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Dear Johanna, Drew and Wendy,

COVID-19 - Local Government Response

Thank you for your letter dated 1 April 2020 to the First Minister regarding concerns about the response to Covid-19 in local government. The First Minister has asked that I respond on her behalf.

I would like to offer you reassurance that the Scottish Government is working in close partnership with COSLA and SOLACE on both the immediate resilience arrangements which have been put in place and which Councils are now implementing, and on the longer term response. As you will be aware Scotland's resilience and emergency planning systems across all essential public services are well established. Local authorities and COSLA, are an integral part of this alongside other key service providers.

The Scottish Government has sought dialogue with all stakeholders during the current crisis and you are encouraged to join with this direct dialogue on matters of concern to your members. I hope I can offer assurance that COSLA can and do bring together issues of concern raised by unions, and working together with Scottish Government and SOLACE seek to resolve them urgently.

I understand that you participate in the Workforce Issues Group (WIG) that COSLA has established and which meets daily via teleconferencing. This provides a clear mechanism to hear, discuss and address matters of concern from the trade unions arising at a national level. Issues raised at these meetings can, where appropriate, be escalated to the SGoRR or other Scottish Government senior officials for resolution.

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I am also aware that Jason Leitch, Fiona McQueen and Richard McCallum, joined a recent meeting where many of the issues you raise were discussed. I hope their participation and discussion went some way to reducing some of those concerns. I am also grateful that agreement was reached to work closely with Jason to develop key public health and clinical messaging and advice, specifically aimed at the local government workforce.

Given the nature of your concerns I felt it was important for us to engage with COSLA's senior politicians to discuss how we address your concerns. The Cabinet Secretary for Communities and Local Government, Aileen Campbell and I had a teleconference today with COSLA's President, Councillor Alison Evison and COSLA's Resources Spokesperson, Councillor Gail MacGregor. This was a productive meeting and in order to ensure our joint approach to this work, Ms Campbell has offered to join the WIG call on a regular basis, as appropriate, to update on activities within the Scottish Government. I hope this will provide an opportunity for matters to be discussed with both COSLA and Scottish Government providing a commitment from us to support our workforce in these very challenging and difficult times. Additionally if there are other areas of expert advice that could add clarity and benefit to on-going discussions I would be pleased to broker their participation at future WIG meetings via COSLA .

Turning specifically to the issues you raise, I welcome the opportunity to respond to each of these in turn, outline the current position and set out the work that has been progressed.

Key Workers

The definition of key workers was drawn deliberately broadly to allow local authorities to have flexibility to enhance it to suit local circumstances. On Tuesday 24 March we released a joint statement with COSLA providing further guidance on Key Workers. The three Key Worker categories are based on the need to ensure our key workers have access to critical childcare and are able to deliver essential public services and maintain critical public infrastructure.

The Scottish Government, COSLA and local government partners are working together to liaise with employers and sectors on key worker access to childcare and learning support to ensure that childcare provision supports the delivery of the most essential services and tasks within the local community which support the vulnerable and aid community resilience.

We have also established a Key Worker Hub to provide centrally coordinated advice and support to deal with vitally important issues arising in our economy and society. This hub can liaise with employers and local authorities as required.

More broadly on key workers: we have also recently released more guidance regarding the closure on non-essential business premises that can be found at: <https://www.gov.scot/publications/coronavirus-covid-19-business-and-social-distancing-guidance/>. The guidance which was issued to employers offers a clear set of principles regarding the Scottish Government's position on closure of non-essential business premises. These are aligned with Scotland's Critical National Infrastructure and essential services that are fundamental to ensuring the country continues to function.

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Waste Collection

The Scottish Government is actively working with partners - including Scottish local authorities and COSLA - to identify pressures within the waste sector that have arisen as a result of the Covid-19 outbreak; and to agree collective actions to mitigate emerging risks, with a particular focus on measures to support and sustain statutory waste collection services.

Waste collection is an essential service and we are grateful to all those who are working to keep such services going in communities across Scotland at this time of crisis. Their efforts are valued and recognised.

