26 April. These latest figures continued the trend despite Inverclyde seeing a drop in COVID-19 related deaths in that week.
- 5.4 The location of COVID-19 related deaths is also reported with the Scotland wide figures at 26 April being, Hospital 52%, Care Homes 39% and Elsewhere 9%. Inverclyde's equivalent figures are Hospital 59%, Care Homes 29% and Elsewhere 12%.
- 5.5 A further worrying trend identified by officers and now confirmed at a UK and Scottish level has been the general increase in deaths compared to previous years. This is referred to as Excess Deaths. Based on separate data received from NRS it can be seen from Appendix 2 that for the 5 weeks to 26 April, deaths registered by the Council were 245 compared to the 5 yearly average of 104 for the same period i.e. an increase 141 (135%). For the same period the Excess Deaths across Scotland were 56%. If the COVID-19 deaths were removed from the Excess Deaths figure then deaths in Inverclyde were 48 or 46% higher than the 5 yearly average compared to 15% (815) across Scotland.
- 5.6 Finally, it can be seen from Appendix 2 that for the 5 weeks to the 26 April the percentage of total deaths in Inverclyde attributable to COVID-19 has been on average 12% higher than the Scottish average.

6.0 FURTHER ANALYSIS AND UNDERSTANDING THE FIGURES

- 6.1 There is an understandable desire to better understand the figures to inform the response from all involved at a Scottish, Health Board, Council and community level in both the immediate and longer term to reduce the impact of COVID-19 in Inverclyde. There are strong indications from around the world and within the UK that age, underlying health conditions and poverty are all key factors. The NRS figures confirmed that to date 90% of all COVID deaths occurred in individuals 65 years old or older with 39% occurring in individuals 85 or older. The figures for Inverclyde are in line with the national position.
- 6.2 Public Health colleagues at Greater Glasgow & Clyde Health Board are assisting officers to analyse COVID-19 deaths within Inverclyde. The analysis will help to understand the factors associated with the high level of COVID-19 within the community.
- 6.3 It is important that Members understand that the figures announced on the 22 and 29 April are a cumulative snap shot based on only a few weeks data and therefore it is likely that figures will change and over coming weeks other areas could be harder hit. Therefore Officers would be cautious in drawing too many conclusions at this point in time and will continue to review the internally recorded, Health and NRS information as it becomes available.

7.0 CONCLUSION

- 7.1 The recent information released by National Records of Scotland has sadly confirmed what has been suspected at a local level from early on in the COVID-19 pandemic in that Inverclyde has been disproportionately affected by the disease. Whilst the most recent signs are that the spread of the disease and the number of deaths arising from COVID-19 is slowing down the number of deaths being registered within Inverclyde remains significantly higher than normal. It is therefore important that all partners locally work towards understanding how to minimise the number of COVID-19 cases and how best to protect those most at risk at this time.

8.0 IMPLICATIONS

8.1 Finance

There are no direct financial implications arising from the contents of this report.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

8.2 Legal

There are no legal implications arising from this report.

8.3 Human Resources

There are no HR implications arising from this report.

8.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

8.5 Repopulation

The currently disproportionate number of deaths occurring in Inverclyde will have a longer lasting impact on the areas population statistics , funding and the repopulation agenda.

9.0 BACKGROUND PAPERS

8.1 NRS statistics released 22nd & 29th April 2020.

Appendix 1

	COVID Deaths 19/4/20	Mid Year Population 2018	19th April Per 10,000	COVID Deaths 26/4/20	26th April Per 10,000
Inverclyde	76	78,150	9.72	93	11.90
West Dunbartonshire	52	89,130	5.83	70	7.85
Renfrewshire	76	177,790	4.27	116	6.52
Glasgow City	246	626,410	3.93	368	5.87
Dundee City	58	148,750	3.90	85	5.71
South Ayrshire	46	112,550	4.09	63	5.60
East Lothian	44	105,790	4.16	59	5.58
Midlothian	32	91,340	3.50	48	5.26
East Renfrewshire	35	95,170	3.68	48	5.04
Argyll & Bute	28	86,260	3.25	42	4.87
South Lanarkshire	103	319,020	3.23	153	4.80
North Lanarkshire	125	340,180	3.67	158	4.64
Falkirk	45	160,340	2.81	70	4.37
East Dunbartonshire	28	108,330	2.58	46	4.25
Edinburgh, City of	146	518,500	2.82	217	4.19
Stirling	34	94,330	3.60	39	4.13
North Ayrshire	44	135,280	3.25	55	4.07
Angus	23	116,040	1.98	42	3.62
Scottish Borders	38	115,270	3.30	41	3.56
East Ayrshire	30	121,840	2.46	41	3.37
Fife	85	371,910	2.29	118	3.17
Clackmannanshire	11	51,400	2.14	15	2.92
Aberdeenshire	53	261,470	2.03	75	2.87
Shetland	6	22,990	2.61	6	2.61
West Lothian	34	182,140	1.87	46	2.53
Perth & Kinross	25	151,290	1.65	38	2.51
Dumfries & Galloway	31	148,790	2.08	34	2.29
Aberdeen City	33	227,560	1.45	48	2.11
Highland	22	235,540	0.93	30	1.27
Orkney	2	22,190	0.90	2	0.90
Moray	4	95,520	0.42	6	0.63
Eilean Siar	1	26,830	0.37	0	0.00
Scotland	1,616	5,424,800	2.98	2,272	4.19

Position Week Ending 26 April 2020

a) Percentage of COVID-19 deaths by age group

Age Group	Scotland %	Inverclyde %
Under 44	1	1
45-64	9	11
65-74	15	13
75-84	36	35
85+	39	40

b) Deaths Registered by week since Inverclyde's first COVID-19 death

Week	5 Year Average	2020	Excess Deaths	Inverclyde %	Scotland %
13/14	46	76	30	65	27
15	17	64	47	276	80
16	24	62	38	158	79
17	17	43	26	153	68
	104	245	141	135	56

Note 1 - Week 13 & 14 are combined as Death Registration was suspended nationally for 3 days in Week 13.

