

**Third Witness Statement of Chris Llewelyn
Chief Executive of Welsh Local Government Association
6th September 2023**

**IN THE MATTER OF MODULE 2B OF
THE UK COVID-19 PUBLIC INQUIRY
REFERENCE FOR REQUEST - M2B-WLGA-01-ANNEX B**

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**WITNESS STATEMENT OF
CHRIS LLEWELYN
ON BEHALF OF
THE WELSH LOCAL GOVERNMENT ASSOCIATION**

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I, **Chris Llewelyn**, say as follows –

Part 1 - Introduction

1. I am the Chief Executive of the Welsh Local Government Association (WLGA) of One Canal Parade, Dumballs Road, Cardiff, CF10 5BF. I took up this office in January 2019 having joined the WLGA as Director of Lifelong Learning, Leisure and Information in 2002 and was also the Deputy Chief Executive since 2010. During my time at the WLGA, and I have covered a wide range of the Association's portfolio areas, including periods covering local government finance and economic development.
2. On the 18th October 2022, the Lead Solicitor for Module 2B of the UK Covid-19 Inquiry (the Inquiry), wrote on behalf of Baroness Heather Hallett, the Inquiry Chair, with a draft request for documentation and witness evidence under Rule 9 of the Inquiry Rules 2006 Reference for Request - M2B-WLGA-01. The request was amended by a revised Rule 9 letter dated 9th November 2022 to include an Annex D: Rule 9 Request to be provided to Chief Executives of WLGA Members. I am authorised by the WLGA to make this statement on its behalf in response to this request.
3. While I have broad oversight of the WLGA's work I do not have first-hand knowledge of everything that it does. Accordingly, in making this statement I have had to rely from time to time on information provided to me by officers of the WLGA. It is my belief that they have diligently and fairly undertaken this task. My statement should therefore be read as representing a statement concerning the collective understanding and knowledge of the LGA in relation to the period to which Module 2B refers.

Part 2 - WLGA's Structures, Roles, People and Processes

Outline

4. The WLGA was established in 1996 as an unincorporated association and the membership body for local authorities in Wales. Membership is voluntary and councils make their own decisions on whether or not to join the WLGA. In fact, all 22 Welsh local authorities are members and all 3 fire and rescue authorities and the 3 national parks authorities are associate members.

5. The WLGA is politically-led and cross-party and works to give local government a strong, credible voice with national government. As the national membership body for local authorities and the voice of local government, the WLGA's purpose is to promote, improve and support local government.
6. Among its core objectives, the WLGA seeks to –
 - represent and negotiate, wherever possible by consensus, the interests of member authorities to the Senedd Cymru/Welsh Parliament, Welsh Government, the Government and Parliament of the United Kingdom,
 - to formulate sound policies for the improvement and development of local governance, effective management in local authorities and the enhancement of local democracy in Wales and elsewhere, now and for future generations,
 - to provide forums for the discussion of matters of common concern to Member Councils and Associate Authorities, and as a means by which joint views may be formulated and expressed.
7. The WLGA is funded through a combination of membership subscriptions, top-slice funding and Welsh Government grants for the delivery of specific projects or programmes. The WLGA Council includes 72 members from the 22 local authorities, appointed on a proportionately based on population size and 6 further non-voting members, one from each of the Associate Members. The Council considers constitutional and business issues, and it has a deliberative role which can be used in furtherance of Association policy. The Council also sets the budget of the Association.
8. At each Annual General Meeting the Council appoints the Association's senior office holders which include the Leader, Deputy Leader and Spokespersons. The leader of the largest political group is the Leader of the WLGA and has responsibility for promoting the policies of the WLGA supported by other office holders. The WLGA is a cross-party organisation and seeks to operate on the basis of consensus where leaders and senior members from different political groups are involved in the business of the WLGA and in representing the collective voice of local government.
9. The Deputy Leader supports the work of the Leader and Group Leaders provide collective advice and support and represent the WLGA where necessary. Spokespersons promote the policies and views of the WLGA in specified policy areas

and undertake bilateral meetings with relevant Welsh ministers and UK Government ministers and national public bodies.

10. The WLGA's Executive Board comprises the 22 leaders of each Welsh local authority and is the main policy and deliberative forum of the WLGA that seeks to deal with issues at an all-Wales level.
11. Welsh local authorities are also members of the Local Government Association (LGA) of England and Wales through the WLGA's corporate membership of the LGA. The LGA leads on non-devolved matters on behalf of Welsh local government, including employment matters, in liaison with the WLGA. The WLGA is represented on some of the LGA's boards, including the Executive Advisory Board.
12. The WLGA is a small organisation, having around 85 employees at the start of the COVID-19 pandemic. The pandemic placed a significant demand on the WLGA's resources, as it transitioned from a representative body focused on making the case for greater flexibilities and funding for local government and medium-term policy development and legislation, to working in an emergency response environment, facilitating urgent and regular consultation and engagement between the Welsh Government and other national stakeholders with council leaders and the 22 local authorities more widely across many aspects of the collective COVID-19 public service response.

COVID-19 specific arrangements within WLGA

13. Within the WLGA, a Coronavirus Coordination Team (CCT) was introduced, which were regular internal and informal meetings of several officers involved in supporting the WLGA's response to the pandemic, to provide feedback from meetings, share latest updates and to coordinate the arrangement of meetings of elected members and officials within local government and with Welsh Government.
14. Throughout the pandemic, the WLGA did not play a decision-making role but facilitated consultation and engagement between local authority leaders and senior professionals and the Welsh Government. The WLGA's Leader, Group Leaders and key Spokespersons played a lead role meeting with Welsh Ministers and raising key matters of local government concern.

15. WLGA officers played an advisory role, supporting and/or convening meetings between local leaders and Welsh Ministers, local government professionals and Welsh Government officials and also represented local government views in discussions with Welsh Government and national partners, such as Public Health Wales.
16. The WLGA convened and supported regular meetings of all 22 leaders, which were attended by Welsh Ministers to provide views on the Welsh Government COVID-19 response including non-pharmaceutical interventions, availability of testing, PPE, to highlight local issues regarding schools and social care, operational and resourcing challenges and to develop local solutions to challenges, including the building of field hospitals, development of TTP (Test Trace Protect – see below) and support for the roll-out of vaccination.
17. The Welsh Government’s approach to engagement with local government was a key feature and the public service response to the pandemic differed in many respects in Wales compared to England. Although Test Trace Protect is likely to be considered by the Inquiry in a future Module, it provides a helpful example to illustrate the differing approach.
18. In Wales, dialogue began in May 2020 about the role of contact tracing; identifying people who had come into contact with an infected individual and putting in place measures to prevent further spread of the infection. What emerged in June 2020 was the Welsh Test, Trace and Protect (TTP) model¹ delivered by local authorities and a range of Public Health partners operating on the local health board area footprints. The Directors of Public Protection and Public Health played lead roles in overseeing local developments and ensuring a cohesive framework across Wales.
19. From February 2020, through to May 2022, the WLGA worked with local authorities, the Welsh Government and other partners, including -
 - Consultation and liaison between the Welsh Government and local authorities, including leaders, chief executives and other senior officers regarding COVID-19 related matters.

¹ This is distinct from the English model termed “Track and Trace”. This was the NHS Test and Trace Service (NHST&T) which was programme for testing and tracing in England. NHST&T worked with a wide range of public and private sector partners, including consultants. In early February 2021 NHST&T was still employing around 2,500 consultants. This is distinct to the Welsh model where local authorities recruited temporary staff to undertake the tracing function.

- Convening regular informal meetings between leaders and Welsh Ministers to discuss COVID-19 related matters and escalate local issues and bilateral meetings between the WLGA Leader, Spokespersons and Welsh Ministers and other key partners, including the Wales Office and Public Health Wales.
- Development of local government proposals and submissions for consideration by Welsh Government, including local government funding support and recovery.
- Providing support for engagement through formal structures, including Partnership Council, and the Recovery Sub Group and Finance Sub Groups (the role of these bodies is referenced in paragraphs 53 and 55 respectively).
- Facilitating the Schools Social Partnership forum, between the WLGA, local authorities, Welsh Government and unions.
- Providing and facilitating professional and elected member advice and views into Welsh Government around several aspects of the COVID-19 response which impacted on Welsh communities or local authorities, including enforcement, shielding, school closures, PPE and testing of core workers, and TTP.
- Supporting the coordination through local authorities of the distribution of financial support to individuals and businesses.
- Procurement of face-coverings on behalf of local authorities for schools.
- Support for transport operators in the face of greatly reduced passenger numbers.
- Seeking consistent approaches, where possible, in relation to waste collection arrangements and operation of Household Waste Recycling Centres.
- Distribution of Welsh Government grant funding to local authorities, including a grant to support food banks with capital expenditure, to upgrade, refurbish or replace items.
- Development of memorandums of understanding or relevant guidance notes with partner bodies.

- Provision of a regular information bulletin for councillors, signposting to the latest announcements or guidance relating to COVID-19, excess deaths and mortuary planning arrangements; and
- Provision, through Data Cymru (a company owned by local government), of a regularly updated dashboard of information about services affected by local or national restrictions.

20. The communications work undertaken by the WLGA across the period to which Module 2B refers was significant. The WLGA issued press releases representing the position of local authorities across Wales. Table 1 below sets out all relevant press releases made by the WLGA.

