

Special Urgency Decision

Report title	Urgent decisions relating to budget decisions related to Council actions as result of Covid-19	
Decision Maker	Special Urgency Decision	
Cabinet member with lead responsibility	Councillor Ian Brookfield Leader of the Council	
Wards affected	All Wards	
Accountable Director	David Pattison, Director of Governance and Claire Nye, Director of Finance	
Originating service	Finance	
Accountable employee	Alison Shannon	Chief Accountant
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Recommendation for decision:

That the Leader of the Council, two cabinet members, and the Chair and Vice Chair Scrutiny Board formally authorise the following decision under the special urgency provisions at paragraphs 6.10 and 6.11 of the Council's Constitution to:

1. Approve the establishment of supplementary revenue budgets fully funded by Government Grants for mandatory business grant schemes and agree to make payments to eligible business grants, in line with Government Guidance for the period up to 31 March 2021.
2. Approve the establishment of supplementary revenue budgets fully funded by Government Grant for discretionary business grant schemes and delegate authority to the Cabinet Member for Resources and the Cabinet Member for City Economy, in consultation with the Director of Finance and the Director of Regeneration to agree the distribution of discretionary business grants in line with Government guidelines.
3. Approve the establishment of supplementary revenue budgets fully funded by Government grant for the Community Testing Programme and delegate authority to the Director of Public Health to make grant payments to third party organisations facilitating tests on behalf of the Council.

4. Approve the establishment of supplementary revenue budgets totalling £282,730.14 fully funded by the Test and Trace Support Payment Grant and make payments to individuals in line with Government guidelines.
5. Approve the establishment of supplementary revenue budgets totalling £474,923 fully funded by grant to support Covid Community Champions and delegate authority to the Cabinet Member for Public Health and Wellbeing in consultation with Director of Public Health to approved any virements to support expenditure including awarding grants to voluntary and community organisations.
6. Approve the establishment of supplementary revenue budgets totalling £78,000 fully funded by grant to support Black Country Fostering project and delegate authority to the Director of Children's Services to approve any virements to support activity.
7. Approve the establishment of supplementary revenue budgets totalling £ 768,415 fully funded by grant to support Rapid Testing for staff in care settings and to support testing visiting professionals and approve that 80% of the grant funding be allocated to care settings in line with the grant conditions. Delegation authority to the Deputy Director for Adults, in consultation with the Director of Public health, to approve the plan on behalf of the council for the allocation of the 20% of grant funding in line with the funding conditions.
8. Approve the establishment of supplementary revenue budgets totalling £688,239 fully funded by grant to support work force capacity and delegate authority to the Director of Children's and Adult Services to allocate the grant in line with the funding conditions.
9. Approve the establishment of further supplementary budgets where the Council receives fully funded by Government Grant to the council to support the costs of Covid until the 31 March 2021, and delegate authority to the Cabinet Member for Resources and the relevant Cabinet Member, in consultation with the Director of Finance and relevant Director, to approve all virements required to support the additional costs and loss of income relating to Covid 19.
10. Approve the Council entering into such grant agreements as are necessary for the Council to receive the funding detailed above in paragraphs 1 - 9

This is agreed by the following:

Leader of the Council

Cabinet member for Resources

Cabinet member.....

Chair of Scrutiny Board.....

Vice-Chair of Scrutiny Board.....

Dated –

1.0 Purpose

1.1 As a result of the Covid-19 pandemic a number of changes are needed to the Council's budget approved by Full Council on 4 March 2020. These are set out in the report below.

2.0 Background

2.1 The Covid-19 pandemic has had a significant international, national and regional impact, and will continue to have significant financial implications for the Council.

2.2 The Council has been awarded a number of one-off Government grants to support local authorities in the response to the pandemic, including general Emergency Covid 19 funding, funding for losses of non-commercial income, and grants with a specific criteria (e.g. Contained Outbreak Management Fund). In addition, local authorities have also been responsible for distributing grants to other parties such as Business Grants.

2.3 As the result of the tier system and the third national lockdown, a number of additional grants have been announced, in particular to support local businesses. As the situation evolves, further grant funding can be announced, as do the requirements of the local authority in order to respond to the pandemic.

2.4 Urgent Decision Making

2.5 The Council has since May 2020 been using the flexibility provided in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 to hold remote Committee meetings. The Council has been holding its full range of meetings with most held fully remotely save that full Council meetings have been held on a hybrid basis with up to 6 officers/councillors present in the Chamber and the vast majority of Councillors and Officers attending remotely.