Note 2 - Excluding the 93 COVID-19 deaths, excess Deaths in Inverclyde over the 5 weeks were 48 or 46% more than the 5 yearly average.

Note 3 - COVID-19 deaths as a percentage of all deaths has been as follows:

	<u>Inverclyde</u>	<u>Scotland</u>
Week 13	23%	6%
Week 14	29%	15%
Week 15	45%	30%
Week 16	42%	34%
Week 17	40%	36%

Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Corporate Director Environment, Regeneration & Resources	Report No:	PR/15/20/MM
Contact Officer:	Martin McNab	Contact No:	01475 714246
Subject:	COVID-19 Recovery Structure and Strategy		

1.0 PURPOSE

- 1.1 To seek approval for a strategic approach and structure to progress recovery of Council Services and the restoration of more normal social and economic activities across the Inverclyde community as a whole.

2.0 SUMMARY

- 2.1 The Council requires a structure to steer its own recovery from the COVID-19 pandemic and the effects of the lockdown. This process has already commenced through a sub-group of the Corporate Resilience Management Team reporting directly to the Council's Corporate Management Team. The process is not merely to look at a managed return to the position pertaining prior to the outbreak but also to look at any new ways of working which might be accommodated in a future working model and at any precautionary structures which might be needed to address ongoing issues or further pandemic waves. Section 5 of the report details the proposals for carrying this out.
- 2.2 Under the Civil Contingencies Act the Council also rightly has the responsibility for leading the overall recovery from incidents in the community. This will be done in step with recovery programmes and structures at national and regional level but will obviously require to be tailored for the very specific circumstances and experiences of Inverclyde. A proposed structure for this is detailed in section 6 of this report. It is specifically proposed that the main focus of this recovery should be on two aspects, Humanitarian Assistance and Economic Recovery.
- 2.3 The model for recovery is generally based upon a handover from the management of an incident, often led by the police, to the local authority at an agreed point where the immediate incident is deemed over. Obviously a pandemic is somewhat different from a normal "blue-light" incident as it may continue for a prolonged period with the potential for subsequent waves. The implications of this are that recovery may be started while the pandemic is still occurring and that it may have to be managed in parallel to the ongoing incident response. It will also involve input and actions across all community partners.

3.0 RECOMMENDATIONS

- 3.1 That the Sub-Committee approves the structures and reporting arrangements for the recovery process for both the Council and the Community detailed in sections 5 and 7.

Martin McNab
Head of Environmental & Public Protection

4.0 BACKGROUND

- 4.1 There are already recovery groups being set up at a national level, both UK and Scottish, with the latter chaired by the Chief Executive of Glasgow City Council. A recovery group for the Local Resilience Partnership is also currently being set up and will have had its first meeting by the time of the Sub-Committee. Recovery in this sense means a strategic approach and structure to progress recovery of Council Services and the restoration of more normal social and economic activities across the Inverclyde community as a whole. The groups referred to above will allow sharing of best practice and lessons learned and will be very useful models for local delivery as well as providing an additional means for escalating issues.
- 4.2 From a local perspective it is essential that Inverclyde Council provides leadership for the recovery process. This is of particular importance as the area has been hit harder than other areas in terms of the health impacts of the pandemic including the number of deaths caused by COVID-19. It is probable that the economic impact of the pandemic will also be disproportionate on Inverclyde given our pre-existing economic vulnerabilities as evidenced by the recent SIMD data.
- 4.2 On 23 April the Scottish Government published “COVID-19 – A Framework for Decision Making”. This document outlined some of the considerations for future decision making including those that will influence and be part of any future lifting or amendment of lock down restrictions. The document makes clear that Government plans to “respond and recover must take account of the possibility of a cycle of lifting and re-imposing restrictions”. The document goes on to state that (this) “will require fundamental change to how all sectors of society organise themselves”. This document will inform both the Council’s internal recovery process and the Community Recovery which the Council will lead.

5.0 ORGANISATIONAL RECOVERY

- 5.1 The Council’s Corporate Resilience Management Team (CRMT) has met regularly throughout the current pandemic, at one point daily but currently three times per week. The CRMT manages the Council’s tactical response to the pandemic and reports directly to the Corporate Management Team for strategic decisions. The HSCP has parallel and linked processes with a thrice weekly Local Resilience Management Team (LRMT) which reports through both the Council and Health Board structures. The two processes are aligned through cross representation.
- 5.2 The process of corporate recovery is effectively underway through a sub-group of the CRMT which is looking at processes for service recovery. These will include the following aspects:
- The level of current service provision, including tasks which may not have been previously part of the service’s remit some of which may continue beyond any initial removal of lockdown; examples would include the Humanitarian Assistance Centre and enhanced support to businesses including financial support and employability related activities.;
 - The Council in collaboration with HSCP and CVS colleagues will continue to operate the Humanitarian Aid Centre for those residents on the shielding and non-shielding lists.
 - The stages and actions required to bring any services currently not being fully delivered back up;
 - Any new ways of working brought in as a response to the pandemic which might be worth continuing, for example home working. Heads of Service in collaboration with the IT Service are working on putting interim arrangements in place to maximise home working;
 - The potential impacts of what is likely to be a staged removal of lock down

restrictions. This would include the potential need to reduce occupancy of council buildings to maintain a level of social distancing. Property Services in conjunction with Health and Safety will be identifying new spatial arrangements for office based staff. Separately, Education Services is giving consideration as to how to implement and the implications of a staged process on reopening schools. The HSCP is exploring how new virtual arrangements are established to facilitate multi agency public protection meetings. Newly adopted work practices to facilitate the safe collection of residual waste and recyclables will be progressed once sufficient staff numbers and external contractors are in place. The Corporate Director for Education, Communities and Organisational Development in consultation with Inverclyde Leisure will be exploring how interim measures can be put in place to facilitate the phased reopening of libraries, museum and leisure facilities;

