

**Minutes of the Health and Adult Social Care Scrutiny  
Committee  
Wednesday 4<sup>th</sup> November, 2020 at 6.00 pm  
on Microsoft Teams**

**Present:**

Councillor D Tyler (Chair)  
Councillors C Bayton, R Body, R Burston, J Cowell, A Hopwood, P Lee, P Miller, E Taylor and S Waltho; J Emery (Co-opted Member).

**Dudley MBC Officers:**

H Ellis – Acting Director of Children’s Services, B Kaur – Acting Director of Public Health and Wellbeing, I Newman – Director of Finance and Legal, R Cooper – Head of Financial Services, S Haywood – Head of Community Safety, K Jackson – Head of Healthy Communities and Place, P Mountford – Head of Planning and Regeneration, P Parker – Head of Communications and Public Affairs, J Branch – Head of Human Resources and Organisational Development, A Tromans – Acting Head of Digital and ICT Services, G Barbosa – Intelligence Manager, J Martin – HR Manager, R Penn – Strategic Business Partner, S Griffiths – Democratic Services Manager and H Shepherd - Democratic Services Officer.

**Also in attendance:**

Councillor A Millward – Chair of Children’s Services Scrutiny Committee (Invitee)

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37 **Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor C Neale.

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38 **Appointment of Substitute Member**

It was noted that Councillor R Burston had been appointed as a substitute for Councillor C Neale, for this meeting of the Committee only.



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39 **Declarations of Interest**

Councillor S Waltho declared a non-pecuniary interest as a nominated Member of the Council of Governors on the Dudley Group of Hospitals.

Councillor J Cowell declared a non-pecuniary interest as she had formed part of the shielded group and had received support from the Government package during the first lockdown.

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40 **Local and National Covid-19 Developments – Update**

The Acting Director of Public Health and Wellbeing provided a verbal update on the current local and national position on the Pandemic. It was reported that due to the rapid increase of the rate of infection, a decision had been made at the National Gold Command meeting on Thursday 29<sup>th</sup> October, 2020 for Dudley's alert level to move into the tier 2 high alert category with effect from Saturday 31<sup>st</sup> October, 2020. It was reported that the key attributes taken into account when making the decision was not just the rise in cases within the population, but the substantial rise in cases within the over 60's age bracket and the growing pressure on the Dudley Group NHS Trust.

It was noted however that the move into tier 2 had been superseded following the announcement of national lockdown restrictions which would become effective from Thursday 5<sup>th</sup> November, 2020.

Members were assured that the Place Base Incident Management Group had continued to meet since September in response to the rise in cases, which involved engagement with all partners across the whole system and was now also attended by a representative from the Department of Health and Social Care to assure governance to nation teams that the rise in cases would be responded to appropriately. Members were further assured that all system partners had stepped up their response to the crisis and that Gold Command Control meetings had reformed.

The Intelligence Manager provided an overview and presented data on the current situation in Dudley, and in doing so outlined the rolling incident rate since the start of the Pandemic to the current date. It was evident that there had been a rapid rate of increase since the end of September. Although the number of infections recorded were much higher than in the first wave of the Pandemic, it was reported that this was as a result of the widespread testing that was now taking place. In comparison with neighbouring authorities, it was reported that Dudley's infection rates had remained low for a substantial period of time, however due to the expedient rapid increase in numbers, Dudley had now exceeded all neighbouring authorities other than Sandwell MBC and hospital admissions had noticeably increased.

In response to questions raised by Members, it was stated that as the Alert Levels were now within the highest category, it was inevitable that decisions on elective surgery would be excepted and that the rise in infection rates were mainly within the working age category, 18 to 64 years of age, from a combination of work, household and recreation spread. It was further noted that the infection rates were spread across all wards of the Borough.

Members were encouraged to attend future Member webinars, the dates of which would be circulated following the meeting, as further data would be available and shared.

### **Resolved**

That the verbal update be noted.

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## **Scrutiny Review – Council and Partner Response to the Covid-19 Pandemic**

### **41 Financial Impact of the Covid-19 Pandemic**

Members considered a report of the Director of Finance and Legal outlining the latest forecast 2020/21 revenue outturn position including the financial impacts of the Covid-19 Pandemic.