2.6 Under the Regulations fully remote meetings can continue to take place, however hybrid meetings with 6 Officers/Councillors present cannot take place lawfully. On that basis:

- Fully remote meetings continue to take place
- Decisions that would have been taken by full Council are taken instead through the Urgent Decision process set out in paragraph 11

2.7 The approach to decisions to be made under the Urgent Action powers is that the Council will use its urgent action powers for any urgent decisions that must be taken that cannot wait for the next formal meeting of Council. These powers are to be used sparingly and the guiding principles for any decisions are:

- I. Only those decisions that have to be made urgently (e.g. as a result of COVID-19 or related matters, including support of businesses in this difficult time or as a result of an immovable deadline) will be made

- II. The decisions will be made or endorsed (where the decisions have to be made very urgently) using the Urgent Action powers
- III. The decisions will be made available on a regular basis to Councillors through the daily update to Councillors and in any event through a weekly roundup of the decisions made through the relevant pages on the Council's website so that the Public can access them

3.0 Grants to Support Local Businesses

- 3.1 In response to the pandemic, Government have announced a number of grants to be distributed to businesses to support them during 2020-2021 and 2021-2022. A number of these grants have been mandatory and are paid to businesses based on eligibility criteria set by Government.
- 3.2 In addition, Government have announced discretionary grant allocations to enable local authorities to use these funds at their discretion to support businesses that do not fulfil the requirements of the mandatory scheme and to provide other aspects of business support.
- 3.3 In the Special Urgency Decision Notice of 9 November 2020, the establishment of supplementary revenue budgets were approved for the Local Restrictions Support Grants (LRSB) (Sector) and (Closed) Addendum, LRSB (Open) and Additional Restrictions Grant based on the criteria and guidance available at that time.
- 3.4 In an Individual Executive Decision Notices of 9 November 2020 and 11 December 2020, agreement for the distribution of discretionary business grants through the Additional Restrictions Grant and the LRSB (Sector), LRSB (Open), LRSB (Closed) Addendum and LRSB (Closed) to be paid in accordance with government guidance.
- 3.5 The grant allocations vary depending on what tier the local authority is placed in or if we are in a national lockdown, and as the situation revolves, further grants are announced. To date the following business grants have been announced:

Wolverhampton Council	Amount £
Additional Restrictions Grants - Further funds announced 5/1/21 awaiting allocation figure	5,267,140
Additional Restrictions Grants – Further funds announced 05.01.2021	2,339,414
Local Restrictions Support Grants (Sector) & (Closed) Addendum (November)	4,000,302
Local Restrictions Support Grants (Closed) Addendum – further funds announced 05.01.2021	6,000,453

Wolverhampton Council	Amount £
Local Restrictions Supports Grants (Open) 16 Oct - 4 Nov 20	901,164
Local Restrictions Support Grants (Closed) 2-18 December - further funds due 19 Dec - 4 Jan awaiting allocation figure	328,294
Christmas Support - wet led pubs Dec 20	102,400
Closed Business Lockdown Payment - funds announced 5/1/21 awaiting allocation figure	11,997,000
Total	30,936,167

3.6 In order that the council can respond in a timely and effective manner, the report seeks approval to build supplementary revenue budgets fully funded by Government Grants for any future mandatory business grants announced by Government and make payments to businesses in line with Government guidelines.

3.7 In addition, approval is sought to delegate authority to the Cabinet Member for Resources and the Cabinet Member for City Economy, in consultation with the Director of Finance and the Director of Regeneration for the distribution of discretionary business grants in line with Government guidelines and the use of funding to provide business support.

4.0 Community Testing Programme

4.1 The Council has been successful in securing funding from the Department of Health and Social Care (DHSC) to carry out mass testing of asymptomatic people in the local area.

4.2 The objectives of the Community Testing Programme are:

- To identify asymptomatic but potentially infectious individuals, helping to break the chain of transmission of Covid-19 in the area
- To help with the management and containment of Covid-19 outbreaks in the area
- To aim to address parts of the population in the area most at risk from Covid-19
- To encourage and support people identified through positive tests to comply with self-isolation requirements

4.3 The Council has developed a Hub and Spoke model, administering lateral flow tests from venues across the City. The successful bid approved by the DHSC, utilises community venues and community volunteers to deliver lateral flow testing within the heart of local communities. This increases acceptance and accessibility in some areas where there is low uptake and high prevalence of Covid-19. The model allows for a

targeted roll out of spokes across Wolverhampton's population. This includes general public, targeted communities such as BAME and our business communities.

