

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	COVID 19 Community Testing
<b>Cabinet Member:</b>	Cllr. Damian White
<b>SLT Lead:</b>	Neil Stubbings Director of Regeneration
<b>Report Author and contact details:</b>	Jack Davies, Public Health Specialist Tel: 01708-432693 Email: <a href="mailto:jack.davies@havering.gov.uk">jack.davies@havering.gov.uk</a>
<b>Policy context:</b>	There is a need to ensure an effective and responsive infrastructure for access to COVID-19 testing in Havering – an important measure in controlling outbreaks of infection (Outbreak Control Plan).
<b>Financial summary:</b>	The costs of setting up and running the testing sites are covered by the national testing programme. The loss in revenue for using the car parks is estimated to be £6,000
<b>Relevant OSC:</b>	Health Overview and Scrutiny Committee
<b>Is this decision exempt from being called-in?</b>	Yes, it is a non-key decision by a member of staff

**The subject matter of this report deals with the following Council Objectives:**

Communities making Havering  
Places making Havering

[X]  
[X]

## Non-key Executive Decision

### Part A – Report seeking decision

#### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To note that the following decisions were taken under Emergency provisions:

1. Use of Viking Way car park as a site for a surge Mobile Testing Unit from 12/12/20 to 18/01/21.
2. Use of Dorrington Gardens car park as a site for a surge Mobile Testing Unit from 12/12/20 to 25/01/21.

#### AUTHORITY UNDER WHICH DECISION IS MADE

Council Constitution, Part 3, Section 3.2, Powers of the Chief Executive.

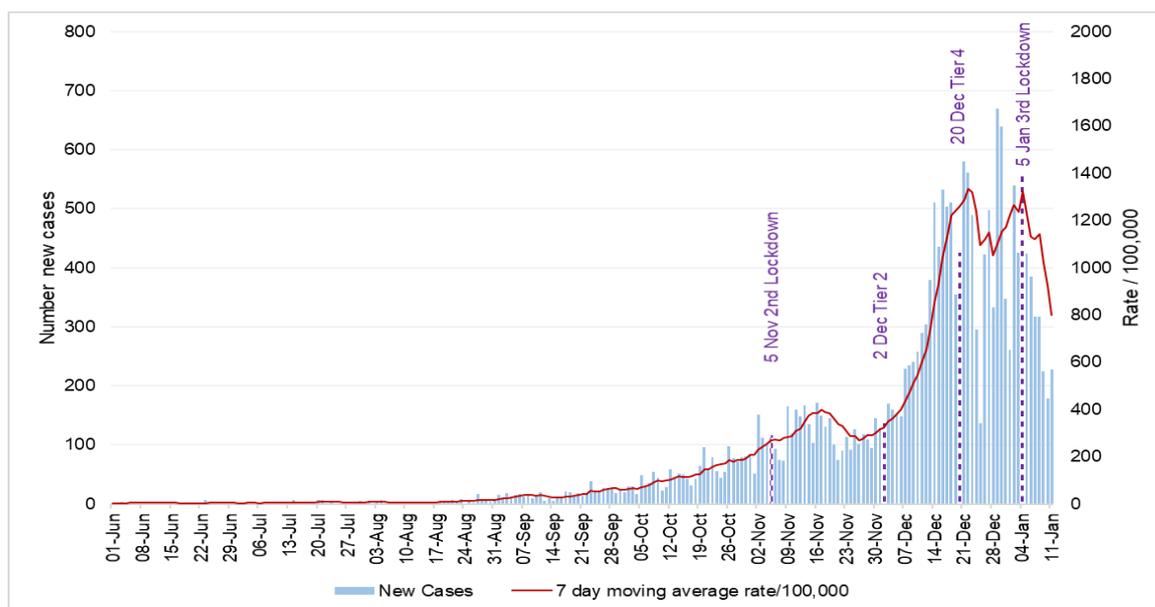
(c) To carry out the functions of the Council for civil aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or a disaster in the borough.

With authority delegated to the Director of Regeneration.

#### STATEMENT OF THE REASONS FOR THE DECISION

Coming out of the school half-term in October 2020, Havering had a high and increasing incidence rate of Covid-19 which continued to rise above the national average. By the time the second national lockdown began on 5<sup>th</sup> November, the Havering rate exceeded 200 per 100,000 population with over 500 cases a week being identified. Unfortunately the national lockdown had little effect (only reducing the incidence rate marginally) and the epidemic grew exponentially (Figure 1).

**Figure 1.** Havering COVID-19 incidence rate with daily number of new cases.



Source: LBH Public Health Intelligence (2021).