Table 1 – WLGA press releases			
Date	Title	Exhibit reference	
2019-12-03	191203 Notable improvement in education.doc	CL/65	INQ000082944
2019-12-06	191206 New WLGA Leader appointed.doc	CL/66	INQ000082945
2019-12-16	191216 Significant funding increase welcomed by WLGA.doc	CL/67	INQ000082946
2020-02-17	200217 Tireless workers thanked for storm response.doc	CL/68	INQ000082947
2020-02-28	200228 First Coronavirus case declared in Wales.doc	CL/69	INQ000082948
2020-03-10	200310 Give Welsh public services long term security.doc	CL/70	INQ000082949
2020-03-17	200317 Coronavirus Joint Statement by WLGA and Welsh Government.doc	CL/71	INQ000082950
2020-03-20	200320 Coronavirus Joint Statement WLGA and ADSS Cymru.doc	CL/72	INQ000082951
2020-03-24	200324 Don't wish you'd done things differently - stay at home, save lives.doc	CL/73	INQ000082952
2020-03-24	200324 Further action to protect people at highest risk from Coronavirus.doc	CL/74	INQ000082953
2020-04-09	Open Letter - 09.04.2020.png	CL/75	INQ000083019
2020-04-18	200418 Beware of Coronavirus fraudsters.doc	CL/76	INQ000082954
2020-04-18	200418 WLGA response to UK Government COVID-19 funding announcement.doc	CL/77	INQ000082955
2020-05-07	200507 Let's come together to mark milestone VE Day anniversary by staying apart.doc	CL/78	INQ000082956
2020-05-08	200508 Councils to adopt common approach to ensure recycling centres can be operated safely before considering re-opening.doc	CL/79	INQ000082957
2020-05-08	200508 WLGA welcomes cautious approach to	CL/80	INQ000082958

	lockdown.doc		
2020-05-15	200515 Ambitious WG TTP plans.doc	CL/81	INQ000082959
2020-05-29	200529 COVID response a marathon not a sprint.doc	CL/82	INQ000082960
2020-06-03	200603 Cautious and innovative Check In, Catch Up plan for pupils.doc	CL/83	INQ000082961
2020-06-05	200605 500 extra payment to care staff welcomed.doc	CL/84	INQ000082962
2020-06-20	200620 Further lockdown easing announced.doc	CL/85	INQ000082963
2020-06-22	200622 All partners have a part to play.doc	CL/86	INQ000082964
2020-06-29	200629 Supporting young people through the crisis.doc	CL/87	INQ000082965
2020-07-07	200707 Help communities in job losses hit North East.doc	CL/88	INQ000082966
2020-07-09	200709 Coronavirus Senedd social care report welcomed by local government.doc	CL/89	INQ000082967
2020-07-09	200709 Schools to reopen from September.doc	CL/90	INQ000082968
2020-07-27	200727 Rethinking local recovery in Wales.doc	CL/91	INQ000082969
2020-08-03	200803 Council leaders call for urgent replacement EU funds.doc	CL/92	INQ000082970
2020-08-13	200813 WLGA congratulates learners but urges Minister to act swiftly.doc	CL/93	INQ000082971
2020-08-17	200817 Councils welcome Welsh Government support package on Covid.doc	CL/94	INQ000082972
2020-08-17	200817 Focus on the Needs of Learners and Trust Teachers.doc	CL/95	INQ000082973
2020-08-17	200817 WLGA Statement - exam results.doc	CL/96	INQ000082974
2020-08-20	200820 WLGA congratulates GCSE learners in toughest year.doc	CL/97	INQ000082975
2020-09-10	200910 We need to get back to basics.doc	CL/98	INQ000082976
2020-10-23	201023 Council leaders thank heroic local government workforce.doc	CL/99	INQ000082977
2020-11-18	201118 Local Government and Elections Bill passed by Senedd.doc	CL/100	INQ000082978
2020-11-23	201123 WLGA launches manifesto for Senedd 2021 elections.doc	CL/101	INQ000082979
2020-11-25	201125 WLGA responds to UK Spending Review.doc	CL/102	INQ000082980
2020-11-26	201126 Carers' Rights Day.doc	CL/103	INQ000082981
2020-12-04	201204 All-Wales schools approach agreed.doc	CL/104	INQ000082982
2020-12-10	201210 Secondary schools and colleges in Wales will move to online learning.doc	CL/105	INQ000082983
2020-12-17	201217 School return approach for January.doc	CL/106	INQ000082984
2020-12-22	201220 Councils welcome cash boost.doc	CL/107	INQ000082985
2021-01-25	210125 WLGA unveils seven key asks to	CL/108	INQ000082986

	reinvigorate rural communities.doc		
2021-02-17	210217 Clear timescale needed for schools return.doc	CL/109	INQ000082987
2021-03-17	210317 Extra pay for social care workers welcomed.doc	CL/110	INQ000082988
2021-03-19	210319 Future Plans for National Armed Forces Day in Wales Agreed.doc	CL/111	INQ000082989
2021-03-19	210319 WLGA welcomes continued financial support to councils for flood and coastal erosion management.doc	CL/112	INQ000082990
2021-03-24	210324 Wales councils committed to Anti Racist Wales.doc	CL/113	INQ000082991
2021-04-01	210401 25 Year Anniversary.doc	CL/114	INQ000082992
2021-04-08	210408 Councils commit to ambitious action on diversity.doc	CL/115	INQ000082993
2021-06-16	210616 WLGA looks forward to discussions on the Programme for Government.doc	CL/116	INQ000082994
2021-06-18	210618 Council services will be needed more than ever to battle social isolation.doc	CL/117	INQ000082995
2021-06-28	210628 Youth workers thanked.doc	CL/118	INQ000082996
2021-06-29	210629 LGBTQ people encouraged to stand as councillors.doc	CL/119	INQ000082997
2021-07-06	210706 Council leaders and Welsh Government convene for Cabinet meeting.doc	CL/120	INQ000082998
2021-08-12	210812 GCSE pupils congratulated on the day of their results.doc	CL/121	INQ000082999
2021-08-23	210823 Councils committed to play their part in Afghan resettlement efforts.doc	CL/122	INQ000083000
2021-09-14	210914 Extra funding for social care welcomed.doc	CL/123	INQ000083001
2021-10-22	211022 A tribute to Cllr Phil White.doc	CL/124	INQ000083002
2021-10-25	211025 New data shows true scale of coal tip challenge.doc	CL/125	INQ000083003
2021-11-19	211119 Award success for the Wales Strategic Migration Partnership.doc	CL/126	INQ000083004
2021-11-25	211125 Show that there is no place in society for violence against women.doc	CL/127	INQ000083005
2021-11-27	211127 Extra money for Wales welcomed.doc	CL/128	INQ000083006
2021-11-29	211129 WLGA welcomes reintroduction of face masks in secondary schools.doc	CL/129	INQ000083007
2021-12-07	211207 Welsh councillors recognised at national awards.doc	CL/130	INQ000083008
2021-12-07	211207 WLGA welcomes Welsh Government Council Tax plans.doc	CL/131	INQ000083009
2021-12-21	211221 Best settlement in decades a boost for communities and vital local services.doc	CL/132	INQ000083010
2022-01-12	220112 A tribute to Cllr Mair Stephens.doc	CL/133	INQ000083011

2022-01-14	220114 Promoting diversity in councils.doc	CL/134	INQ000083012
2022-02-09	220202 A fair and respectful election campaign.doc	CL/135	INQ000083013
2022-02-08	220208 WLGA urges UK Treasury clarity.doc	CL/136	INQ000083014
2022-02-09	220209 Eligible businesses urged to apply for Omicron support.doc	CL/137	INQ000083015
2022-02-14	220214 WLGA welcomes social care bonus.doc	CL/138	INQ000083016
2022-02-28	220228 WLGA responds to Ukraine invasion.doc	CL/139	INQ000083017
2022-03-18	220318 Statement by WLGA Group Leaders about the crisis in Ukraine.doc	CL/140	INQ000083018

21. During this period the WLGA also issued several hundred tweets via its Twitter social media account. These tweets have been exported into a single Excel spreadsheet [CL/141 - INQ000083020 - WLGA Twitter Archive 2019 -2021].

Part 3 - Cooperation and joint working between the WLGA and Welsh Government

Introduction

22. Welsh local government played a critical role in the pandemic response, working with the Welsh Government and with partners in the NHS, other public bodies and third and independent sectors, in what was an unprecedented and rapidly changing national emergency.
23. National leadership was provided by the Welsh Government and was complemented by local leadership through local government and the regular political dialogue and engagement throughout the pandemic.
24. Local authorities demonstrated that they are uniquely placed at the heart of their communities and public service delivery and were invariably the first port of call for the most vulnerable or those in need of support or assurance. Local authorities demonstrated flexibility, innovation, resilience and responsiveness. The pandemic demonstrated local authorities' ability to respond irrespective of scale and reaffirmed the WLGA's stance on the importance of subsidiarity and localism, with elected members and officers rooted in their local communities.

25. Local government's immediate response during the pandemic was decisive; within days and weeks, local authorities redesigned and reprioritised essential local services, suspending some services and introducing new operating models, with thousands of workers working remotely and many thousands of workers volunteering to temporarily change roles overnight to help contribute to the emergency effort. Collaboration and mutual aid were key features of the public service response.
26. Local authorities introduced rapid service reform and transformation and supported the wider public sector response and were relied upon to deliver under the most challenging of circumstances, responding to rapidly changing local and national priorities, plans, guidance and regulations.
27. Local authorities had to restructure around essential services such as social services and new support services such as shielding, key worker hubs, TTP teams, supporting the vaccination roll-out and rapid distribution of business support – as well as the continued delivery of critical core council services, notably housing, schools and social care, during the most challenging period public services have ever faced.
28. This response involved staff being redeployed and, in some instances, the furloughing of staff and the significant contribution of thousands of council workers has been widely recognised and they should be commended for their flexibility and their compassion and commitment to the communities they serve.
29. These steps can be seen as starting soon after the Welsh Government published a written statement on 'Wuhan novel coronavirus' on 24th January 2020. Thus, the WLGA's first engagement in discussions around Covid-19 was on 3rd February via a discussion at an official level Health and Social Care EU Transition Leadership Group Meeting with the Welsh Government.

The developing response over January to March 2020

30. During the early response phase to the pandemic, up until the end of March 2020, the Welsh Government sought to provide early communications, advice and information to local authorities including key messages, Welsh Government statements and public health bulletins.