- 4.4 The actual grant allocation will depend on the number of tests administered and is paid on the submission of claims. The DHSC make payment against tests completed as per the community agreement. The allocation per test is up to £14, however PPE costs are deducted from this initial amount. To support local communities to deliver the lateral flow testing our bid outlined that a payment of £6 per test would be made to the host community venue to spend on either supporting the volunteers or to enhance their community offer, as such benefiting the wider community as well as the individual organisation.
- 4.5 This report seeks approval to build in supplementary revenue budgets fully funded by Government Grant to support the Community Testing Programme. Approval is also sought to delegate authority to the Director of Public Health to make grant payments to third party organisation of £6 per test who are facilitating these tests on behalf of the Council.

5.0 Test and Trace Support Payment

- 5.1 On 20 September 2020, Government announced that from 28 September, there will be a new legal duty on all those who test positive for Covid-19 or are identified by NHS Test and Trace as a close contact, to self-isolate. Failure to comply will be an offence and carry a fine. To support those who are required to self isolate who are on low incomes and who are not able to work from home, a new Test and Trace Support Payment scheme was announced. Individuals eligible are entitled to a £500 lump sum payment. Wolverhampton's initial allocation totalled £273,765, which included a main programme, administration costs and discretionary payments. A Special Urgency Decision report on 9 October 2020, approved the establishment of supplementary budgets for this schemes which ran from the 28 September 2020 to 31 January 2021.
- 5.2 Of the total allocation of £273,765, £89,189 was for a discretionary scheme to support those residents not eligible for the main scheme, but who whilst not being in receipt of a qualifying benefit could evidence financial hardship. In an Individual Executive Decision Notice of 8 January 2021, a virement of £75,000 from the Covid Emergency Grant fund was approved in order that individuals required to self-isolate that fall within the criteria set for the discretionary scheme could continue to be supported.
- 5.3 On 11 January 2021, Government announced that both the main Test and Trace payment scheme and the Discretionary Test and Trace payment scheme will continue until 31 March 2021.
- 5.4 The Council's allocation for this extension has been confirmed as:
- Programme Costs (payments to applications of main scheme): £148,000.00
 - Administration costs £28,919.61

- Discretionary payments £105,810.53
- Total allocation £282,730.14

5.5 This report therefore seeks approval to establish supplementary revenue budgets totalling £282,730.14, fully funded by Government grant and make payments to individuals in line with Government guidelines.

6.0 Covid Community Champions

6.1 The Ministry of Housing, Communities and Local Government (MHCLG) announced a £25 million programme to support people shown to be at most risk from Covid-19 including those from ethnic minority background, disabled people and others to follow safe behaviours and reduce the impact of the virus on themselves and those around them.

6.2 Wolverhampton has been successful in securing £474,923. This grant will enhance current initiatives through creating a city-wide network of community champions that would interconnect partners, communities and services, readdressing the inequalities for those disproportionately impacted by the pandemic. To ensure we have developed a community led proposal we have taken into account learning and feedback from emergency Covid-19 projects, key stakeholders from the public, voluntary and private sectors, people most affected, residents from BAME communities, those with disabilities and community led Covid-19 focus group responses. Through this work we will enhance our Health Champion and Community Champion roles as community connectors embedded in communities.

6.3 This report seeks approval to establish supplementary revenue budgets totalling £474,923 fully funded by grant to support Covid Community Champions and delegate authority to the Cabinet Member for Public Health and Wellbeing in consultation to with Director of Public Health to approved any virements to support expenditure including awarding grants to voluntary and community organisations.

7.0 Black Country Fostering

7.1 The Black Country Fostering Feasibility Study completed in the spring of 2020 identified some workable solutions to the identified problem that there are insufficient local authority foster care placements in the Black Country to meet the needs of the children and young people in care. This can result in children and young people being placed at a distance, when living in locally could contribute to better outcomes for children.