The Director of Finance and Legal referred to paragraphs of specific importance within the report, in particular referring to paragraph 4 and stated that the forecast had been made with uncertainty due to the constant change in situation.

In referring to Appendix A of the report, which outlined the funding that had been provided by the Government in response to Covid-19, which had been correct at the time of writing the report, had however again changed following the announcement of a further national lockdown, in that:-

- a further £3.9 million un-ringfenced General Covid-19 Grant had been provided to support the Local Authority in responding to the crisis;
- as income generating facilities would again have to close the Local Authority would be eligible to claim 75p in every £1 compensation from the Compensation for Sales, Fees and Charges Grant;
- an additional funding stream had been confirmed, namely the Contain Outbreak Management Fund to support test and trace which equated to £2.6 million ringfenced;
- approximately £200,000 in additional funding to support the clinically extremely vulnerable had been confirmed;
- there would be additional support to businesses that were required to close, the level of grants to be allocated to those businesses had been advised, however it was uncertain at this time of the costs of this action, which would be reimbursed by the Government;

- clarification was awaited on the level of additional funding the local authority was eligible for as a result of being in the Tier 2 category for a period of five days;
- an Additional Restrictions Grant of £6.4 million had been given to deal with all other discretionary support the Local Authority may decide to provide to local businesses. This was a new grant and a view on how to apply this discretion needed to be considered.

It was reported that the costs in which the council would incur in managing the Pandemic had yet to be assessed and it was unclear as to what would happen after the latest lockdown or for the remainder of the financial year.

It was noted that funding for the next financial year was unknown, however the Comprehensive Spending Review was expected by the end of November. It was considered inevitably that the economic impact from the Pandemic would remain for a significant period of time to come.

Arising from the presentation of the report, Members asked questions, made comments and responses were provided as follows:-

- It was considered that with a combination of the impact on Council Tax and Business rates, the tax base income was estimated to be down by £10 million for the current financial year. The Government had, however, introduced measures that would allow losses to be spread over a three-year period. There was a level of optimism that there would be a speedy economic recovery, however it acknowledged that business profitability would not return to normal with immediate effect from 1<sup>st</sup> April 2021, and it was recognised that there would be a period of recovery, and the level of support during this period that would be required and provided by the Government needed to be established.
- To address the financial pressures within the Adult Social Care and Children's Services, additional funding provided had been ringfenced to deal specifically with Covid-19 related impact. It was acknowledged that there was more additional funding available for Adult Social Care services, however an additional £1.9 million had been included in the Dedicated Schools Grants to address the education catch-up following the school closures during the first wave of the Pandemic.
- Following the Comprehensive Spending Review, the Council would have a better idea of its funding, but this was still uncertain. For this reason, the Medium-Term Financial Strategy would not be scrutinised during the November cycle of Scrutiny Committees. The Government had recognised the need to support Local Authorities but the extent of that support would not be known until the Comprehensive Spending Review in November and Financial Settlement in December was received. Officers continued to undertake background work on potential scenarios.



- Voluntary sector organisations had supported Local Authority services throughout the crisis and the Director of Finance and Legal agreed to explore options to support voluntary sector organisations from un-ringfenced additional Covid-19 support monies that had now been granted.
- Although reductions in the payment of mileage and printing as a result of employees working from home had been identified, these savings did not outweigh the additional costs incurred from dealing with the Pandemic.
- The financial support to local businesses would be provided by the same teams that issued the first wave of funding, therefore it was expected that the process would run smoothly and as efficient as it had done previously. The eligibility criteria had however changed and only mainstream businesses that were required to close would now be eligible to claim. Other businesses that were indirectly impacted by the lockdown could claim support through the Discretionary Business Support Scheme.
- It was confirmed that only one fraudulent claim case had been identified, and this had been prior to any payment being made.

## Resolved

That the information contained in the report and presented at the meeting, be noted.

## 42 Children's Services response to the Covid-19 Pandemic

A report of the Acting Director of Children's Services was submitted to update the Committee on the Children's Services response to the Covid-19 Pandemic.

The Acting Director of Children's Services presented the report in detail and reiterated the comments of previous presenting Officers, in that circumstances, guidance and information changed frequently, therefore services and staff had needed to be adaptable to change.