- The need to put in place processes for quickly returning to an incident response footing should the need arise as a result of a second wave of infection,
- Consideration of any follow up required on actions taken during the pandemic
- Consideration of any processes introduced during the pandemic response which might provide longer term streamlining opportunities
- Horizon scanning for any likely additional duties likely to be forthcoming, for example contact tracing or additional port health requirements.

The governance process for the recovery sub-group will be the similar to that for the CRMT with reporting directly to the CMT and through that to committee, a detailed reporting structure is included at Appendix 1. Members should be aware that individual service planning may already be fairly advanced in a number of areas, for example planning for different levels of occupancy and potential phased returns in schools.

- 5.3 The HSCP requires to report and align its recovery strategy with both the Council's and the Health Board's processes and therefore is currently developing a separate and parallel recovery process. Over the course of the coming months, the HSCP requires to restore 'business as usual' services, including an element of catching up with activity that may have been scaled down or ceased as part of the pandemic response. This will require to be planned in a way which allows for flexibility to enable sufficient preparation and response to resurgence of waves of COVID activity.

The HSCP has to consider services that will see an increased demand as a result of COVID-19 mitigation measures. To do this effectively, it cannot simply return to previous ways of working. The HSCP needs to understand the changes it has made to services, assess the risks and opportunities in continuing with these changes and apply learning from the COVID response to its recovery planning.

6.0 COMMUNITY RECOVERY

- 6.1 As noted above the Council is responsible under the Civil Contingency Act for leading the recovery phase following an incident. Inverclyde Council has Major Incident Recovery Guidance which is attached at Appendix 1. This guidance is mainly aimed at situations where there has been a point incident, for example a major fire, where the incident response has been led by one of the emergency services and is then handed over to the Council at an appropriate juncture to lead the recovery phase. There would then be a Recovery Working Group (RWG) initially involving the agencies involved in the response phase with further representation and sub-groups being enlisted as the recovery phase develops.

- 6.2 In the specific context of a pandemic response as we have seen the multi-agency response is mainly run at a National and Regional level with the local response being co-ordinated by the Council, Health Board and HSCP. The response phase is obviously also considerably longer and effectively overlaps with the recovery. It is therefore appropriate to set up the RWG to run in parallel with the ongoing response as many of the issues which will need to be addressed in the recovery have already become clear.

- 6.3 The initial phase of developing a recovery plan is the completion of a Community Impact Assessment. This looks at four main areas of impact, Environmental, Infrastructure, Humanitarian and Economic. There will obviously be some impacts on the first two areas, for example potential increases in fly-tipping and the need to re-establish recycling together with a need to get the public transport systems back fully operational. It can fairly confidently be stated however that the main elements of recovery will fall under the Humanitarian Assistance (this would include health aspects and education) and Economic headings. The membership and focus of the RWG and any sub-groups should therefore reflect this while not ignoring the first Environmental & Infrastructure aspects.
- 6.4 It is proposed that officers carry out a high level initial Impact Assessment focussing on Humanitarian and Economic aspects. This would be a document which would be kept under review by the RWG and would not be intended to constrain that group's actions but merely to give the group a starting point for their discussions. It would also be for the RWG to agree its terms of reference and any sub-groups and their membership. Section 7 below gives a potential structure and group membership which might meet the needs of the community.

7.0 POTENTIAL RECOVERY STRUCTURE

- 7.1 In terms of membership the RWG should set this itself and be able to co-opt additional members as and when it sees fit. The following is a suggested starting membership:

Inverclyde Council Chief Executive (or nominated Corporate Director) [Chair]
3 Corporate Directors
Police Scotland Area Commander
NHS GG & C Representative
Inverclyde Council's Chief Financial Officer
Third Sector Representative (CVS)
Business Representative
RSL Representative
Council CRMT Chair
Corporate Communications Representative
Secretariat (CCS)

It is further intended that three initial sub-groups are set up:

- a Humanitarian Recovery Sub-Group, chaired by the Corporate Director HSCP;
- an Economic Recovery Sub-Group, chaired by the Corporate Director Environment, Regeneration and Resources
- an Education, Culture & Sport sub-group chaired by the Corporate Director Education & Communities.

Appendix 2 shows the reporting lines for these groups.

- 7.2 Membership of the sub-groups will be a matter for the chairs of the sub groups - as an example the Economic Recovery Group would potentially include representatives from the local business community from small, medium and large enterprises together with agencies with a direct role in economic regeneration locally and regionally. A key factor in the membership of both this group and the Humanitarian Sub-Group is that members should be representative of their sector and, in the case of agencies, able to make local decisions and follow those through.
- 7.3 In terms of Governance it is recommended that the RWG reports regularly to the Policy & Resources Committee This could be done by a regular recovery report of a similar structure and format to the current COVID-19 Scrutiny Report.

8.0 IMPLICATIONS

Finance

- 8.1 There will be one off and recurring costs associated with the Recovery Plans and these will

be detailed and reported back as part of future updates with budget approvals sought where required.

