

COMMUNITIES SCRUTINY PANEL

DATE	26 th November 2020
REPORT OF	Chief Legal and Monitoring Officer
SUBJECT	COVID-19: Emergency Governance and Decisions
STATUS	Open - Update

CONTRIBUTION TO OUR AIMS

The Council has acted in accordance with its statutory duties as a Category 1 responder and marshalled its resources in such a way as to respond to the crisis. This has seen a sea change in Council priorities and deployment of its workforce. Swift and decisive action, taken within the scope of an emergency decision framework, has assisted in ensuring that North East Lincolnshire has suffered some of the lowest numbers of COVID-19 cases in the country.

Because of the Council's stated strategic aims of Stronger Economy and Stronger Communities there has been a tangible galvanisation of these commitments through a dedicated workforce across the Council and Clinical Commissioning Group coming together through the Union. This together with robust partnership working with key partners and stakeholders across the business, voluntary and community sectors has placed the borough in as strong a position as possible going forward.

EXECUTIVE SUMMARY

The Panel has the Constitutional remit to deal with issues arising from the Civil Contingencies Act 2004 and emergency planning per se. This report seeks to update the panel as to the range of emergency decisions taken within the emergency governance framework to respond to the COVID-19 crisis. The framework was previously considered by this panel at a special meeting and the panel has subsequently received reports on emergency decisions on 4th June 2020 and 23rd July 2020.

This report covers emergency decisions made since 23rd July 2020.

MATTER(S) FOR CONSIDERATION

It is recommended that the Panel receive and note the emergency decisions taken within the emergency framework.

1. BACKGROUND AND ISSUES

As outlined within previous reports (4 June 2020, 23rd July 2020), the process for a decision to be made, once monitored by appropriate officers was that the Chair of this panel was engaged to seek consent to treat the subject matter as one of urgency, so complying with special urgency provisions. Upon consent being given the decision

record was submitted to the Chief Executive who then engaged with the Leader of the Council and Portfolio Holder for Finance and Resources.

Once made all decisions (with supporting email threads) were published on the Council's website at:

<https://www.nelincs.gov.uk/your-council/decision-making/emergency-officer-decisions/>

All recent decisions, since the last report, are repeated at Appendix 1 of this report.

The panel is invited to receive and note the decisions as per the recommendations above.

2. RISKS AND OPPORTUNITIES

The risks countenanced by the Chief Legal and Monitoring Officer are around whether or not the emergency decision making framework is robust. However, decisions are made at the highest officer level and in consultation with the Leader of the Council and Portfolio Holder for Finance and Resources, thereby giving the decisions both officer and democratic support. All decisions followed the emergency decision making framework and were made in the knowledge that they would be published and appropriately scrutinised. The emergency framework itself is in accordance with established constitutional provisions and statute. The Chief Legal and Monitoring Officer feels that risks around governance have been fully mitigated and that the process and framework described above is as robust as it possibly can be.

3. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

Clearly, in responding to the COVID crisis the Council must ensure that its decision-making functions are appropriate, transparent and follow accepted governance principles.

4. FINANCIAL CONSIDERATIONS

There are no financial considerations arising from this report itself. Financial implications for each emergency decision made have been captured in the individual decision records.

5. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

There are no such implications arising from this report.

6. MONITORING COMMENTS

In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance or physical assets). As a result, no monitoring comments have been sought from the Council's Section 151 Officer (Director of Resources and Governance) or Strategic Workforce Lead.

7. WARD IMPLICATIONS

All wards.

8. BACKGROUND PAPERS

Report to Communities Scrutiny Panel 4 June 2020.
Report to Communities Scrutiny Panel 23rd July 2020

9. CONTACT OFFICER(S)

Simon D Jones. Chief Legal and Monitoring Officer.

Simon D Jones
Chief Legal and Monitoring Officer

Appendix 1

EMERGENCY DECISIONS

	<u>DECISION</u>	<u>MONITORING</u>			<u>DPH</u>	<u>SCRUTINY CHAIR CONSENT</u>	<u>SIGN OFF</u>			<u>TO DEM SERVICES</u>	<u>Consideration by Communities Scrutiny Panel</u>
		<u>LEGAL</u>	<u>FINANCE</u>	<u>HR</u>			<u>PFH</u>	<u>LEADER</u>	<u>JCX</u>		
15	Duchess Street Testing Centre					17.09.20	17.09.20(Dep L)	17.09.20	17.09.20	17.09.20	
16	Funds from Community Response to LT&B					25.09.20	29.09.20	29.09.20	02.10.20	02.10.20	