31. In February 2020, the Welsh Government initially set up weekly meetings/telephone calls with the WLGA's Regulatory and Frontline Services Policy Officer to share emerging information about COVID-19. Wider discussions and information sharing between officials were initially through ad hoc telephone calls rather than informal or formal meetings during the initial weeks as the pandemic took hold.
32. The Welsh Government originally planned to use existing forums or meeting arrangements to engage with the WLGA and local government more widely on pandemic matters, initially via the existing Local Government Preparedness (Brexit) group, which included senior civil servants, local authority chief executive representatives and WLGA officials. As the pandemic preparations developed however, ad hoc meetings were organised to discuss specific matters, provide briefings on the latest developments. Several of these meetings also involved Public Health Wales.
33. During March, as the pandemic worsened, several key meetings were held between leaders and Ministers and the WLGA began to convene daily meetings of the 22 leaders from 20th March 2020, and subsequent meetings between the WLGA Group Leaders (Cllrs Andrew Morgan, Hugh Evans, Peter Fox and Emlyn Dole) and the Minister for Housing and Local Government (Julie James MS).
34. The WLGA played a facilitative role in ensuring leaders and local authority professionals could provide an advisory and consultative role in the Welsh Government's core political and administrative decision making during the period up until the end of March 2020. WLGA officials engaged with Welsh Government and local government officials to share intelligence, briefings and communications and discuss emerging pandemic developments.
35. WLGA senior members, including the Leader, Group Leaders and key spokesperson met with Ministers during the latter half of March 2020 to discuss the pandemic and to highlight emerging local issues or concerns. The WLGA also convened meetings of the 22 leaders to share information, compare local planning and to engage with Ministers to raise any emerging issues. These meetings were initially organised on a daily basis through the early stages of the pandemic, but regularity was reviewed to three-times weekly, then weekly during latter stages of the pandemic. As noted in WLGA Evidence to the Senedd's Local Government and Housing Inquiry on 16th July 2020:

“National leadership has been provided by the Welsh Government and complemented by community leadership through local government.

36. The Welsh Government and local government have a shared commitment to work in partnership. This shared leadership has been demonstrated and strengthened during this crisis and there has been an unprecedented level of dialogue and engagement and openness, with regular bilateral meetings between Ministers and WLGA spokespersons and weekly meetings between all 22 leaders and Ministers.
37. These channels of communication have ensured Ministers can engage and communicate national priorities and strategy directly with leaders and has also ensured that local issues and risks are rapidly escalated to Ministers and allow local intelligence and innovation to shape national strategy. It appears to the WLGA that this degree and regularity of central-local engagement was not evident in other parts of the UK.
38. Whilst these regular meetings were constructive, there were inevitably some challenging discussions. These discussions centred upon the local authorities gaining a clear insight into what the Welsh Government wanted to achieve and thereafter local authorities could begin to develop measures to achieve the policy aim. This honest dialogue is nothing new in Wales; effective partnership working begins with dialogue, and challenge often brings clarity. Discussions focused upon the social and economic cost to our communities and the resource implications of the restrictions. Regarding NPIs, the WLGA sought clarity on which sectors of the business community were to close and which were to remain open, albeit under new controls, and to understand how our actions could minimise the spread of the virus. This level of engagement has been valued by both leaders and Ministers.
39. While much of the strategy was set nationally, the crisis demonstrated the importance of ensuring the engagement of the local delivery partners in its development. In the view of the WLGA this is important to allow flexibility to interpret strategy and respond according to local circumstances and capacity. Moreover, to achieve full effectiveness organisations with service delivery experience and operational expertise have to shape the strategic response.
40. The WLGA also worked with the Chief Executives, Directors of Education, Directors of Social Services, Treasurers, Directors of Public Protection, and Monitoring Officers to

inform emergency legislation and shape the emergency response of council services across Wales' communities. The WLGA also convened meetings of the 22 Chief Executives and the Welsh Government's Permanent Secretary and Director Generals for a period on a three-weekly cycle linked into lockdown announcements.

Chronology of key meetings until end of March 2020

41. I have set out in Table 3 below the key meetings in this period of which the WLGA is aware in this period to the end of March 2020. I have indicated those meetings which the WLGA recalls involved only officials, rather than leaders and/or Welsh Ministers.

Table 2 – Chronology of key meetings until end of March 2020	
Dates (2020)	Event
05.02	LG Preparedness (Brexit) Group Meeting (officials)
28.02	The chief executive of Public Health Wales attended a meeting of the WLGA's Management Sub-Committee to provide an update on the latest with the pandemic.
03.03	Welsh Government Emergency Planning Exercise (officials)
06.03	Welsh Government Emergency Coordination Centre (Wales) Communications Cell: Coronavirus Covid-19 LRF teleconference (officials)
06.03	Coronavirus Preparedness (Social Services) Telecall (officials)
06.03	LG Preparedness (Brexit) group (officials)
10.03	Education Cabinet Members Meeting
12.03	COVID 19 Local Government Meeting (First Minister, Minister for Health and several leaders)
13.03	COVID-19 Social Care Planning and response Subgroup - weekly conference call (officials)
18.03	Meeting called by the First Minister with WLGA and WCVA to discuss support for vulnerable people, in particular people with serious underlying health conditions.
18.03	Covid-19 preparedness meeting of third sector organisations
18.03	Emergency Meeting to discuss School Closures – Welsh Government senior civil servants, WLGA chief executive and education representatives from 22 authorities (officials)
18.03	Teleconference for Leaders following announcement of school closures by the Minister of Education, Kirsty Williams MS.
18.03	Transport Operators support meeting (WLGA and Welsh Government (officials)

19.03	Teleconference between Secretary of State for Wales, WLGA Leader and Chief Executive
19.03	Telephone conference – WLGA Group Leaders, Minister for Finance and Local Government
20.03	COVID-19 Social Care Planning and response Subgroup – weekly conference call (officials)
20.03	Leaders' Conference Call
20.03	WLGA & chief executives' Call (officials)
21.03	Leaders' Conference Call
23.03	Shielding Scheme Update (officials)
23.03	Teleconference with Health and Social Care Ministers & WLGA Social Care Spokespersons local authority officers and WLGA officials
23.03	Leaders' Conference Call
23.03	Delivery of Non-Domestic Rates (NDR) Covid-19 Business Fiscal Stimulus Package - Telecall (officials)
23.03	Shadow Social Partnership Council ²
24.03	Leaders' Conference Call
24.03	Meeting with Welsh Government, Public Health Wales (PHW), Association of Directors of Social Services (ADSS) and WLGA to discuss prioritisation of social care staff for testing
25.03	WLGA Leader attends Welsh Government Core COVID-19 Group (Welsh Ministers and WLGA Leader and stakeholders)
25.03	Workforce Partnership Council ³
25.03	Leaders' Conference Call
25.03	Telephone Conference: Group Leaders & Minister for Housing and Local Government
25.03	Delivery of NDR Covid-19 Business Fiscal Stimulus Package – Telecall (officials)
26.03	Leaders' Conference Call
26.03	COVID-19 short notice stakeholder forum (officials)
26.03	Waste COVID-19 Measures Meeting (officials)

² The Shadow Social Partnership Council is a forum chaired by the First Minister to bring together social partners, employers, trade unions and others from across the public, private and third sectors with Welsh Government. Initiated to support the development of the Social Partnership and Fair Work agenda in Wales it quickly expanded and evolved to assume a partnership and engagement role as a part of the pandemic response. Post pandemic it has been replaced by a Social Partnership Forum with a reduced membership focused on the forthcoming Social Partnership and Public.

³ The Workforce Partnership Council is a tripartite social partnership structure of the trade unions, employers and Welsh Government covering the devolved public services in Wales and the forum for cross-public services workforce matters.

26.03	Welsh Government Teleconference to discuss testing of social care staff (officials)
27.03	Leaders Conference Call with Minister for Housing and Local Government and Minister for Health and Social Services
27.03	Chief Executives and WLGA officials telecall (officials)
27.03	Mass Fatalities Group – multi agency meeting (officials)
27.03	Logistical planning for shielded people (officials)
27.03	COVID-19 Social Care Planning and response Subgroup - weekly conference call (officials)
29.03	Meeting to discuss Shielding Guidance (officials)
30.03	Unions' Covid 19 Conference Call
30.03	Leaders' Conference Call
30.03	Meeting between WLGA and Public Health Wales (WLGA Leader, Spokesperson for Health and Social Care, Deputy Chief Executive and Chair and Chief Executive of Public Health Wales)

The ongoing response: April 2020 – March 2022

42. A chronology of key meetings the WLGA participated in throughout the course of the pandemic is set out in Exhibit CL/51 - INQ000115551 - Chronology of Meetings & Index of Documents. The 'key meetings' identified are, in the main, political level meetings (involving Ministers and/or WLGA members (council leaders in the main) or senior officials (involving Welsh Government, WLGA and/or local government officers) where key decisions relating to Module 2B (non-pharmaceutical interventions) were discussed. The WLGA's role in such meetings was consultative or advisory.⁴

43. During the period March 2020 – May 2020 the WLGA coordinated weekly teleconference meetings with all local authority chief executives in Wales (as detailed in Exhibit CL/51 - INQ000115551). Formal minutes were not taken at Chief Executive Teleconferences and any actions or issues identified to be raised with Welsh Government, or other relevant bodies, were undertaken by WLGA officers outside of the meeting cycle. Welsh Government representatives attended two of these teleconferences on 01.05.20 and 29.05.20 and representatives of Audit Wales joined the teleconference held on 24.04.20.

⁴ As the chronology focuses on matters relating to M2B, not all COVID-19 related meetings the WLGA participated in have been included in the chronology, particularly where they are likely to be subject of future modules (e.g. PPE, vaccinations, testing, TTP, care homes etc). The WLGA does not have notes of all meetings given many were brief, telephone calls or where Welsh Government officials might be expected to take a note of key points or notes.