Legal

8.2 The Civil Contingencies Act 2004 places duties on Category 1 responders including Councils to co-operate in dealing with emergencies. A local authority Chief Executive normally leads the recovery process by virtue of local authorities' functions, their role in safeguarding people in their area and their powers to promote community wellbeing.

Human Resources

8.3 There are no human resources implications arising from this report there will however be significant implications arising from the recovery process.

Equalities

8.4 Equalities

(a) Has an Equality Impact Assessment been carried out?

Yes See attached appendix

No This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required.

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.

NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

NO

Repopulation

8.5 Repopulation will be a key consideration for the RWG particularly in light of the negative impact of the pandemic on the population of Inverclyde.

9.0 CONSULTATIONS

9.1 The Corporate Management Team has considered this report and approves the

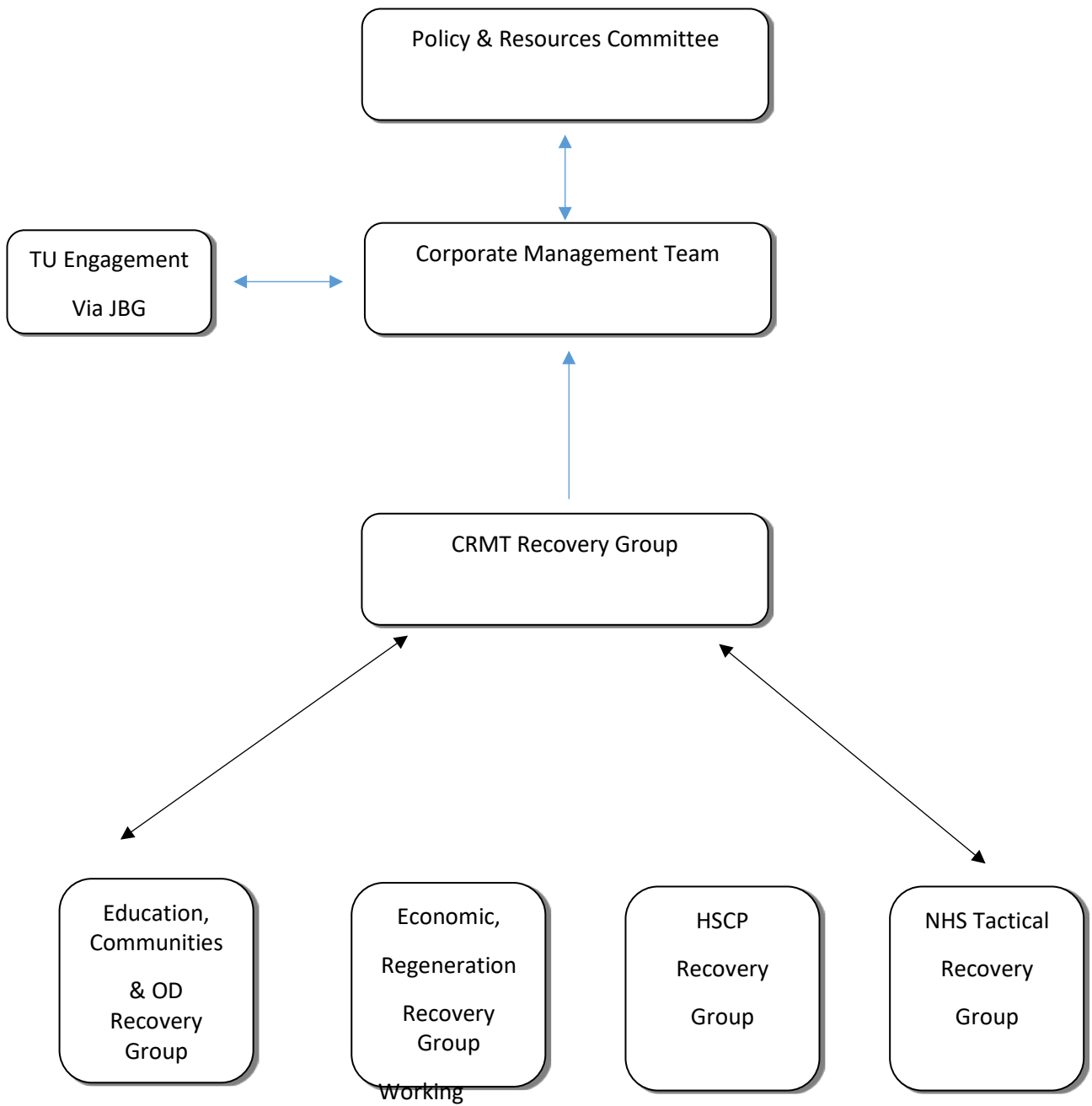
recommendations. The Trade Unions will be engaged with as part of the recovery process.