It is absolutely right that the personal health and wellbeing of those who undertake this service is safeguarded at all times and councils, like every other employer, should be taking steps to address that. The UK wide Waste Industry Safety and Health Forum has developed draft guidance on health and safety considerations and we expect this to be finalised shortly. In addition, we are urgently seeking further guidance from Health Protection Scotland to provide additional assurance for front line waste workers, in particular regarding application of social distancing principles. We understand some local authorities have already made a number of adjustments to the way services operate as an interim measure. We would encourage local authorities to continue to engage constructively with the workforce around such measures.

Scottish Government wants to see waste collection and recycling services maintained as far as possible within available resources. We recognise that local authorities are best placed to prioritise local services, taking account of available resources and their statutory responsibilities, and we expect any decisions to continue to prioritise public health in the first instance. We continue to engage with the sector and will keep options under review as the situation develops.

Health and Safety

We absolutely recognise that the sudden unprecedented global surge in the demand for PPE and sanitiser has put enormous strain on supply chains - there are undeniably challenges in some sectors and areas, and that includes non-NHS dimensions.

It is important that all frontline organisations properly assess the PPE needs of their workers and clients. It is essential that organisations work to source PPE by using and developing their usual procurement routes. At the same time, the Scottish Government is working with industry to expand sources of supply and, indeed, to progress collaborative procurement for key areas.

As regards the Health Protection Scotland guidance on PPE usage, the organisation has put a huge effort into producing a suite of guidance for a wide range of sectors and settings. For your awareness, revised PPE guidance for health and social care workers was issued on 2 April via the COVID-19 guidance pages on the Health Protection Scotland website. This guidance has been produced on a UK four nation basis, with input from professional and expert scientific groups.

With regard to PPE supplies within social care settings we are working with NHS National Services for Scotland, Health and Social Care Partnerships and the social care sector to ensure social care providers have access to suitable PPE.

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A helpline for social care providers who are working with people with confirmed or suspected COVID-19 and cannot access PPE through their usual procurement routes went live on 19 March. This has been taking hundreds of calls every day from all across the country. We have increased the capacity of that service so that those requests can be dealt with more quickly. This includes extra staff to prepare PPE orders, plus additional delivery drivers, longer delivery hours and use of more external delivery companies to increase capacity. As of Monday this week, we have also started to deliver PPE to local cluster points for onward distribution or collection by registered social care providers.

We also recognise the huge and essential contribution our unpaid carers and social care personal assistants are making to the COVID-19 response, and understand the need to ensure they have access to PPE if they need it. We are in the process of setting up additional processes for unpaid carers, personal assistants, and other Care Inspectorate registered and non-registered services to access PPE when needed. We expect these to go live shortly

Testing

At the moment all PCR COVID-19 testing in Scotland is undertaken in NHS laboratories. The current tests in use in Scotland are effective at identifying people who have COVID-19 infection when they are symptomatic. While capacity has doubled to 1,900 tests each day over the last fortnight, there still remains limited scope to use NHS capacity for testing purposes other than those related to patient care and public health.

On 24 March 2020 the Scottish Government provided guidance on how to prioritise available testing capacity to enable key workers in health and social care to return to work. The guidance recommends that testing should be prioritised for health and social care staff working in areas with critical staffing challenges, as identified locally.

In the future we will be able to also offer a different type of testing - antibody testing, which would indicate if a person has had the infection. These tests are not yet available because none of the commercially available tests have passed the UKG validation process to ensure they are sufficiently accurate, but the Scottish Government will benefit from a UK-wide approach to procurement when validated tests are available.

We are also part of a UK Government Programme to develop a private-sector and academic partnership approach to significantly increasing testing capacity for key workers. The Scottish Government welcomes this programme, which will support an increase in capacity to test more frontline health and social care workers for COVID-19.

Social Distancing

We have now published guidance which provides additional social distancing advice for staff working in non-healthcare essential public service roles during the Covid-19 outbreak. This is now available at: <https://www.gov.scot/publications/coronavirus-covid-19-social-distancing-in-non-healthcare-public-services/>. The aim of this advice is to support implementation of measures to reduce spread of Covid-19 within workplace settings, particularly where social distancing is difficult or impossible to achieve. These measures are described in detail in the existing Health Protection Scotland guidance for non-healthcare settings but I hope that this additional guidance will provide further reassurance for employers and staff.