Handwritten or typed notes from these meetings are provided in the exhibits below.
These notes do not represent an official or verbatim record of the meeting.

(CL/172 - INQ000228430 - 200424 Chief Executives Meeting Notes)

(CL/173 - INQ000228431 - 200501 Chief Executives Meeting Notes)

(CL/176 - INQ000228434: - 200529 - Chief Executives Notes)

44. There were a limited number of political level meetings held during the pandemic between the WLGA and Wales Office where COVID-19 matters were discussed, however, there were other meetings with the Secretary of State for Wales and other UK Government Ministers to discuss other UK Government matters, such as Levelling Up funding.

45. WLGA officials were also invited to a fortnightly Regional Chief Executives meeting from August 2020, organised by the Ministry of Housing, Communities and Local Government (subsequently Department of Levelling Up, Housing and Communities). These meetings involved the LGA and English regional chief executives, focusing on non-devolved local government policy matters. WLGA representatives attended for information and these meetings did not routinely consider COVID-19 matters.

46. Most WLGA meetings with UK Government during the pandemic were at an official level and related to asylum and migration matters or the accommodation of offenders. There were many regular 'information exchange' meetings, between Welsh Government, UK Government, WLGA and local government colleagues throughout the pandemic; the chronology will include details of key meetings, where policy or operational matters relating to COVID-19 were discussed.

47. There were also series of multi-agency meetings held during Autumn 2020 (which included Home Office representatives) relating to the use of Penally Camp to accommodate asylum seekers. These meetings related to providing contingency accommodation for asylum seekers, but there were some COVID-19 considerations and mitigations as the Penally Camp accommodation was set-up during the pandemic. As these meetings do not directly relate to matters in scope for Module 2B (but may be of relevance to future Modules) they have not been included in the chronology (referenced in paragraph 42), but a 'Lessons Learned' report on Penally is included for information under the lessons learned section below (NPI lessons learned – Table 4).

48. Throughout the course of the pandemic the WLGA gave evidence to the Senedd on the impact of COVID-19 on the following occasions. Table 2 sets out the available transcripts (and written evidence, where submitted):

Table 2 – WLGA evidence to the Senedd			
Date	Inquiry	Committee	Document Reference
21/05/20	COVID-19 Evidence Session with WLGA	Health, Social Care and Sport Committee	Written submission: CL/63 - INQ000082940 Transcript: CL/64 - INQ000082931
11/06/20	Evidence session on the impact of Covid-19 on Sport	Culture, Welsh Language and Communications Committee - Fifth Senedd	Transcript: CL/62 - INQ000082932
14/06/20	Scrutiny of Covid-19 and its impact on children and young people (including students in further and higher education)	Children, Young People and Education Committee	Written submission: CL/61 - INQ000082942
14/07/20	Housing	Equality, Local Government and Communities Committee	Transcript: CL/60 - INQ000082933
16/07/20	Local Government	Equality, Local Government and Communities Committee	Written submission: CL/15 – INQ000089880 Transcript: CL/05 - INQ000089870
23/09/20	COVID-19: Evidence session with the Welsh Local Government Association	Health, Social Care and Sport Committee	Written submission: CL/56 - INQ000082941

			Transcript: CL/57 - INQ000082935
09/11/20	Impact on the Voluntary Sector	Equality, Local Government and Communities Committee	Written submission: CL/30 – INQ000089895 Transcript: CL/31 – INQ000089896
12/11/20	Remote teaching and learning, and exams and assessments	Children, Young People and Education Committee	Transcript: CL/53 - INQ000082937
28/01/21	COVID-19: Evidence session with representatives from Local Government	Children, Young People and Education Committee	Transcript: CL/52 - INQ000082938

49. Further key submissions, correspondence and recommendations prepared by the WLGA for the Welsh Government are evidenced in Exhibit CL/181 - INQ000228439 – Operational Documents – Submissions. The submissions were made in the form of letters from the WLGA Leader and members of the WLGA Executive board, and via email from senior WLGA officers.

Partnership Council for Wales (PCW)

50. In this section I shall provide information about the Partnership Council for Wales (PCW) and its work during the period covered by Module 2B.

51. The PCW is a statutory body, set up pursuant to sections 72 and 73 of the Government of Wales Act 2006, to promote joint working and co-operation between the Welsh Government and local government. PCW's members include Welsh Ministers, leaders of local authorities and wider public service representatives. Its functions have been summarised in the Partnership Scheme as follows -

“The Partnership Council for Wales may give advice to the Welsh Ministers about matters affecting the exercise of any of their functions, make representations to the Welsh Ministers about matters affecting local government and give advice to those involved in local government in Wales. The Partnership Council therefore provides a forum for collaboration by the Welsh Ministers and local government to promote important cross-cutting issues and seek to agree how they can improve outcomes for citizens in Wales.”

52. While the key interface between local government and the Welsh Government during the pandemic took place in the regular meetings between leaders and Welsh Ministers and bilateral meetings between WLGA Spokespersons and Welsh Ministers, the PCW and its sub-groups continued to meet. These provided a forum for wider members and partners to provide perspectives, discussing and advising Welsh Ministers on matters relating to the COVID-19 response and recovery.

53. During the pandemic the WLGA's membership of the statutory Partnership Council was expanded from 8 leaders and senior members to include all 22 leaders in 2021, to ensure all leaders were engaged in Partnership Council discussions. This arrangement has continued post-pandemic.

54. On the 10th June 2020 the PCW meeting

- received an oral update from the Counsel General on 'Unlocking our society and recovery',
- considered a WLGA paper on 'Response and Recovery', and
- agreed to establish a 'Recovery Sub Group' to serve in '...an advisory and consultative role rather than a decision-making one.'

55. This Recovery Group met on 6th July 2020 and 21st July 2020. The PCW also considered COVID Recovery as an oral item at its meetings on 14th October 2020, 24th November 2021 and 10th February 2022. These matters are referred to in more detail under the Recovery Planning section of the witness statement.

56. The PCW has a standing Finance Sub-Group which includes Welsh Ministers, WLGA representatives. The Finance Sub-Group provides the formal mechanism for the Welsh Government to discuss designated local government finance matters with nominated local government representatives. The Group serves an advisory and consultative role

rather than a decision-making one. COVID-19 funding pressures, income loss and hardship funding for local authorities were matters that were discussed through the Finance Sub-Group during meetings held on 30th April 2020, 19th August 2020, 2nd November 2020, 4th February 2021, 15th July 2021, 18th October 2021 and 9th February 2022.

57. The WLGA is aware of a review of activities and achievements of the Partnership Council for Wales – January 2019 to March 2022 as published on the Welsh Government website: Cabinet Statement - 13 July 2022 (Exhibit CL/177 - INQ000228435 - Written statement - Review of activities and achievements of the Partnership Council).

The work of the Local Government Partnership Scheme

58. Section 73 (1) of the Government of Wales Act 2006 sets out that Welsh Ministers must make a Local Government Partnership Scheme (the Partnership Scheme) and must take into consideration any advice which has been given, and any representations which have been made to them by the PCW. The Local Government Partnership Scheme is thus a statutory document which sets out how Welsh Ministers 'propose in the exercise of their functions, to sustain and promote local government in Wales'.
59. The Partnership Scheme predates the pandemic and was in fact agreed in 2017. It did not have a significant direct bearing on the response to the Covid-19 pandemic. The Partnership Scheme does however set out several principles concerning consultation, engagement and joint-working between the Welsh Government and local government based on 'respecting each other's roles and responsibilities and recognising the validity of different approaches depending on circumstances and need.' These fundamental principles and approach to governance were evident in the collective public service response to the pandemic, led by the Welsh Government.
60. The Partnership Scheme notes that -

'The Welsh Government will consult the representative associations of Welsh local government (that is the Welsh Local Government Association, One Voice Wales - and bodies and representatives of the police, fire and rescue and national park authorities) on all matters of common concern affecting local government (with the exception of

matters relating to national security and proposals which affect only particular authorities).'

The WLGA and Non-Pharmaceutical Interventions (NPIs) in COVID-19 response

61. In this section I shall discuss the introduction and deployment of Non-Pharmaceutical Interventions (NPIs) in Wales.

62. The Welsh Government response to the pandemic escalated rapidly during March 2020 and several NPIs were introduced over a short period of time. Views from the WLGA and local authorities were informally sought on key announcements relating to the introduction of key NPIs which impacted on local communities or local authority services.

63. Leaders and senior local authority professionals' views were sought on NPIs, including:

- Lockdowns generally,
- Local lockdowns and firebreaks,
- Local restrictions,
- Working from home,
- Reduction of person-to-person contact,
- Social distancing,
- The use of face coverings, and
- Opening or closure of schools,
- Rules on travel in and out of Wales.⁵

64. During the early stages of the pandemic, consultative fora or structures had not been established and consultation was *ad hoc* via emails, telephone conversations or urgently convened meetings. Any meetings were typically face-to-face or telecalls as Microsoft Teams or Zoom was not widely available in the early part of 2020. Given the pace of developments and urgent deadlines, when the WLGA and local government were consulted, there was often limited opportunity or time to provide full views or canvass wider views during the early stages of the pandemic.

65. The first consultation of note was when the WLGA's views were sought by PHW, in February 2020, in relation to the use by local authorities of existing powers in Part 2A of

⁵ I should add that local authorities did not play a significant role in relation to issues of repatriation to and from Wales.

the Public Health Act 1984, which can be used to direct persons to do or not do certain things in order to protect their health or the health of others. Early proposals by PHW were to minimize the use of these powers where necessary to contain the virus.

66. As a result of dialogue with local authority and public health consultants in communicable disease a protocol was issued on 6th March 2020 to all local authorities in Wales (CL/161 – INQ000180971 - All Wales protocol for the application of existing health protection legislation for the control of COVID-19 transmission in urgent situations). Ultimately, as the situation developed, these powers (which focused on managing the movement of individuals) were not considered appropriate for dealing with a significant spread of the Coronavirus disease, and emergency legislation was introduced by the Government.