7.2 The aim of the project is to improve the life chances for children and young people in care, through greater placement choice and stability, and fewer placement breakdowns. Building on existing partnership arrangements, a more formal alliance and collaborative approach to fostering in the region will be developed. All four local authorities / Trust will be involved during the implementation period. As an alliance, we will work in a more efficient and aligned way across the region, better using existing resources, creating

efficiencies through economics of scale and seeking joint commissioning opportunities to create a more local, responsive service.

7.3 This report therefore seeks approval to establish supplementary revenue budgets totalling £78,000 fully funded by grant to support Black Country Fostering project and delegate authority to the Director of Children's Services to approve any virements to support activity.

8.0 Rapid Test Fund

8.1 On 23 December, the Government announced a £149 million grant to support the rollout of Lateral Flow Device (LFD) testing in care homes. The main purpose of the fund is to support the setup, training and implementation of additional rapid testing of staff in care homes, and to support testing visiting professionals.

8.2 Wolverhampton has been awarded £768,415. The fund is only intended to support additional rapid testing using LFDs and can be used for:

- Paying for staff costs associated with training and carrying out LFD testing
- Paying for costs associated with recruiting staff to facilitate increased testing
- Paying for costs associated with the creation of a separate testing area where staff and visitors can be tested and wait for their results. This includes the cost of reduced occupancy where this is required to convert a bedroom into a testing area, but only if this is the only option available to the care home
- Paying for costs associated with disposal of LFD tests and testing equipment.

8.3 This report therefore seeks approval to establish supplementary revenue budgets totalling £ 768,415 fully funded by grant to support Rapid Testing for staff in care settings and to support testing visiting professionals and approve that 80% of the grant funding be allocated to care settings in line with the grant conditions. Delegation of authority to the Deputy Director for Adults, in consultation with the Director of Public health, to approve the plan on behalf of the council for the allocation of the 20% of grant funding in line with the funding conditions.

9.0 Work Force Capacity Fund

9.1 On 17 January 2021, the Government announced a £120 million grant to support local authorities to boost staffing levels. The aim of this funding is to protect and support social care sector, increase workforce capacity and increase testing. Wolverhampton's indicative allocation is £688,239.

9.2 The grant will help local authorities to boost staffing levels. The fund can:

- Provide additional care staff where shortages arise
- Support administrative tasks so experienced and skilled staff can focus on providing care

- Help existing staff to take on additional hours if they wish overtime payments or by covering childcare costs.

9.3 This report therefore seeks approval to establish supplementary revenue budgets totalling £688,239 fully funded by grant to support work force capacity and delegate authority to the Director of Children's and Adult Services to allocate the grant in line with the funding conditions.

10.0 Future Government Grants

10.1 To date the Council has been awarded a number of grants to support the costs arising in response to the pandemic. As the City is placed in different tiers or national lockdown is announced, different grants are also awarded to recognise the increase cost pressures faced by councils.

10.2 In order to respond in a timely and effective manner, this report seeks approval to build supplementary revenue budgets fully funded by Government grant for any new grants that may be announced until the 31 March 2021, and delegate authority to the Cabinet Member for Resources, in consultation with the Director of Finance, approve all virements required to support the additional costs and loss of income relating to Covid 19.

11.0 Reasons for Special Urgency

11.1 In the light of the current situation involving COVID-19 the Council will use its urgent action powers for any urgent decisions that must be taken that cannot wait for the next formal meeting. These powers are to be used sparingly and the guiding principles for any decisions are:

1. Only those decisions that have to be made urgently (ie as a result of COVID-19 or related matters, including support of businesses in this difficult time or as a result of an immovable deadline) will be made

2. The decisions will be made or endorsed (where the decisions have to be made very urgently) using the Urgent Action powers

3. The decisions will be made available on a regular basis to Councillors through the daily update to Councillors and in any event through a weekly round up of the decisions made through the relevant pages on the Council's website so that the Public can access them

The relevant powers under the Constitution are:

Council Decision

6.10 Urgent Decisions outside the Budget or Policy Framework

An urgent decision which is contrary to the Policy Framework or budget adopted by the Council may be taken by the Cabinet if the Chair of the Scrutiny Board agrees that the decision is urgent. If no such Chair is available (or willing) then the Mayor or in his/her absence the Deputy Mayor may agree that it is urgent before a decision is taken.