## Non-key Executive Decision

From early November 2020, whilst still in Tier 2, North East London, south Essex and Kent experienced a surge in Covid infection rates. In an effort to limit the spread of Covid-19 (and to help avoid London going into Tier 3) the Secretary of State (SoS) introduced a number of measures including the direction of Mobile Testing Units (MTUs) to these areas. The SoS also asked for asymptomatic testing to be stood up immediately, this testing began in Havering from 18<sup>th</sup> December. In combination with these interventions, the Department for Health and Social Care approved the following to take place across North East London:

- Home PCR kit issued to all teaching staff
- Use of PCR home kits (at borough direction)

Prior to the last day of the school term, PCR test kits were delivered to as many schools as were open and able to receive a test kit collection. This formed a co-ordinated approach across all the North East London boroughs, with each borough delivering the model of test kit collection which best suited them. In Havering, every member of schools staff (teachers, teaching assistants, office admin, janitorial and catering staff) were offered 2 test kits each; one to be taken a few days after term ended to reduce transmission of positive cases during the Christmas holidays, and one to be taken in preparation for the return to school on 4th January to identify and isolate positive cases and protect the learning environment. Almost all teachers across the 7 NEL boroughs were provided with two PCR test kits (one before Xmas and one after – prior to return to school). As part of the PCR home test kits to be used at boroughs discretion, Havering offered all year 11, 12 and 13 children (& year 14 in special schools) a single PCR kit to be taken prior to their return to school on 4th January. The post-Christmas PCR kit collections were scheduled for 30th December and 2nd January. However, the announcement by Gavin Williamson on the evening of 30th December that the return to schools would be delayed by at least a week undoubtedly significantly affected the drive to take these PCR test kits, and offered no time to reasonably cancel the collections. Despite this, around 6,000 test kits were collected in Havering and processed as part of this testing scheme, with around an 11-13% positivity rate. Given the change in schedule to schools returning, it was necessary to support the identification and isolation of positive cases in a wider approach, hence the increase to the availability of the mobile and walk-in testing sites.

As a direct response to the requirement from the Secretary of State to increase testing capacity (particularly as regards schools), decisions were taken (under Emergency provisions) to use Viking Way and Dorrington Gardens car parks as sites for Surge MTUs.

The Surge MTUs (PCR tests) at Viking Way and Dorrington Gardens came into operation in mid-December and the exempt graph/table in Figure 2 (included in EXEMPT Appendix A) show the number of PCR and LFT tests performed over this period. The volume of testing significantly increased, especially in week ending 18<sup>th</sup> Dec (the first week of the surge MTUs) followed by a dip in the period between Xmas and the New Year.

## **Non-key Executive Decision**

The response in Havering is part of a requirement from the national and regional governance structure (Mayor of London and GLA) that East London take a sub-regional approach to the rising tide of Covid-19 positive cases in our region. The current arrangements for Viking Way and Dorrington Gardens have been put in place under the emergency decision making provisions that have been in-place for the entirety of the pandemic. These are set out in the Council's constitution as part of the Civil Contingencies Act 2004, statutory authority to take action in respect of emergency planning in connection with an emergency in the borough resides with the Chief Executive.

These provisions were put in place to enable decision making at pace to safeguard the public health of residents and businesses in the borough and which will continue to be used in circumstances where infections rates warrant such action. As the Chief Executive has reiterated on previous occasions, for reasons of openness and transparency there will be disclosure of such decisions and so the record of decisions taken under these provisions are published. Additionally and in order to keep all Members updated, there have been regular All Member Briefings to provide details of actions the Council is taking to address the pandemic.

Viking Way and Dorrington Gardens hosted the Mobile Testing Units and, on 12th December, all secondary school students, teachers and their families were asked to get tested at an MTU – (EXEMPT data is available in Figure 3 in Exempt Appendix A).

The provision of MTUs were put in place from 12<sup>th</sup> December and are due to end provisionally on 25th January.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

The setting up of Surge Mobile Testing Units was done as a direction from the Secretary of State and so there was no alternative option. Failing to do so would have put the Council at risk of adverse legal action and a significant further increase in infection (and loss of life).

### **PRE-DECISION CONSULTATION**

The Leader of the Council has been kept informed of the requirements from the Secretary of State and the local governance structure as well as our plans to utilise these sites.

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Neil Stubbings

Designation: Director of Regeneration

Signature:

Date: 19/01/21

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

This decision is taken under delegated authority detailed in Part 3 of the Constitution under which action can be taken including to incur expenditure which in this instance amounts to a loss of revenue.

### **FINANCIAL IMPLICATIONS AND RISKS**

The costs of setting up and running the testing sites are covered by the government's national testing programme.

The loss of revenue from the closure of Viking Way and Dorrington Gardens for the periods of 12 Dec to 18 Jan and 12 Dec to 25 Jan respectively is approximately £6K (£5K Dorrington Gardens, £1K Viking Way).

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants

Making testing available in Rainham and Hornchurch will seek to redress the disadvantage that residents in these neighbourhoods may experience in accessing testing for Covid-19. The purpose of the testing sites is to ensure everyone in Havering has the opportunity for localised testing.

Non-key Executive Decision

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

*Delete as applicable*

Proposal NOT agreed because

**Details of decision maker**

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_