It was reported that following the closure of all buildings in March 2020, children and families had continued to be supported virtually and all services had continued to operate, albeit in a slightly different manner. The Multi-Agency Safeguard Hub (MASH) and child protection conferences had operated virtually, and all relevant families had been contacted to ensure that they were happy and confident in the way services were being delivered.

It was considered that the priority at the commencement of the lockdown was to ensure that support was provided to the most vulnerable children and services worked collaboratively with all schools to ensure that vulnerable children continued to attend safely.

Five family centres had reopened during the summer and Corbyn Road had now been declared Covid-19 safe and would reopen from 18<sup>th</sup> November, 2020. The opening of Corbyn Road would continue despite of the new national lockdown restrictions as it was considered vital that the MASH and social workers all returned to their respective teams.

It was reported that during June, July and September an increase in the number of contacts made to the MASH had been recorded, however this was expected as contacts during school closures had reduced. It was noted that moving forward the MASH continued to deal with an increase in the number of referrals and resources were being managed effectively in conjunction with partner agencies.

It was stated that the Local Authority had proactively supported early year providers to ensure that they remained open during the initial lockdown period, primarily for vulnerable children, however from September onwards, provisions had reopened to all. It was also noted that Early help had continued to support vulnerable families and had conducted home visits, when necessary to do so, using the appropriate level of Personal Protective Equipment (PPE).

In referring to the Youth Offending Services, the Acting Director of Children's Services advised that Magistrate Courts had now reopened and cases were being heard, although there was a significant backlog which needed to be addressed, however the youth offending team continued to work proactively throughout the crisis.

It was emphasised that the Local Authority had worked extensively with all category of schools to provide support, advice and to ensure that children could return to the school environment safely and that attendance remained high when schools reopened in September. Although a number of families had been anxious and had expressed concern with children returning to school, substantial work had been done to address these concerns and provide support and reassurance to alleviate anxieties.

The Acting Director of Children's Services referred to the activities that had been scheduled and held throughout the summer to provide support and to help build children's confidence to return to school from September.

In referring to the work of the SEND team, the Committee were advised that although temporary Government regulations and guidance permitted SEND regulations to be relaxed during the peak of the Pandemic, on whole, Dudley's service had continued to function as normal, with a complete new team recruited and trained virtually.

Arising from the presentation of the report, members made comments, asked questions and responses were provided where necessary:-

- It was confirmed that all SEND vacancies had now been appointed and that the team was fully functional. The new team had all been appointed virtually and had not yet met physically, however all attended regular virtual briefings and team meetings.



- A Member commented positively on the virtual child protection conferences, which were preferred by young people, as they were considered to be less intrusive and suggested that these continue moving forward.
- A concern was expressed with regard to the high number of Social Workers leaving the authority, which was understood to be due to the pay scale at Dudley being significantly lower than that paid at neighbouring authorities, and the fact that carers and children were not notified of the change.

The Acting Director of Children's Services agreed to address the comments made.

- A Member referred to the lack of communication of staff changes and it was requested that a list of current staff and their role to be provided, with any future changes communicated accordingly.
- Gratitude was expressed to the Acting Director of Children's Services and her team for the exceptional work undertaken and commended the service for their continued support and dedication during this difficult time.
- The Acting Director of Children's Services agreed to provide school attendance data to all Members of the Committee following the meeting.
- A Member commented positively on Foster Panel meetings that were now being held virtually.
- It was confirmed that any new ways of working and good practises identified would be implemented moving forward. This included the opportunity to schedule foster panels and child protection conferences virtually. Virtual meetings were considered to be beneficial for social workers as it reduced travel time and were also less intrusive for the child and families. However, should there be any concerns with individual cases, face to face meetings would be conducted safely, in accordance with social distancing guidance and with the use of appropriate PPE.
- Concerns were raised with regard to face to face visits for youth offenders, as it was considered that virtual contact was insufficient in dealing with these individuals and expressed the need for face to face contact to be reinstated in a secure and safe manner.

The Acting Director of Children's Services concurred with the comments made and advised that a group of Children's Services Directors had already registered their concerns in this matter.

A Member suggested that the Independent Safeguarding Chair should also be requested to submit representations in this regard.



- The MASH working remotely was referred to, particularly as the primary purpose of the hub was to have all partner agencies working together from one point of contact and questioned if any partnership working had been lost as a result of working remotely for a period of eight months. A Member also asked if there had been a reduction of staff from the Service.