10.0 BACKGROUND PAPERS

10.1 None.

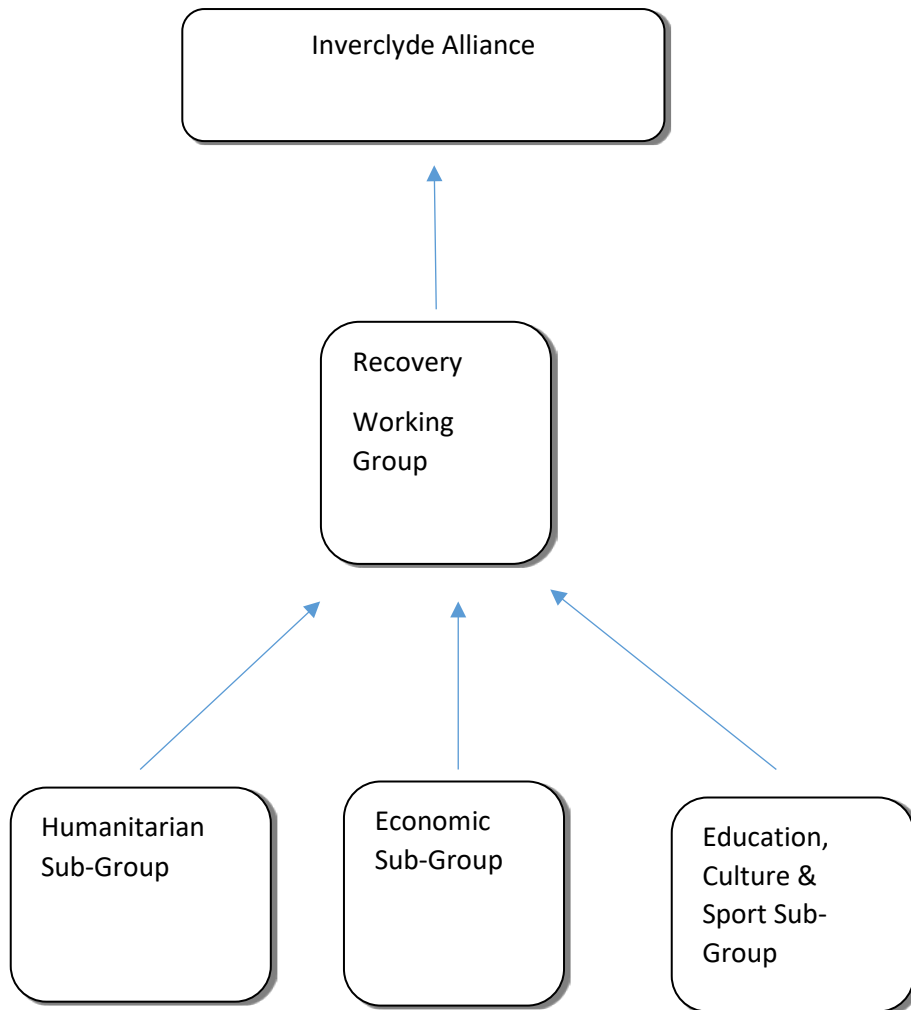
Appendix 1

Organisational Recovery Structure



Appendix 2

Community Recovery Structure



Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Head of Legal & Property Services	Report No:	LP/055/20
Contact Officer:	Sharon Lang	Contact No:	01475 712112
Subject:	COVID-19 Impact on Mental Health Request by Councillor C McEleny		

1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Sub-Committee of a request received from Councillor C McEleny in the following terms:

“That the Sub-Committee notes various reports from around the world of issues such as sudden loss and prolonged isolation having a negative impact on mental health. The Sub-Committee notes, with no clarity on how long social isolation measures may continue for, that the ongoing negative impact on the mental health of citizens is a concern to the Council.

The Sub-Committee requests that officers report back to the Policy & Resources Executive Sub-Committee measures that can be put in place to address the adverse impact on Mental Health the Coronavirus pandemic has on people in Inverclyde.”

2.0 RECOMMENDATION

- 2.1 That the Executive Sub-Committee considers the request by Councillor C McEleny.

Gerard Malone
Head of Legal & Property Services

Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Head of Legal & Property Services	Report No:	LP/056/20
Contact Officer:	Sharon Lang	Contact No:	01475 712112
Subject:	COVID-19 Impact on Education Request by Councillor C McEleny		

1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Sub-Committee of a request received from Councillor C McEleny in the following terms:

“That the Sub-Committee notes that due to social isolation measures Inverclyde schools are currently closed and that there is no clarity on when it will be safe for schools to return, or whether or not a phased return may be put in place.

The Sub-Committee requests that officers bring a report to the Policy & Resources Executive Sub-Committee outlining how schooling at home has been supported; what options Inverclyde Council believes would be best to support children returning to school, including those due to undertake an education transition and start Primary school in August 2020; and what measures are in place to best support equity of learning in relation to the known existing gap in educational attainment.”

2.0 RECOMMENDATION

- 2.1 That the Executive Sub-Committee considers the request by Councillor C McEleny.

Gerard Malone
Head of Legal & Property Services

Report To:	Policy & Resource Executive Sub-Committee	Date:	5 May 2020
Report By:	Head of Education	Report No:	PR/13/20/MR
Contact Officer:	M Roach / N Greenshields	Contact No:	01475 712812
Subject:	SQA Qualifications Arrangements 2019/20		

1.0 PURPOSE

1.1 The purpose of this report is to provide an update on the latest position and guidance from the SQA and Scottish Government regarding this year's examination and qualifications for Senior Pupils.

2.0 SUMMARY

2.1 On 18th March 2020, the Deputy First Minister announced that this year's exam diet would be cancelled for the first time in history.

2.2 Since then the Scottish Qualifications Authority (SQA) has liaised with the professional bodies, including ADES and the unions, to come up with final guidance which was published on 20th April 2020.

2.3 This report provides information on how the SQA has proposed to generate final grades for pupils across the Senior Phase. The full guidance can be found here:
<https://www.sqa.org.uk/sqa/93920.html>

3.0 RECOMMENDATIONS

3.1 It is recommended that the Sub-Committee:

- notes the report and the SQA guidance for the 2020 examination diet
- notes the actions taken by schools and Education Services so far, and the actions proposed, to support schools to deliver on the SQA guidance for the 2020 examination diet

Ruth Binks
Corporate Director: Education, Communities & Committee

4.0 BACKGROUND

- 4.1 The Scottish Government announced the cancellation of the 2020 exam diet due to the lockdown and closure of all schools on the 18th of March 2020. The SQA published a holding statement and then final guidance on producing grades on 20th April 2020. The Head of Education wrote to all parents during the Easter break to update them on the position relating to the exams as it was known at the time.
- 4.2 The Inverclyde Council Education team has been briefed and is able to have some influence on the published guidance via the Association of Education Directors Scotland (ADES) – Curriculum and Qualifications sub group.
- 4.3 The Head of Education and Education Officer responsible for SQA Coordination, have met with the Head Teachers on two occasions to keep them briefed on the current position and guidance as it developed. Education services are now supporting and advising Head Teachers with the implementation of the guidance in preparation for submission of the final grade data on 29th May 2020.