Cabinet Decision

Where an urgent decision on a matter delegated to the Cabinet is required but it is not feasible to arrange a meeting of the Cabinet, the appropriate Director, in conjunction with the Head of Paid Service is authorised to take the appropriate urgent action provided that the action shall have first been discussed with and approved in writing by the Leader (or in the Leader's absence, the Deputy Leader) and two other Cabinet Members and the Chair and Vice-Chair of the Scrutiny Board or their nominees.

The written authorisation must include details of the proposal and the justification for the course of action. Expenditure must be within existing budgets. Any action taken under this rule must be reported to the next available meeting of the Cabinet for information. Such decisions will not be subject to the usual Call In procedures set out in Part 4, although they may be examined after implementation to determine whether the justification for the course of action was appropriate.

- 11.2 This proposed decision falls into the criteria for urgent decisions set out above. As detailed above the matters covered in this report are ones that do not have authority unless covered by this report and must be made to protect the vulnerable and the financial and physical wellbeing of residents and businesses in the City.

12.0 Reasons for decision

- 12.1 The Council has legal and moral duties in relation to a number of aspects arising from COVID-19 this decision gives the authority to set an additional supplementary budget to meet the additional costs as a result of Covid-19 take the steps outlined in the report and to expend monies on these key issues.

13.0 Evaluation of alternative options

- 13.1 There are no alternatives other than taking a less thorough response to COVID-19, it is felt that this would put the Council at risk legally and morally. The Council must ensure that the budget is revised to account for the additional funding received from Central Government and the continuing financial pressures as a result of Covid-19.

14.0 Financial implications

- 14.1 In response to Covid-19, the Government have announced a number of grants both local authorities in responding the pandemic and to distribute to local other organisations, including local businesses.

- 14.2 As the situation evolves and areas are placed in national lockdown or in different tiers under the tier system, extension to these grants and new grants are announced.
- 14.3 In order to ensure that these grants are administrated in a timely and effective manner, this report seeks delegation to:
- Approve the establishment of supplementary revenue budgets fully funded by Government Grants for mandatory business grant schemes and agree to make payments to eligible business grants, in line with Government Guidance for the period up to 31 March 2021.
 - Approve the establishment of supplementary revenue budgets fully funded by Government Grant for discretionary business grant schemes and delegate authority to the Cabinet Member for Resources and the Cabinet Member for City Economy, in consultation with the Director of Finance and the Director of Regeneration to agree the distribution of discretionary business grants in line with Government guidelines.
 - Approve the establishment of supplementary revenue budgets fully funded by Government grant for the Community Testing Programme and delegate authority to the Director of Public Health to make grant payments to third party organisations facilitating tests on behalf of the Council.
 - Approve the establishment of supplementary revenue budgets totalling £282,730.14 fully funded by the Test and Trace Support Payment Grant and make payments to individuals in line with Government guidelines.
 - Approve the supplementary revenue budgets totalling £474,923 fully funded by grant to support Covid Community Champions and delegate authority to the Cabinet Member for Public Health and Wellbeing in consultation to with Director of Public Health to approved any virements to support expenditure including awarding grants to voluntary and community organisations.
 - Approve the establishment of supplementary revenue budgets totalling £78,000 fully funded by grant to support Black Country Fostering project and delegate authority to the Director of Children's Services to approve any virements to support activity.
 - Approve the establishment of supplementary revenue budgets totalling £768,415 fully funded by grant to support Rapid Testing for staff in care homes and to support testing visiting professionals and approve that 80% of the grant funding be allocated to care settings in line with the grant conditions. Delegation authority to the Deputy Director for Adults, in consultation with the Director of Public health, to approve the plan on behalf of the council for the allocation of the 20% of grant funding in line with the funding conditions
 - Approve the establishment of supplementary revenue budgets totalling £688,239 fully funded by grant to support work force capacity and delegate authority to the Director of Children's and Adult Services to allocate the grant in line with the funding conditions

- Approve the establishment of supplementary budgets fully funded by Government Grant awarded to the council to support the costs of Covid until the 31 March 2021, and delegate authority to the Cabinet Member for Resources, in consultation with the Director of Finance, approve all virements required to support the additional costs and loss of income relating to Covid 19.
- Approve the Council entering into such grant agreements as are necessary for the Council to receive the funding.

AS/21012021/P

15.0 Legal Implications

- 15.1 **Finance** -The Council's executive and officers are only permitted to make decisions in line with its set budget and this decisions ensures that any delegated decisions made to incur additional expenditure as a result of Covid-19 are lawful and properly account for the additional grant received by Central Government.

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