In response, the Acting Director of Children's Services confirmed that there had been a reduction in job roles under the previous Director, however those posts had since been reinstated. It was stated that the MASH would return to Corbyn Road as of 18<sup>th</sup> November and that although the service had been working remotely this had not impacted on the performance of the service, however it was recognised that it was important for the team to be reunited.

- In referring to paragraph 63 of the report, it was stated that at the commencement of the Pandemic, health workers had been called back to provide support within the health sector in response to Covid-19, leaving services within the Local Authority underrepresented. However, assurance had been provided that this would not happen during the second lockdown period.
- During the first two weeks of September, there had been a significant increase in the number of elective home education applications, which had been recognised across all local authorities nationally, however this had since plateaued. A significant amount of work had been done and the Local Authority had work proactively with these parents to try to alleviate anxieties with regard to their children returning to the school environment, with a large proportion of those children now attending school. The need for additional resources within the elective home education service would be reviewed and the DfE and Ofsted were observing the situation nationally.

The Chair of the Children's Services Scrutiny Committee also commented that the Children's Services Scrutiny Committee had expressed their concerns in this matter and that a letter had been sent to the Secretary of State for Education outlining Dudley's concerns.

- Telephone conversations were held with children and families prior to the virtual Child Protection Conference, to help with the preparation and to build confidence. Should a Social Worker have any specific concerns or anxieties with regard to a particular child or family, a physical meeting or visit would be conducted.
- The Acting Director of Children's Services confirmed that there should not be a delay in the MASH contacting a resident following a referral being made and requested that she be contacted directly of individual cases where this had occurred.

## Resolved

1. That the information contained in the report and presented at the meeting be noted.
2. That the unprecedented challenges faced by Children's Services and the way in which staff have responded be recognised by the Scrutiny Committee.
3. That the children's services response to Covid-19 and the new way of working, including virtual and IT services, will continue for the foreseeable future, be endorsed.
4. That the Scrutiny Committee acknowledges that staff changes do take place, and requests that Members be advised of vacant positions, appointments and by whom.
5. That the Acting Director of Children's Services provide school attendance data from September 2020 to all Members of the Committee.

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### 43 **The Impact of Covid-19 on Business and Employment and Skills Support**

Members considered a report of the Director of Regeneration and Enterprise on the impact of Covid-19 on the delivery of business support and employment and skills support by the Directorate of Regeneration and Enterprise.

The Head of Planning and Regeneration presented the report and in doing so referred Members to paragraphs of specific importance, following which Members had opportunity to make comments, ask questions and responses were provide as follows:-

- Dudley Business First team continued to work closely with job centres and the Department for Work and Pension in how support can continue to be provided to those residents newly unemployed and without access to technology. The Black Country Impact Programme and the Kick Start programme would both provide support in these circumstances, however it was recognised that there was a need for further engagement with local residents to provide support. It was stated that there was an opportunity to bid for funding from the European Regional Development Fund project, for digital inclusion, which would allow individuals to loan equipment. Confirmation as to whether the Black Country had been successful in this bid was awaited, however, in the meantime Neighbourhood Learning Centres would continue to remain open.
- A breakdown of the profile of new claimants, including the current level of job losses and the number of job losses, be provided to Members following the meeting.

- The Dudley Regeneration Academy was a joint project with Dudley College and the West Midlands Combined Authority and linked with the regeneration projects within the Town Centre, to ensure that local residents benefit from potential employment opportunities on construction projects, in terms of short term work placements initially, with potential for future career development. This initiative was currently in its infancy, although hoped to be replicated on other developments within the Borough in the future.
- The Not in Education, Employment or Training (NEET) Steering group worked collaboratively with the Employment and Skills Team, Connexions and Post -16, Job Centre Plus and the West Midlands Combined Authority to actively support young people. It was recognised that intelligence and profiling was key for the future and to tackle the impact of Covid-19 on the economy.
- Discussions had been held with Loaves and Fishes Charity, based in Dudley, on how the Local Authority could work with them to engage with groups and individuals that were not currently accessing mainstream support. This initiative was a pilot scheme and would need to be progressed moving forward.
- When the Council procured the contract to deliver a project or when funding was accessed through the West Midlands Combined Authority, social value would routinely be included. It was recognised that the challenge would be when the appointment of the contractor was made by a different sector, and should that be the case, early conversations would take place to establish what employment opportunities would be available to local residents.