5.0 PUBLISHED GUIDANCE

- 5.1 Schools are being asked to produce an estimate grade which will be a holistic professional judgement based on a candidate's attainment in all aspects of the course studied (i.e. attainment of the required skills, knowledge and understanding for the predicted grade and band estimated).
- 5.2 To make accurate estimates, teachers need to have a clear understanding of:
 - the range of skills, knowledge and understanding covered by the course
 - the structure and the assessment requirements of the course
 - the components that contribute to the course award, including weightings where appropriate
 - the grade descriptors for the course
- 5.3 When determining an estimate, schools will be firstly asked to gather and review the key evidence they have for each candidate e.g. prelim or mock papers, additional tasks or assignments, performance or practical evidence. Estimate grades are not just to be based upon one prelim mark but on all the "holistic" evidence available.
- 5.4 There will then be a process of quality assurance carried out by each school to determine the estimate grades, banding and ranking within the estimates. These will be required to be checked and signed off, both at course level and school level, by the Head Teacher before submission to the SQA on 29th May 2020.

Where at all possible, more than one subject specialist will be involved in this process. In one teacher departments, schools will be looking to support this process and their judgements by the involvement of the SQA coordinator. Our work across the authority will be seeking to ensure that a consistent approach to this is taken by all of our schools.

This session, a key aspect of producing accurate and fair results will be how schools convert their estimates into a new refined banding system. The banding system is attached as appendix 1.

- 5.5 Once SQA procedures have been completed and the results announced on August 4th 2020, there will be an opportunity for schools / parents / pupils to consider making an appeal. This is a free process and will be open to our schools to use for any individual where concerns arise about the final result. However, this appeal process will rely upon the identification and collation of clear evidence to support that request. This evidence will be looked at by the

SQA, and a final decision made.

- 5.6 The SQA has published a timeline to support schools, which will include training on grade submission and the releasing of historic predicted grade data for each school and its departments. This will support schools to review the historical accuracy between predicted and actual grades.
- 5.7 The SQA will review the submitted estimates grades for each school against this data set to ensure that there is no inflation of grades and as such ensure the integrity of the final gradings. The school's estimates will not be shared with parents until after the publication of SQA grades in August.

6.0 CHALLENGES

- 6.1 There are significant challenges ahead given the remote nature of teaching staff working from home at this time. Access to school buildings is being managed and coordinated in order to allow teachers to gather evidence required to support estimates. All secondary school buildings, apart from Notre Dame High School, remain open as hubs or centres for catering. We are liaising with FES re NDHS and risk assessments for accessing the buildings are in place.

Given the ultimate deadline for submission at the end of May, schools will need to draw up their own timelines in order to ensure that they can complete all the processes involved and to allow for final sign-off well ahead of time. Inverclyde's involvement in the ADES group pre-publication has ensured that Head Teachers have been well briefed as matters have arisen.

6.2 Communication

The SQA guidance is in the public domain in full and is clear and easy to read. Schools and Education services will continue to communicate with parents and pupils. Head Teachers have met with all Principal Teachers to ensure that they are clear on the guidance, how best to implement it, the timelines and deadlines that will need to be in place.

6.3 Evidence and appeals

Due to the way that the exam process has previously developed there will inevitably be a variation in how departments and schools across the country have gathered holistic evidence over time. Schools will be supported to help address this and to provide reassurance to teachers of the use of, and reference to, a wider evidence base than usual. This evidence base can include prior attainment e.g. Nat 5 outcomes to support estimates for Higher exam outcomes.

7.0 IMPLICATIONS

7.1 Finance

Financial Implications:

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments

7.2 Legal

Guidance has been sought from Legal Services about data sharing.

7.3 Human Resources

None

7.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

YES

NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.

NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

YES –

NO - This report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

7.5 Repopulation

None.

8.0 CONSULTATION

8.1 N/A

9.0 BACKGROUND PAPERS

9.1 N/A.

Appendix 1

Grade	Band	Refined band		Notional % range
A	1	1 Upper	1	93–100
A	1	1 Lower	2	85 – 92
A	2	2 Upper	3	80–84
A	2	2 Middle	4	75–79
A	2	2 Lower	5	70–74
B	3	3 Upper	6	67–69
B	3	3 Lower	7	65–66
B	4	4 Upper	8	62–64
B	4	4 Lower	9	60–61
C	5	5 Upper	10	57–59
C	5	5 Lower	11	55–56
C	6	6 Upper	12	52–54
C	6	6 Lower	13	50–51
D	7	7 Upper	14	47–49
D	7	7 Middle	15	44–46
D	7	7 Lower	16	40–43
No Award	8	8 Upper	17	35–39
No Award	8	8 Lower	18	30–34
No Award	9	9	19	0–29

Report To:	Policy & Resources Executive Sub-Committee	Date:	5 May 2020
Report By:	Corporate Director Education, Communities & Organisational Development	Report No:	PR/14/20/RB
Contact Officer:	Ruth Binks	Contact No:	01475 712748
Subject:	Placing Requests and Appeal Hearings during COVID-19		

1.0 PURPOSE

- 1.1 The purpose of this report is to update the Sub-Committee on the amendments to regulations in respect of placing requests during COVID-19 and to advise the Sub-Committee of the position in Inverclyde.