67. The Communicable Disease Outbreak Plan for Wales was already in existence prior to COVID-19 and provided a template for managing communicable disease outbreaks with public health implications (CL/01 - INQ000089863 - Communicable Disease Outbreak Plan for Wales – 2022).

68. The plan envisages a collaborative arrangement between relevant authorities in Wales to protect public health by identifying the source of any outbreak and determining measures to prevent further spread. The core participants are the local Directors of Public Protection and the Director of Public Health, the Consultant in Communicable Disease Control and the Clinical Lead for Microbiology from Public Health Wales/Local Health Boards.

69. The plan states that –

“There will be rare occasions where an outbreak or incident may develop into an overwhelming communicable disease emergency (as in the case of pandemic flu) or there is suspicion of a bioterrorism event. In such a scenario, the Wales Resilience Emergency Planning structures may need to be invoked and the Outbreak Control Team would need to consider escalation to involve the Local Resilience Forum (LRF) Chair”.

70. Whilst there were discussions in February 2020 with PHW about the use of Part 2A Orders and use of the existing Public Health provisions, the outbreak plan recognises that these interventions could provide only a limited response in responding to a pandemic.

71. To provide an example of the acceleration in the pace of early developments around the introduction of NPIs, the WLGA chief executive and local authority education representatives were invited to an emergency meeting with Welsh Government officials to discuss school closures at 10.00am on the morning of 18th March 2020.
72. Leaders subsequently met to discuss the school closures at 2.00pm to discuss school closures ahead of the Welsh Government's 3.30pm press conference where the extended Easter break and schools closures was publicly announced.
73. The Welsh Government had established emergency planning arrangements, linking into Local resilience fora and Strategic Coordination Groups, however, there were limited established mechanisms to consult or seek urgent views from local authorities regarding the introduction of NPIs or to discuss wider COVID-19 matters.
74. Following these initial emergency developments around the response to the pandemic, the WLGA convened regular meetings of leaders and chief executives to keep them apprised of developments and to provide feedback to Welsh Government. The WLGA initially convened daily leaders telecalls (as several leaders did not have access to Microsoft Teams) from 20th March and these were held three times a week from 1st April 2020. The WLGA Leader was also invited to attend the weekly Welsh Government Core COVID-19 Group (Welsh Ministers and WLGA Leader and stakeholders) and was involved in several informal telephone conversations and meetings with Welsh Ministers.
75. WLGA Group Leaders met with the Minister for Housing and Local Government on 20th March to discuss the emerging response. The Minister for Health and Social Services and Minister for Housing and Local Government met with leaders on 27th March 2022 and Welsh Ministers regularly joined leaders' meetings from the 1st April 2020. These meetings and approach to bilateral engagement were valued by Welsh Ministers and Leaders and provided the opportunity for Welsh Ministers to update leaders on latest developments, to seek views on emerging options and for leaders to raise local matters or issues of concern with regards the deliverability or implications of specific NPIs, as well as wider matters relating to the pandemic, for example, PPE supplies, testing capacity and funding pressures.
76. A range of wider *ad hoc* meetings between Welsh Government officials, WLGA officers and local authority officer representatives were established, in order to ensure local

authority views were fed into the Welsh Government on NPIs, emerging regulations and other COVID-19 related matters that are anticipated to be covered in future Inquiry Modules. These included -

- Weekly meeting with Welsh Government officials on waste-related matters, including collection issues and health and safety of operatives, dealing with waste from household suffering from Covid and the operation of Household Waste Recycling Centres.
- Weekly meetings with Welsh Government officials on public transport, with a particular focus on support for operators (including home to school transport providers) to ensure they would survive through the pandemic and be available to meet increased demand post-pandemic.
- Weekly meetings with Welsh Government tourism/events officials over the operation of tourism facilities/sites and events to discuss closures/cancellations and then, when conditions allowed, gradual relaxation of constraints.
- Regular meetings with Welsh Government officials over the operation of hospitality premises to discuss closures, and when conditions allowed, gradual reopening.
- Weekly multi agency meetings with Welsh Government officials and PHW officials to receive updates on the health situation and outlook.
- Weekly meetings of the COVID-19 Social Care Planning and response Subgroup, including Welsh Government officials, WLGA officials and Directors of Social Services representatives.
- At the start of the pandemic, daily meetings were held between Welsh Government, WLGA and Wales Council for Voluntary Action officials to develop policy and guidance for public and third sector organisations to support people that were shielding and other vulnerable citizens. There were also regular meetings with local authorities to advise and support the use of data processes.
- Regular meetings between Welsh Government, WLGA and housing professionals to discuss the emergency response around housing,

homelessness and rough sleeping and with HM Prison and Probation Service around prisoner release.

- Meetings between local authority representatives, Welsh Government officials and, on occasions, Home Office officials to share intelligence and discuss COVID-19 implications and policies relating to asylum dispersal.
- Daily meetings between WLGA officers, representatives of the Society of Welsh Treasurers (local authority finance lead officers) and Welsh Government officials were initially held from 23rd March until 10th May 2020, then were held on a less regular basis, to discuss financial matters relating to COVID-19, including expenditure pressures, income loss and business support.
- The Directors of Public Protection Executive Board, supported by the WLGA, met weekly with Welsh Government officials to discuss emerging enforcement issues and potential policy changes; and
- From 20th March 2020, the WLGA convened a daily meeting with Welsh Government and local government procurement leads, then later NHS procurement, for the duration of the initial emergency. These daily meetings covered all aspects of procurement and supply chain, including the priority area of PPE; but also much wider, including sharing of information and intelligence to and from local authorities and helping to coordinate our collective procurement response.

77. One of those mechanisms to interface with Welsh Government in relation to NPI's and enforcement mechanisms was via the WLGA Regulatory Services Policy Officer, who is a constituent member of the Wales Public Protection Board. The Board consisted of one senior Public Protection Officer from each Local Health Board footprint area. The Board requested the attendance of Welsh Government officials on a weekly basis, to provide updates and receive feedback from the Board on policy developments. Board members regularly interacted with Directors of Public Health during this period and were able to provide further insight into local health developments. These interface arrangements were supplemented by the secondment of a local government officer into the Welsh Government (as detailed in paragraph 223). As a result, the WLGA was able to keep an oversight on these wider public health matters.

78. Some of these engagements between WLGA, local authority representatives and Welsh Government colleagues were increasingly regularized due to the introduction of the 21-

Day review cycle (following the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020, which came into force on 26th March 2020.

79. The Coronavirus Regulations 2020 (and all subsequent iterations apart from the No 3 regulations (the firebreak controls)) placed a duty on Welsh Ministers to review the need for any restrictions imposed by the Regulations and determine whether any controls remained proportionate. Consequently, reviews every 21 days provided a mechanism for dialogue and the opportunity for Welsh Ministers to understand the impact of any measures that had been introduced. The amendments made to the No2 and No5 Regulations in particular show that changes were made frequently, often on a weekly basis, to accommodate feedback from local authorities and the business community as the economy reopened.

80. Two examples where co-production might have generated better clarity for the business community include –

- The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) Regulations 2020 – enabling funfairs, outdoor playgrounds and outdoor gyms to reopen in the summer of 2020 in line with other outdoor attractions, which was an inconsistency identified by local authorities;

and

- The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 4) Regulations 2020 conferring new powers on local authority enforcement officers to ensure that measures are taken to minimize the risk of exposure to coronavirus at workplaces and other premises (see the WLGA briefing note detailed in paragraph 194 as confirmation of that lobbying).

81. Many of the other amendments to the No2 regulations facilitated the reopening of the economy in a cautious manner, but also show the frequent interaction during the Summer of 2020 during a fluid environment.

82. In addition to engagement around NPIs, the WLGA and local authority representatives were also involved in a range of other meetings with Welsh Government colleagues related to wider aspects of the collective response to the pandemic. These are likely to be covered by future Inquiry Modules, but these included shielding, PPE, testing, TTP,

schools, social care, asylum, homelessness, probation, local government funding and business support.

83. There was effective joint working between Welsh Government, WLGA and local government around some aspects of support of implementation NPIs, such as social distancing and face masks. Although these may be more relevant to future Modules, examples include the procurement of face masks and cleaning solutions for taxis and supporting ventilation in schools.

84. In early December 2021, the WLGA and Welsh Government identified a need to provide a PPE and cleaning solution for taxis. A collaborative team of officers in Welsh Government and WLGA developed an innovative solution of a standardised pack of PPE and cleaning materials to be supplied and distributed directly to licenced operators through a managed service. Ministerial Advice was issued in the first week in January 2022 recommending a £50 kit of PPE to include R50 washable face masks (the same as the school face coverings) plus cleaners, wipes etc, in a medium size heat sealed box.

85. This was a one-off personal issue to taxi drivers to cover a 6-month period with 14 days for the driver to claim. The supplier was required to check this against the licensed taxi driver list and check for anomalies/duplications. The WLGA helped with the planning and procurement and managing the process of reaching individual drivers via local authorities. Some 3,500 packs were supplied to taxi operators and all but one of the products in the pack were manufactured in Wales.

86. On 14th October 2021, Education Minister Jeremy Miles announced that £3.31 million was to be made available to improve ventilation in schools, colleges and universities in Wales. In essence, this funding was to provide 30,000 CO2 monitors to support the management of ventilation, therefore infection control, in every classroom. The successful approach developed for the supply of face coverings to schools during August 2020 provided a quick and uncomplicated model for the Welsh Government to distribute equipment to users at scale, using the legitimate scope in the supply chain and procurement arrangements already in place.

87. This was adapted to the CO2 monitor procurement. Monitors were specified, sourced, locally manufactured, tested and delivered to all Welsh schools within a very short period of time, a timescale of approximately six weeks from funding announcement to

equipment at point of use. This was made possible through effective coordination between work of WLGA, Welsh Government and the suppliers.