## Resolved

1. That the information contained in the report and the actions taken by the Directorate to ensure continuation of business support and employment of skills support services across the Borough, be noted.
2. That the planned interventions for business and employment and skills support as part of the Covid-19 response, be noted.
3. That the Head of Planning and Regeneration be requested to provide Committee Members following the meeting, with a breakdown of the profile of new claimants, including the current level and number of job losses.

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## 44 Covid-19 – Impact of Specific Communities

A report of the Acting Director of Public Health and Wellbeing was submitted on the work being undertaken to identify and support specific communities in Dudley who were identified to be more at risk of the impacts of Covid-19 and the joint response with Council colleagues and partner agencies to support specific communities.

The Head of Healthy Communities and Place presented the report and in doing so referred to the embedded inclusive approach of the Covid-19 outbreak plan and the varied engagement and communication mechanisms that had been used to build trust and participation within the whole community, which included the use of Covid-19 Champions, webinars and existing network organisations.

It was commented that significant targeted work had been undertaken around the Black and Minority Ethnic (BAME) communities, deprived communities and those already financially struggling on benefits and low income and residents with existing long term health issues, as these communities had been identified as being at higher risk of serious illness or death due to Covid-19. It was stated that sub-groups of the Dudley Health and Wellbeing Board had been established to address the wider inequality issues. It was commented that as a result of the recent announcement of the implementation of further national lockdown restrictions, that the community cohesion and support with food packages and benefit advice would again be put into operation.

The Intelligence Manager presented a series of data comparison analysis by ethnicity, which included the number of recorded case, the breakdown of cases by age and deprivation and although there had been a significant increase in the number of recorded cases within the white community, it was clear that infection rate was much higher within BAME communities. It was suggested that this may be as a result of deprivation levels, BAME residents working in high risk jobs and living in higher populated houses. It was also considered that the high number of BAME may also be due to increased testing and that further data analysis would be conducted moving forward.

In referring to paragraph 54 of the report submitted and the financial support available to struggling residents, a member expressed concern of the high number of applications that had been unsuccessful and asked if the criteria was considered to be appropriate and if those that had been unsuccessful had received any other kind of support from the Local Authority. In response, the Head of Healthy Communities and Place confirmed that specific criteria applied to all applications, which was in accordance with the delivery guidelines and Council constraints. Since publication of the report consideration had been given and discussions had been held with partners within the voluntary sector, Dudley CVS and other organisations with regard to monies from the Emergency Welfare Assistance Scheme to be put into those areas, as this would provide more flexibility and reach those residents that would not necessarily be eligible under the set criteria. It was reported that figures had significantly improved since the report had been written and updated information would be circulated to Members following the meeting.

In referring to paragraph 55 of the report submitted and the provision of free school meals to eligible children, a Member proposed that a recommendation be submitted to Council/Cabinet in support of the continuation of free school meals, as per the first wave of Covid-19 and continue for all school holiday's/extended school closure periods, due to Covid-19 pressures, for families who met the criteria.

## **Resolved**



HASC/57

1. That the information contained in the report and presented at the meeting, be noted.
2. That the Cabinet and Council be recommended to support the continuation of free school meal vouchers, as per wave 1 of Covid-19 and that this continues for all school holidays and/or extended school closure periods, due to Covid-19 pressures, for families who meet the criteria for free school meals.
3. That the presentation slides and the updated financial support package figures, be circulated to Members of the Committee following the meeting.

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#### 45 **Changes in working practices and new technology**

Members considered a report of the Chief Executive in relation to the impact Covid-19 has had on the Council's workforce, working practises and the utilisation of technology.

The Head of Human Resources and Organisational Development, together with the Acting Head of Digital and ICT Services was in attendance at the meeting to present the report and in doing so stated that due to constant changes in circumstances, as with all services, there was a need to continuously update practises, as guidance from Central Government changed on a regular basis.