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Mental Health

We fully appreciate the strain which local government and other workers are under at this difficult time. We have therefore ensured that the NHS Inform Covid website provides advice on maintaining mental as well as physical health. Last week, the Scottish Government announced a significant injection of funding to develop mental health services for the public in response to current demands. A further £3.8 million is being provided to begin to increase the capacity of NHS 24's Mental Health Hub and Breathing Space service, alongside increased access to digital therapies.

We have a strong focus on the wellbeing of those who are in the frontline in caring for others. Minister for Mental Health, Clare Haughey is leading work to ensure that a range of practical and psychological support is in place for health and social care staff and we are keen to complement and build on the work already underway within Boards, authorities and care providers in the independent and third sectors. Ms Haughey has written to NHS Boards, Local Authorities and IJB Chief Officers about the importance of this issue and highlighted key messages and approaches. We have also encouraged organisations to clearly signpost their workforce to support that can be accessed, including through trade unions and professional bodies.

We recognise the importance of building on this work to ensure that appropriate practical and emotional support is available to everyone in Scotland who is providing care. We are also planning to ensure that appropriate mental health services are available to any staff member who might require more specialist support and care over the coming months.

Care Provision in the Third and Private Sectors

We share concerns that third Sector organisations are particularly susceptible to the economic impact of Covid-19. The Scottish Government have made £20 million available as a Third Sector Resilience Fund for third sector organisations working in Scotland. The fund will support organisations that already deliver services and products but find themselves in financial difficulties directly as a result of the coronavirus pandemic. The primary intention of the fund is to help third sector organisations to stabilise and manage cash flows over this difficult period.

The Fund provides grants up to £100,000. In addition there is up to a further £5m available in fully flexible, 0% interest loans starting at £50,000. The fund will be complemented by specialist business advice from Just Enterprise to help grant recipients maximise the impact of the financial support.

Additionally on 26 March 2020, the Scottish Government published advice in a Scottish Procurement Policy Note (SPPN 5/2020) about Covid 19 and supplier relief measures and urged all public bodies to immediately review their current public contracts and consider options to provide supplier relief. This advice suggests options, which can include:

- modifying terms of contracts to offer contractors relief; and
- agreeing interim payment proposals

Cabinet Secretary for Finance, Economy and Culture has written to all Scottish public bodies including local authorities, urging them to take urgent action to support their suppliers, drawing their attention to this recently published guidance. The advice also expects public bodies to accelerate their payment practice to ensure payment is made as quickly as possible to their suppliers to maintain cash flow and protect jobs.

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This advice applies until 30 June 2020, it will then be subject to review.
<https://www.gov.scot/publications/coronavirus-covid-19-supplier-relief/>

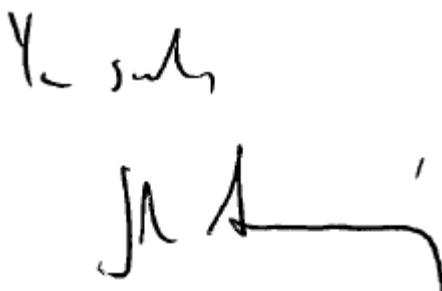
Scottish Government are also working in partnership with the Scottish Council for Voluntary Organisations (SCVO) who have established a Covid-19 Third Sector Information Hub. This will include up to date official guidance and will gather up emerging issues to assist us in responding to third sector needs as they emerge.

You will have seen that last week STUC General Secretary Grahame Smith and the Cabinet Secretary for Economy, Fair work and Culture issued a joint statement outlining the shared commitment to fair work practices in Scotland. The statement calls on employers, trade unions and workers to work together to reach the right decisions on all workplace issues that arise throughout the coronavirus (COVID-19) outbreak and ensure workers are treated fairly.
<https://www.gov.scot/publications/coronavirus-covid-19-fair-work-statement/>.

I also want to take the opportunity to make clear that trade unions are key social partners and we are committed to working in partnership with the STUC and affiliate trade unions regularly as we respond to the current crisis.

I think it is important that I explicitly set out that actions taken by Scottish Government, COSLA and Local Authorities are driven at all times by the most up to date public health advice. I am clear this means that a local response based on local circumstances is correct, so that we can collectively protect our citizens, employees delivering vital services and our NHS.

In closing I hope the information I have shared is helpful and goes some way to offering reassurance that work is progressing on the issues you have raised concerns.



JOHN SWINNEY

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