88. As outlined in paragraph 42 above, a full chronology of key meetings concerning NPIs and the WLGA is set out in Exhibit CL/51 - INQ000115551 - Chronology of Meetings & Index of Documents. Overall, the WLGA's role in all such meetings, whether officials were involved in discussions with civil servants or where WLGA senior members or leaders met with Welsh Ministers was advisory and consultative. These engagements sought to ensure that local government views about capacity, practicalities, resourcing or local implications of NPIs were adequately considered prior to Welsh Ministers determining next steps or introducing new regulations or guidelines. The regular leaders' meetings with Welsh Ministers however provided a valued opportunity for the Welsh Government to hear local authority perspectives and for local matters of concern or proposals to be considered across a range of COVID-19 related matters. Early meetings between chief executives and Welsh Government officials, convened by the WLGA provided an opportunity for professional perspectives to be considered.

89. WLGA members or officials did not have a decision-making remit relating to implementation of national NPIs nor did members have access to 'expert, scientific or medical expertise' which was provided to Welsh Ministers in advance of their decision-making, however, local intelligence and views did help inform Welsh Government decision-making around NPIs.

90. The Welsh Government and PHW did provide technical briefings to leaders, chief executives and WLGA officials at various points about pandemic data and modelling and the Welsh Government published Technical Advisory Cell (TAC) reports which outlined core considerations for the imposition, amendment, extension or ending of NPIs.

Some issues concerning NPIs

91. In general the WLGA (and the leaders of the 22 local authorities) were supportive of the Welsh Government's cautious approach to the pandemic and the introduction of NPIs. The WLGA therefore did not generally have significant disagreements with the imposition, amendment or extension of NPIs, although leaders often provided views around how NPIs might be introduced or enforced locally. Though Leaders did raise concerns at various points with regards the wider Welsh Government and public health

response to the pandemic, including testing, TTP, supply of PPE, care home discharges and vaccination roll-out.

92. There were occasional differences of opinion whereby individual Leaders identified specific local issues, for example the implications on local services such as household waste collection and recycling, or raised concerns such as questions around markets, campsites and the implications of tourism closures. The introduction of a national firebreak in October 2020 was an occasion where there were differences of opinion from leaders and local authorities; some authorities felt that a national firebreak was not appropriate or the case had not been made, expressing concerns about the impact on businesses and individuals and others sought reassurance about the evidence base and wider communications and support that would be introduced alongside. These views were reflected in a submission to the Welsh Government by the WLGA on 16th October 2020. (CL/02 - INQ000089864 – WLGA Circuit Break Response – 16/10/20).⁶

93. There were similar views expressed in May 2021, around the timeliness and 'risk averse' approach to reopening cultural events in mid-2021, with leaders generally seeking earlier opening from May 2021 rather than mid-June 2021 with greater flexibility for local decision-making (following the model adopted in Scotland). (CL/03 - INQ000089868 – Leaders Meeting (Informal Notes) – 14/05/21)

The effect of NPIs on vulnerable people and those with protected characteristics as set out in the Equality Act 2010

94. All Welsh local authorities would have been well aware of the general need to give effect to the public sector equality duty pursuant to the Equality Act 2010. However, decision-making regarding NPIs, and any accompanying equality impact assessments, were the responsibility of the Welsh Government. Accordingly, the WLGA did not routinely identify the impact on different groups of people in relation to NPIs, though it is certainly true that services and support for the most vulnerable were a core priority for WLGA members in discussions with Welsh Ministers throughout the pandemic.

⁶ WLGA Circuit Break Response - Exhibit CL/02 - INQ000089864 contains three embedded responses, these have been included as separate Exhibits with the following references:

- CL/02a - INQ000089865 – Cardiff circuit break response
- CL/02b - INQ000089866 – Carmarthenshire circuit break response
- CL/02c - INQ000089867 – Newport circuit break response

95. Leaders and local authorities, through WLGA meetings, regularly raised the need to consider and respond to the needs of vulnerable people, for example through the development and roll-out of shielding, the provision of food boxes, continued access to free school meals following the closure of schools, the impact of vulnerable individuals in special education schools, homelessness and working with the third sector around volunteering support. The WLGA understands that many of these matters may be covered in future Inquiry Modules. In this section I shall give some examples, nonetheless.

96. The National Autism Team, hosted by the WLGA produced a range of briefings, resources, guidance notes relating to schools, bereavement, face masks and TTP. Councils were also concerned about the impact of the COVID-19 pandemic on vulnerable children, including both those who are already in contact with social services and those who may have become more vulnerable as a result of lockdown measures and the impact of COVID-19 in care homes for adults and children and other residential settings in Wales. (CL/04 - INQ000089869 - Senedd Committee - COVID-19 Evidence Session with WLGA 21-05-20)

97. In its evidence to the Senedd Equality, Local Government and Communities Committee in July 2020 (CL/05 - INQ000089870 - Senedd Committee - COVID-19 Evidence Session with WLGA 16-07-20), the WLGA noted:

“Local government is acutely aware of the significant and disproportionate impact on the poorest and most vulnerable in our communities throughout lockdown and shielding; in particular the financial consequences of the lockdown and greater risk and health impacts of COVID 19, the increased risk and incidence of domestic abuse, increased isolation and loneliness, the impact on mental health and wellbeing, and the concerning disproportionate impact on certain groups such as disabled people and BAME people. The WLGA contributed to the work of the BAME Advisory Group and leaders have written to the chair, Judge Ray Singh, to discuss what actions authorities can prioritise in response to the group’s work.”

98. The impact of the pandemic and introduction of NPIs, such as reduction of person to person contact and social distancing, had a particular impact on and risks for rough sleepers, homeless individuals and families and for residents in emergency temporary accommodation and Houses of Multiple Occupation.

99. The Welsh Government, WLGA and housing and homelessness practitioners therefore engaged and/or met regularly during the initial months of the pandemic to put in place emergency measures around evictions, ensuring appropriate emergency accommodation for all homeless people, bring in rough-sleepers, and developing financial protections for tenants negatively impacted by the effects of the pandemic.
100. There was extensive work and partnership between the Welsh Government, local authorities and partners to put in place emergency arrangements, with authorities initially responding in advance of Welsh guidance or funding. Early changes in guidance to priority need in the context of the health emergency meant that local authorities were under a statutory duty to secure and maintain emergency accommodation and provide other services for many hundreds of people to whom Councils were previously required to provide a lower level of assistance.
101. Subsequently, the Welsh Government developed guidance covering a range of housing related matters and issued emergency funding to authorities to secure a supply of additional accommodation, and to significantly improve the condition of emergency accommodation for homeless individuals and families.
102. Throughout the pandemic, councils transformed their homelessness provision rapidly securing additional accommodation through B&Bs, hotel rooms, empty student accommodation and other premises. Phase 1 of the Welsh Government and collective approach saw £10m additional funding in place, which resulted in the provision of accommodation to an additional 800, or so, people and supporting them to stay safe. Phase 2 approach to Homelessness from June 2020, saw an additional £60m Welsh Government funding for 2020-21 for local authorities to help further ensure that the increasing numbers of people seeking assistance from Councils could be accommodated, and that no-one in emergency temporary accommodation during the coronavirus crisis has to return to the streets or unsuitable accommodation.
103. The Welsh Government has introduced a range of Post Pandemic Interim Homelessness Measures which aim to bridge the gap between homelessness guidance introduced during the pandemic in 2020 and the likely future fundamental legislative reform of homelessness as signalled in the Programme for Government and will ensure that, for example, emergency temporary accommodation remains available for all.

104. The latest available management information shows that between the beginning of the pandemic and the end of August 2022 over 26,400 people who were previously homeless have been supported into emergency temporary accommodation. At 31st August 2022, 8,545 individuals were in temporary accommodation. 2,515 of these were dependent children aged under 16.
105. The WLGA's views on the initial collective response around housing and homelessness was discussed at the Senedd's Equality, Local Government and Communities Committee Inquiry into COVID and its impact on homelessness and housing on 14th July 2020 (CL/06 - INQ000089871 - Senedd Committee - COVID-19 Evidence Session with WLGA 14-07-20),
106. Together with the deputy chief executive I met with the Older Persons' Commissioner on a monthly basis from May 2020 to April 2021 to discuss COVID-19 matters. The WLGA's Deputy Chief Executive also participated in the Welsh Government's BAME Covid-19 Expert Advisory Group and the COVID-19 BAME Socio-economic Sub-Group which met and reported during the summer of 2020. WLGA leaders subsequently met with Judge Ray Singh, chair of the Welsh Government convened BAME Covid-19 Expert Advisory Group in August 2020. The WLGA also shared guidance with authorities when requested, for example, RNIB Cymru/Guide Dogs Guidance on 'Coronavirus and remaking streets – local sustainable transport measures and the impact on people with sight loss'.

Consultation with the WLGA on NPIs

107. The Welsh Government response to the pandemic escalated rapidly during March 2020 and several NPIs were introduced over a short period of time. Views from the WLGA and local authorities were informally sought on key announcements relating to the introduction of NPIs. During the early stages of the pandemic, consultative forums or structures had not been established and consultation was ad hoc via emails, telephone conversations or urgently convened meetings. Given the pace of developments and urgent deadlines, where the WLGA and local government were consulted, there was often limited opportunity or time to provide full views or canvass wider views during the early stages of the pandemic.