It was reported that adjustments were made to working practise to enable services to continue throughout lockdown and that two thirds of the Council's workforce had either fully or partial worked from home, which the majority continued to do so. The personal resilience of staff and the impact on their lives were highlighted, as well as the work undertaken by the Local Authority to be more responsive with regard to the engagement with employees. It was stated that there had been a move from the planned bi-annual survey to a pulse survey with results delivered within a short space of time and that targeted engagement with BAME employees who were anxious with regard to their health and welling, as result of evidence that Covid-19 had been more significant amongst BAME communities, had taken place.

It was noted that those employees affected by the closure of provisions had been deployed to other areas of greater need or to support Dudley CVS with the provision of food banks and support for the vulnerable/shielded. One of the key issues that had been identified throughout the process was the impact on employees mental health and wellbeing which was an area in need of investment and greater support.

In referring to paragraph 7 of the report, the Acting Head of Digital and ICT Services outlined the steps taken to enable employees to work from home and conduct business virtually.

Arising from the presentation of the report, Members made comments, asked questions and responses were provided were necessary as follows:-

- In referring to the new arrangements enabled to make payments, the Acting Head of Digital and ICT Services confirmed that cash payments could still be made at Post Offices and at PayPoint venues, however the majority of residents that had previously preferred to make cash payments had changed to an alternative form of payment method.
- Staff would only be requested to return to the workplace once the building had been declared Covid-19 safe and that it was considered safe for staff to do so. Individual risk assessments would be undertaken for those employees that were considered to be vulnerable or at a higher risk.
- In referring to paragraph 4 of the report, it was confirmed that any employee absence, as a result of Covid-19, would not be considered as part of the Bradford Factor used in relation to the employee attendance policy.
- A significant amount had been invested into new technology to improve connection speed, however the local authority had limited control on a individuals home WIFI. Officers had liaised with suppliers to manage remote connection and a number of issues identified were under investigation.
- Laptops procured were additional expenditure to the budget and the lifespan of that equipment would need to be managed over the next four or five years.

## **Resolved**

That the information contained in the report and presented at the meeting, be noted.

## **46 Democratic Services during the Covid -19 Pandemic**

A report of the Monitoring Officer and Lead for Law and Governance was submitted on the services administered by the Democratic Services Team of Law and Governance during the Covid-19 Pandemic.

In presenting the report, the Democratic Services Manager confirmed that Dudley's Government arrangements and essential decision making process, had been maintained throughout the Pandemic in line with the Constitution, legal requirements and Government regulations and thanked all colleagues across the authority and Elected Members for their support and commitment in this achievement.

It was stated there had been an indication, following representations made to Central Government, that remote meeting regulations may be extended after the Pandemic to allow Local Authorities to take advantage of the benefits of the new ways of working.

A Member referred to the possibility of hybrid full council meetings and asked what virtual voting mechanism would be put in place to ensure that business could be conducted democratically. In response, the Democratic Services Manager confirmed that hybrid meetings were permitted in accordance with the temporary regulations, however implementation would be delayed due to the announcement of the higher national restrictions that would become effective from 5<sup>th</sup> November. It was further stated that the Members ICT Working Group had considered the issue of virtual voting and ICT services were exploring the option to develop a mechanism within the Microsoft Teams program.

### **Resolved**

That, the actions and procedures put in place to maintain continuity of Council business and essential decision making during the Covid-19 Pandemic, be noted.

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## 47 **Communications**

The Head of Communications and Public Affairs gave a verbal update on the communication activity that had taken place since the last meeting of the Scrutiny Committee with focus on two key communication themes relating to the communication around the change in Covid-19 restrictions from Tier one to Tier two and the launch of the two new Covid-19 testing sites within the Borough.

It was reported that as a result of media relations work undertaken by the Communications and Public Affairs Team with regard to the Covid-19 Scrutiny Review process, both the Centre for Governance and Scrutiny and the Local Government Chronicle had expressed an interest in working with Dudley and to produce articles to showcase the Scrutiny work undertaken.

In concluding the presentation the Head of Communications and Public Affairs announced that the Communications and Public Affairs team had been shortlisted for an award in the National Covid-19 Communications Awards. The award ceremony would take place virtually on 18<sup>th</sup> November and the Committee would be notified of the outcome in due course.

Members commented positively on the whole scrutiny review process and commended all the Councillors, Officers, partner organisations and others that had been involved.

### **Resolved**

That the verbal update provided be noted.

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The meeting ended at 9.14pm.

CHAIR