2.0 SUMMARY

- 2.1 In a letter to Local Authorities on 27 April, the Deputy First Minister outlined amendments to the regulations in respect of placing requests for schools and the process for appeals. The full letter is attached as Appendix 1 to this report.
- 2.2 Inverclyde is in the position to have considered and granted the placing requests for academic year 2020/21 before the closure of schools.
- 2.3 Placing requests for schools can be made at any time of year and Education Services still have to consider placing requests on an ongoing basis. Whilst the numbers are expected to be low, any refusal of a placing request can be appealed, and an appeal process taking into account social distancing during COVID-19 needs to be set up. Paragraph 6.4 outlines the proposed process for holding appeal hearings in Inverclyde.

3.0 RECOMMENDATIONS

- 3.1 That the Sub-Committee:
- notes the amendments to regulations in regard to placing requests and appeals.
 - agrees to the process outlined in paragraph 6.4 for appeal hearings

Ruth Binks
Corporate Director
Education, Communities & Organisational Development

4.0 BACKGROUND

- 4.1 The Policy on Admission and Pupil Placement in Mainstream Schools was agreed at the Education and Communities Committee in January 2017. Although it is currently out for consultation, the full current policy can be found at <https://www.inverclyde.gov.uk/education-and-learning/schools/placing-requests>.
- 4.2 If Inverclyde Council as Education Authority refuses a placing request application to one of its schools it must explain the reasons for the refusal to parents in writing. There are multiple legal grounds in the Education (Scotland) Act 1980 which, if satisfied, entitle the Education Authority to refuse a placing request submitted in relation to one of its schools.
- 4.3 Whilst a placing request can be made at any point during the year, the main applications are made for the start of the new session in August. In Inverclyde, for admission to schools at the start of the new session in August, parents are asked to make placing requests no earlier than 1 January and no later than 1 February. Prior to 23 April 2020 the Education (Placing in Schools Etc—Deemed Decisions) (Scotland) Regulations 1982 provided that (i) for placing requests received on or before 15 March each year, decisions should be communicated to parents no later than 30 April; and (ii) for placing requests received after 15 March, decisions require to be communicated to parents within two months of receipt of the placing request. As of 23 April 2020 the foregoing regulatory timescales have been amended to 31 May and three months respectively, all as detailed in the letter found at Appendix 1 of this report.

5.0 SCOTTISH GOVERNMENT – AMENDMENTS TO REGULATIONS FOR PLACING REQUESTS

- 5.1 Due to the extraordinary events of COVID-19 and the resulting closure of schools, authorities have quite rightly prioritised the health and welfare of their pupils and staff and this has resulted in it becoming challenging to deliver other parts of the system. The Scottish Government, in partnership with ADES, COSLA and SOLAR, have worked jointly to amend the regulations surrounding placing requests. The full statement is attached as Appendix 1 to this paper.

6.0 IMPLICATIONS FOR INVERCLYDE

- 6.1 This year, the Education Authority's placing request panel was able to meet and agree the placing requests prior to schools closing for COVID-19. At the meeting of the pupil placing panel on 25 February 2020, 197 placing requests were considered and all of these were successful. This means that this year, Inverclyde Council is in the fortunate but rather unusual position of not having any appeal hearings for the admission process for the 2020/21 academic year.
- 6.2 As well as the main placing request exercise, Education Services have also been able to grant 11 placing requests which were received after the 1 February deadline. There are 8 placing requests currently in the system still to be considered.
- 6.3 Whilst no placing requests have been refused to date, an appropriate appeal process must be in place to consider any appeals which may be received in relation to decisions to refuse in the future. This process is administered by the Head of Legal and Property Services. The guidance issue by the Scottish Government allowing flexibility for appeal committees or panels to meet remotely by telephone or video is very much welcomed.
- 6.4 Given that over the coming months Inverclyde will expect to administer very few appeal hearings, it is anticipated that nothing will change for the actual process of appeals other than the conduct of the hearing itself. The process needs to ensure that the appeal hearing respects the individual circumstances of appellants whilst maintaining integrity. To this end the following is proposed:
 - That appeals will be heard during the working day.

- That the chair of the panel and the legal advisor will conduct the hearing from an office in the Council buildings.
- That the panel members, the clerk to the appeals, appellants and the representative from Education Services attend the hearing remotely by either video or telephone conference.
- If the appellants are unable to access technology then a “safe office” is made available which will be cleaned prior to use.
- If appellants do not wish to attend and instead choose to submit a written representation, then this will be considered by the panel. If an appellant submits a written representation and chooses not to appear in person, then Education Officers may either submit a written response or an oral response at the hearing.
- Appellants can submit representations and any relevant material by post or by email and this will be collated by the relevant committee officer.
- Otherwise, the existing protocol for meeting procedures and order of business will apply.

7.0 IMPLICATIONS

7.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

7.2 Legal

The legal issues are as set out in the report.

7.3 Human Resources

N/A.

7.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

<input type="checkbox"/>	YES
<input checked="" type="checkbox"/>	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
✓	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
✓	NO

7.5 Repopulation

N/A.

8.0 CONSULTATIONS

8.1 N/A.

9.0 BACKGROUND PAPERS

9.1 N/A.

Deputy First Minister and Cabinet Secretary for Education and Skills

John Swinney MSP



F/T: 0300 244 4000
E: dfmcse@gov.scot

Local Authority Chief Executives and Directors of Education

Copied to: COSLA
ADES
SOLAR
SOLACE

27 April 2020

Dear Colleagues,

Placing requests – amendments to Regulations

We know that Covid-19 has caused disruption to our education system and we are hugely appreciative for all the work that has been undertaken by local authorities, schools and other local partners to respond to the challenges of recent months. We also understand that this level of commitment to the immediate wellbeing and health of children in schools has needed to be the top priority, and that this has therefore had, and will continue to have, an inevitable knock-on impact on other parts of the system.