108. The WLGA's view was that political consultation and dialogue was constructive and effective, with Welsh Ministers regularly seeking the views of local authority leaders, either bilaterally or through the WLGA convened leaders' meetings, however, consultation and engagement between Welsh Government officials and local government professionals was inconsistent and consultation on finalised drafts was often late, rather than co-produced from an earlier point.
109. Throughout the pandemic, local authorities sought to provide good, timely, advice, to local communities about what people and business entities could, and could not, do when the restrictions were in place and how to manage any possible threats presented by the virus. Local Authorities sought to keep local communities as safe as possible during a health crisis. Introducing restrictions in March 2020 gave the Local Authorities a clear role, but the role they performed became more difficult when those restrictions were varied as society began to "re-open". The impact that the introduction of restrictions had on local economies should not be underestimated.
110. The Local Authority role in policing NPI's was a critical one and needed careful administration. Local authorities adopted an approach of offering advice, convincing businesses of the need to protect their customers and employees, before resorting to enforcement where needed. It is in this context that when consultation was late or changes in the restrictions were not advised in a timely manner that Local Authorities were unable to respond promptly to requests for advice and assistance. When consultation and co-production did take place, and it did take place often, the policy changes flowed into a more effective delivery regime.
111. The level of consultation and engagement at the political level between Welsh Ministers and leaders was unprecedented, valued and was a particular feature of the collective Welsh public service response to the pandemic. Welsh Ministers were accessible and sought to engage collectively with leaders and, where necessary, bilaterally to consider particular local matters of concern. Through the regular meetings, Welsh Ministers were able to inform leaders of proposals for NPIs and to seek views on the applicability or extent of these NPIs, as well as feedback about how current NPIs were working.
112. The WLGA's view of the Welsh Government's political engagement was summarised in a submission to the Permanent Secretary's COVID 'stocktake' in October 2020 (CL/07 - INQ000089872 - Email - COVID-19 Stocktake - 23-10-20):

“The Welsh Government and local government have a shared commitment to work in partnership and this has been strengthened during COVID 19. There has been an unprecedented level of political dialogue and engagement, with regular bilateral meetings between Ministers and WLGA spokespersons and regular meetings between all 22 leaders and Ministers. These formal and informal channels of communication have ensured Ministers can test emerging proposals and engage and communicate national priorities a2nd strategy directly with leaders and have also ensured that local issues and risks are rapidly escalated to Ministers and allow local intelligence and innovation to shape national strategy. This approach to engagement has been welcomed by all leaders and it is recognised that this degree and regularity of central-local engagement has not been seen in other parts of the UK...

The level of dialogue in particular around the ‘firebreak’ in the past week, where Ministers engaged with leaders and chief executives through several meetings to help inform and prepare for decisions affecting their areas or services, has been a model of central-local relations.”

113. Leaders’ regular discussions with Welsh Ministers ensured that local views fed into Welsh Government decision-making and there were several examples of consultation around the introduction of specific NPIs, seeking the views of leaders or local authorities for example around local lockdowns (see ‘NPI lessons learned’ section below commencing at paragraph 142), the approach (including timing and local or national restrictions) around the closing of pubs and licensed premises in September 2020 (a brief email survey to local authorities, with responses summarized and submitted to the Welsh Government) (CL/08 - INQ000089873 - LA Responses - Pub Closing Times - 16-09-20), through to views ahead of the introduction of the firebreak in October 2020, as previously referenced.

114. It was recognised that the scale of the pandemic required Welsh Government officials urgently to reprioritise capacity and resources and work at pace to consider NPIs and draft regulations and guidance where necessary. Welsh Government colleagues worked to the best of their abilities and with the best of intentions under unprecedented pressure.

115. Some consultations, due to the pace of developments, were therefore very brief and occasionally did not occur, which although understandable, caused frustration and

considerable pressure. The general view however was that the WLGA and local government professionals should have been involved in the testing of proposals and drafting of regulations from the beginning, to ensure operational perspectives could inform the deliverability of NPIs and consider any necessary mitigation regarding introduction, compliance or enforcement. This is a key learning for future preparing for and responding to future pandemics.

116. As outlined above in relation to policy development, consultation and co-production flowed into a more effective delivery. Where effective partnerships and co-production of responses took place across public sector agencies, better outcomes and a stronger sense of purpose were seen. For example, the Cardiff and Vale Health Board area hosted a daily meeting that convened local authority officers and health professionals to monitor the spread of the virus across the region. The partnership approach removed traditional organisational boundaries and focussed upon the task of preventing and reducing the spread of the virus. An approach that must be considered should a future pandemic occur.

117. Such issues were initially raised at a WLGA convened meeting of chief executives on 20th March 2020 where it was noted that there was a lack of communication, engagement and coordination by Welsh Government and local authorities were not waiting for guidance or direction but were responding and implementing local responses or changes to services already (CL/09 - INQ000089874 – Chief Executives Teleconference (Informal) Notes - 20-03-20).

118. An example cited at that meeting was that the Welsh Government 'Key Workers' list (relating to those workers whose children could continue to attend school hubs following the closure of schools) which was published 12 hours after UK Government had published its guidance, which coincided with the afternoon of last day of school in Wales. Other matters included announcements relating to changes to business restrictions and easements around weddings during June 2020 being made publicly, before guidance or regulations had been shared with local authorities, which causes confusion and inconsistency of information for businesses and the public and challenges for local authorities in terms of planning enforcement activities.

119. The need to improve communication and engagement at an official level were also reflected in several emails from the WLGA chief executive to the Welsh Government's Permanent Secretary, which sought to provide ongoing feedback to Welsh Government

about issues being raised by local government during the early weeks of the pandemic.
See -

(CL/10 - INQ000089875 – 200322 - Email Reply from WG - Communications and Engagement with Local Authorities)

(CL/11 - INQ000089876 – 200326 - Email to WG - Communications and Engagement with Local Authorities)

(CL/12 - INQ000089877 – 200327 - Email to WG - Note of Leaders Teleconference 27th March 2020)

(CL/13 – INQ000089878 – 200329 – Email reply from WG – Note of WLGA Leaders Teleconference 27th March 2020)

(CL/14 – INQ000089879 – 200330 - Email to WG - Note of WLGA Leaders Teleconference 30th March 2020)

120. The WLGA's contribution to the Welsh Government's Permanent Secretary COVID 'stocktake' in October 2020 noted the effective political level engagement but stated –

“The approach to engagement from officials has evolved throughout COVID-19: inevitably the pace and urgency of the response phase was challenging for the Welsh Government and all in public services and this continued into the three-weekly review of the initial lockdown. The open and effective political dialogue has not always been replicated at an official level, and despite several examples of excellent co-construction of timetabling and guidance between officials, co-production and information sharing has been inconsistent and it proved very challenging for local authorities to plan for the operational implementation of announcements (particular those affecting council services) with limited notice during the 21-day review period. There has been significant improvement in recent months in terms of dialogue and planning for local lockdowns but some instances where clarity and information sharing should have been quicker. Our view is that earlier and more detailed discussion, coupled with professional advice, results in better the [sic] outcomes.”

121. The pace and short timescales presented challenges for local government input and co-production, with informal views required often by the next day. Welsh Government officials valued the operational perspective of local government colleagues and local government views did have an impact on final regulations or guidance issued. An example is the restrictions around Household Waste and Recycling Centres where local authorities highlighted issues around contracts with re-processors who collect material

from sites, the potential for cross-border trips if councils did not act in concert, traffic management issues if any sites remained open and the need for bookings once they reopened.

122. Arrangements and engagement generally improved through time and as a routine around the 21 Day Review embedded. There were also specific areas where engagement was effective, as the WLGA's Evidence to the Senedd Local Government and Housing Committee in July 2020 (CL/15 – INQ000089880 - WLGA Evidence - Local Government - Inquiry into the Covid-19 outbreak 16-07-20) noted:

“The pace and urgency of the response phase has been incredibly challenging for the Welsh Government and all in public services and this has continued into the transition phase as we have moved into easing lockdown. Despite effective and regular political dialogue and several examples of co-construction of timetabling and guidance between officials, the approach to engagement between officials has not always been consistent and it has been challenging for local authorities to plan for the operational implementation of announcements and reintroduction of some services with limited notice.”

123. The approach to dialogue, engagement and between local government and Welsh Government around education and schools in particular has been effective; there were weekly meetings at a political level between the Minister for Education and the WLGA Leader and Education Spokesperson, and at a strategic and operational level between senior Welsh Government officials, WLGA and representatives from the Society of Local Authority Chief Executives (SOLACE) and the Association of Directors of Education Wales (ADEW). This ensured a shared approach and understanding to the COVID-19 response; leaders recognised that a balance needed to be struck based on the latest scientific analysis between the necessary health response and the shared concern about the impact on educational attainment and wellbeing of children and young people. Leaders therefore recognised that no approach or option was risk free and were supportive of the Welsh Government's more cautious approach to reopening of schools.

124. The effective working between the Welsh Government and the WLGA in the management of schools NPIs was demonstrated through the procurement of face coverings for schools during 2020. The WLGA and the National Procurement Service (NPS) received a “Commended” certificate for the 'School Procurement Award' from the

Education Business Awards in August 2021 for their collaboration in providing school children with face coverings.

125. During the Covid-19 pandemic, the NPS worked with Lyreco, the WLGA and RotoMedical, the medical and protective equipment division of the Rototherm Group, based in Margam, South Wales, to manufacture and distribute a 3-layer face covering to Wales' schoolchildren via the NPS framework for personal protective equipment.

126. The WLGA highlighted a need to provide face coverings, to Welsh schools to the NPS following the issuing of a Welsh Government grant to Welsh local authorities to purchase these items. There was also a desire to have the face covering manufactured in Wales. Subsequently, the NPS and WLGA worked with RotoMedical to understand how they could help service the Welsh public sector in the fight against the virus. Lyreco purchased the products from RotoMedical on behalf of NPS and distributed them to customers utilising their own nationwide logistics network. Lyreco service their South Wales customers from their own distribution centre in Bridgend and North Wales customers from just over the border in Warrington.