We have been grateful for the engagement with COSLA, ADES, SOLAR and some individual authorities to raise concerns about the placing requests process in this context, and help inform amendments to the current Regulations so that Education Authorities and Education Appeal Committees (EACs) have additional time and flexibility to respond to requests and appeals.

The following amendments have now come into force through the Education (Miscellaneous Amendments) (Coronavirus) (Scotland) Regulations 2020 (the '2020 Regulations')

- Firstly, timescales for the overall placing requests process have been extended as follows
- a month extension of the 30th April deadline for initial decisions on placing requests received before 15 March, to 31 May before they are deemed to be refusals. Parents will then still have 28 days after that to then request an appeal.
 - for any placing requests received later than the 15th March deadline, an extended deadline of 3 rather than 2 months before they become a deemed refusal.
 - extensions and relaxing of the intermittent timescales for acknowledgements etc. by the EAC, for example, removing the requirement to arrange appeal hearings within 14 days of an appeal request.
 - an extension of the deadline for the EAC holding a hearing from 28 days to 3 months, unless there are exceptional circumstances.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

αβχδε αβχδεφγ α

- Adjustment of the deadline where the EAC's failure to make a decision on an appeal becomes a deemed refusal from 2 months to 4 months.
- extension of the deadline for EACs to communicate their decision to 28 days.
- for placing requests for additional support needs - a month extension of the 30th April deadline for initial decisions on placing requests received before 15 March, to 31 May; adjustment of the deadline where a failure by the EAC to make a decision on the appeal becomes a deemed refusal from 2 months to 4 months; and extension of the deadline for EACs to communicate their decision to 28 days.
- for exclusion appeals – the deemed refusal deadline remains 1 month from an appeal being received by the Committee.

We appreciate that Education Authorities and EACs are in very different situations across Scotland in terms of both the numbers of requests and appeals and ability to resource these as the current situation progresses. Where possible, we would expect education authorities and EACs to stay as close to the previous timetable as possible in order that requests can be processed ahead of the start of the next academic year. The 2020 Regulations therefore introduce a duty to respond to placing requests/convene appeals as soon as reasonably practicable within the amended timescales. Education authorities and EACs should ensure that they communicate with affected parents locally to make clear what the expected timetable will be for their local area, with regard to this duty and within the extended timeframes set by the amended Regulations.

The Scottish Government's view is that procedures and timescales as amended by the 2020 Regulations apply to all cases, including these cases where an appeal has already been received. Authorities will want to seek their own legal advice if they are in doubt regarding the application of the 2020 Regulations to cases in their area.

While social distancing restrictions are in force we are also aware that EACs cannot meet in their usual format. The 2020 Regulations therefore also confirm flexibility for appeal committees to meet by video or audio conferencing. Education Authorities will need to determine how this is best done in their local areas, and the Scottish Government will support them with this on an ongoing basis. We intend to continue to work with COSLA, ADES and SOLAR to establish a working group that will look at the practical arrangements and also share best practice across areas. This can also look at existing requirements on membership of the EAC, which we think could be wider than is currently being interpreted. These flexibilities that the Regulations offer also apply to exclusion appeals.

Normally, following the decision to exclude a pupil, the school is required to write or notify a parent of the decision to exclude the same day, including the date beginning, and make arrangements to form a meeting to discuss the decision to exclude within seven days. This requirement remains in place, however, given that schools are closed to the vast majority of pupils it is presumed that any exclusion would be unlikely.

Building on the current ability for appellants to choose to provide written submissions, the 2020 Regulations provide that EACs may, with the agreement of all parties, determine a reference following consideration of written representations submitted by the parties, rather than by way of a hearing. We would expect in these circumstances that all steps would be taken to ensure that ability for appellants to fully put forward their case is not reduced, for example that both parties have the opportunity to see and comment on the other's submissions in advance.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

αβχδε αβχδεφγ α

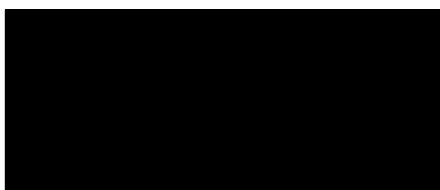
The 2020 Regulations are not expressly time limited, but it is our intention that these Regulations are in place only on a temporary basis, and the law as it is applied prior to the amendments will be restored in time for the next round of placing requests. We therefore currently intend to revoke the 2020 Regulations on or before 28 February 2021.

Education Authorities have also requested clarification on what the 2020 Regulations mean in terms of the current legislation on Primary 1 deferral and eligibility for early learning and childcare (ELC). There is no change to the legislation on primary school deferral and ELC eligibility. All children who are still 4 years old at the start of the school year can still be deferred and start Primary 1 the following year.

Children with a birthday in January or February, who defer school entry, are automatically entitled to another year of funded ELC. For children with a birthday between the school commencement date in August and December, parents continue to have an automatic right to school deferral for their child and local authorities continue to have the power to use their discretion to provide them with an additional year of funded ELC. As set out in the Early Learning and Childcare statutory guidance that accompanied the Children and Young People (Scotland) Act 2014, these decisions should be made on an assessment of the child's wellbeing.

As mentioned, we intend to establish a working group to continue to engage on these issues and support Education Authorities and EACs over the coming months, linking with the work of the wider Education Recovery Group. This working group will support the delivery of more detailed guidance to supplement the information contained in this letter, as necessary.

Yours sincerely,



JOHN SWINNEY

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

αβχδε αβχδεφγ α