127. Despite the regular engagement and generally effective dialogue, there were occasions where the approach to announcements caused concern, in particular around the re-opening of schools at the end of the summer term in 2020. Although some authorities sought greater local flexibility around the duration (3 or 4 weeks at the end of term), the concerns in the main were around the Welsh Government's approach to engagement and decision-making ahead of the announcement of the 4-week return, including an additional week of school at the end of term, which had not been previously agreed by unions or local authority employers.

128. The Welsh Government's announcement of this decision, without prior agreement with unions, caused tensions between schools, unions, the local authority employers and Welsh Government for a period. Unions sought particular assurance around PPE and social distancing. The establishment of the Schools Social Partnership Forum, from July 2020, a weekly meeting between Welsh Government, WLGA, local authority representatives and trade union representatives facilitated tri-partite discussions on COVID-19 and school related matters.

(CL/16 – INQ000089881 - 200619 Chief Executives Meeting (Informal) Notes)

(CL/17 – INQ000089882 - 200612 Leaders Meeting (Informal) Notes)

(CL/18 – INQ000089883 - 200619 Leaders & Ministers Meeting (Informal) Notes)

129. Additional challenges were also presented by the communication and announcement of UK Government NPIs or decisions affecting England, often via national media and press conferences, in advance of any respective decisions or announcements about NPIs by the Welsh Government. This remained a concern and frustration for local government (and Welsh Government) and impacted on the public awareness and understanding of NPIs in place in Wales.

130. The WLGA did not canvass the views or the response of the public to NPIs. Local authorities however did receive feedback from the general public and businesses about the introduction and clarity or consistency of NPIs, through councillor engagement, social media, customer contact centres or direct interaction with the public, for example, through enforcement. These reflections informed leaders and local authority officers' contributions when discussing the status of NPIs. For example, officers from local authorities took part in regular meetings arranged by Welsh Government in relation to hospitality premises, tourism arrangements, and events management, where businesses and trade representatives reflected their first-hand experiences.

Border issues concerning NPIs

131. The different territorial implications of the Welsh Government and UK Government responses to the pandemic remained a key challenge throughout the pandemic, in terms of public awareness, information and understanding of respective NPIs and the implications on public bodies in terms of enforcing those regulations.

132. The UK Government's communication of UK Government NPIs or decisions affecting England, often via national media and press conferences, occasionally without advance notice and ahead of respective decisions or announcements about NPIs by the Welsh Government remained a concern and frustration for local government (and Welsh Government) throughout the pandemic.

133. Although the WLGA did not play a significant role in cross-border matters, such concerns and implications for enforcement by local authorities were raised via the WLGA convened leaders' meetings and were raised via SCG (LRF) chairs at the regular Regional Chairs meetings with Welsh Government. Clarification or comparison of different business restrictions for hospitality and tourism in neighbouring villages and towns across the borders featured as a common issue. Cross border transport and travel

issues were an issue which police had responsibility for enforcing, and as such the WLGA had no role in directing, but we are aware there were wider issues in terms of mask wearing on trains travelling between England and Wales. Some examples include –

- The Welsh legislation used 2 metres as its base measure for achieving social distancing. In other UK nations that position varied and is illustrated by the BBC report - 9th July 2020 -

“The UK government is advising people to practise social distancing, but the distance varies depending on where you live. In Scotland and England, you are now allowed to socially distance at ‘one metre plus’, but the advice is still to stick to two metres where you can, to protect yourself from catching coronavirus.

In Wales, the advice is to always stick to two metres but in Northern Ireland, one metre social distancing is allowed.”

- The introduction of the 2-week firebreak in Wales, 23rd October to 9th November 2020, was not replicated in England. Wales went into lockdown earlier than the rest of the UK with the restrictions coming in on 23rd October 2020. In England, a four-week lockdown did not begin until 5th November 2020, just as controls were being eased in Wales.
- During the Winter 2021-22, the spike of cases as the Omicron variant spread, resulted in the Welsh Government increasing the Welsh alert level to 2 from Boxing Day 2021 for a month, meaning no more than six people could meet in pubs, cinemas and restaurants. Licensed premises also had to offer table service only during this period in Wales, face masks were mandatory and indoor events were limited to a maximum of 30 people. In contrast, the UK Government did not enforce such restrictions in England during that period.
- The issue of events also caused some cross border issues, for example, football fans not being allowed to attend Cardiff City and Swansea City home fixtures but being allowed to travel to games in England. A high-profile, localized issue, where the WLGA chief executive attended meetings in support of Flintshire County Council was the matter of Chester FC in early 2022, as its ground straddled the

Wales-England border and there was a lack of clarity as to which governmental NPIs were relevant.

- There were also wider issues, of relevance to other Modules, where Welsh residents who were in receipt of health care from England, for example, with Welsh residents receiving communications or food parcels from England as they were not included on Welsh databases.

WLGA relations with corresponding associations in other parts of the UK

134. The WLGA's main focus during the pandemic was supporting Welsh local authorities' emergency response and engaging with the Welsh Government and public service partners in the devolved content. The Local Government Association, Convention of Scottish Local Authorities and Northern Ireland Local Government Association were similarly focused on supporting their respective members' response to the pandemic.

135. The WLGA was represented on the LGA's Executive Advisory Board (through the WLGA's Deputy Leader) which met on a six-weekly cycle through the pandemic. The local government response to the pandemic and relationship with the UK Government was a key topic of discussion, and the forum provided an opportunity to compare respective approaches and issues between England and Wales.

136. The four local government associations met twice through the UK Forum (of local government associations) during the pandemic, on 7th August 2020 and 3rd June 2021, and the comparative approaches to the pandemic was a topic of discussion and the respective finance teams met regularly from May 2020, exchanging information on Covid income losses and their recovery, local government fiscal deficit forecasting and analysis, and sharing approaches to engagement with UK and devolved governments. Officials from the LGA, WLGA and NILGA and English regions also met regularly through the National Association for Regional Employers, to discuss common issues relating to workforce matters.

137. These forums provided opportunities to exchange information and compare approaches, but did not agree common lines or joint documents for consideration by devolved or UK Governments. Governmental colleagues were not involved in these meetings. The general view was that Welsh approach to partnership and regular

engagement between local government and the Welsh Government, particularly at a political level, was a model that was not common across the UK.

The role of the WLGA in relation to local restrictions

138. Decisions related to the introduction of local restrictions, i.e. those relating to 'local lockdowns' or Local Health Protection Areas', were matters for the Welsh Government in liaison with the relevant local authorities. The WLGA did not play a formal consultative role, although the WLGA chief executive was involved in meetings in support of local leaders and officers and Welsh Ministers and Welsh Government officials.

139. This role was largely advisory, in support of relevant local authorities and also ensured a consistent local government perspective across the separate bilateral meetings. The Welsh Government's approach to decision-making on the imposition of 'local lockdowns' was broadly welcomed by leaders, with Ministerial-led engagement, including by the First Minister, with local representatives to discuss options.

140. There were some issues around public communications after decisions had been made and issues about TTP capacity to manage lockdowns, and local concerns were raised in leaders' meetings. The experience culminated with a 'lessons learned' paper and discussion among leaders on 25th September 2020 (see paragraph 143 below).

141. There were several such consultative local and regional meetings throughout September 2020, between Welsh Ministers and local leaders and officials, ahead of local restrictions being introduced in:

- Caerphilly (from 7th September 2020),
- Merthyr Tydfil and Rhondda Cynon Taf (from 10th September),
- Blaenau Gwent, Bridgend, Merthyr Tydfil and Newport (from 22nd September),
- Llanelli (from 26th September),
- Cardiff and Swansea (from 27th September),
- Neath Port Talbot, Torfaen and the Vale of Glamorgan (from 28th September),
and
- Denbighshire, Flintshire, Conwy and Wrexham (from 1st October) and Bangor (9th October)

NPI lessons learned

142. The WLGA did not commission any formal evaluations or 'lessons learned' exercises around the imposition, non-imposition, extension or ending of local NPIs, however, leaders and chief executives regularly provided views on their experiences and views of NPIs and informal 'lessons learned' feedback was provided to the Welsh Government regarding the experience of 'local lockdowns'.

143. Leaders, through the WLGA, considered a paper on 'Local Lockdowns – Learning Lessons' at their meeting of 25th September 2020. The report summarized some of the 'lessons learned' identified around the experiences of 'local lockdowns' or 'enhanced local restrictions' introduced in the early autumn of 2020 in certain local authority areas:

- (CL/19 – INQ000089884 - WLGA Report - Local Lockdown - Lessons Learned - 25-09-20)
- (CL/20 – INQ000089885 - 200925 Leaders Meeting (Informal) notes)

144. The report noted that -

“Clarity and consistency is needed around the implementation of local lockdowns/restrictions:

- *Process – summary and clarity of who takes what decision/when? What is/should be role of leaders in process?*
- *Rationale – what are thresholds? Availability/sharing/timeliness of data*
- *Response – what are local actions/what requires Ministerial approval?*
- *Communications - between agencies and with public (in particular consistent and timely messaging).*
- *Duration/review – clarity of process and exit strategy*

...Some initial frustration at delays in FAQs & guidance from Public Health Wales/Welsh Government being provided to those authorities who have gone into local lockdown. Welsh Government needs to have FAQs/guidance ready at time of any announcement not afterwards and should ideally be available for residents before restrictions take effect. The council and staff can be caught in middle during the 24 hours between announcements and information being available....

...Terminology – use of term ‘enhanced restrictions’ rather than ‘lockdown’ is preferred – use of ‘lockdown’ can confuse people as the restrictions are not the same as when the country was in lockdown previously.”

145. It was also noted at the leaders’ meeting on 2nd October 2020 that a planned exit strategy from local lockdown was important, however, a concern was noted that in some areas Incident Management Teams (IMTs) locally were making decisions without political input and it was important for all information to be shared with Leaders. (CL/21 – INQ000089886 -201002 - Leaders meeting (Informal) notes)

146. The Welsh Government Permanent Secretary undertook a COVID ‘stocktake’ in October 2020 and sought the perspective of the WLGA Chief Executive. Although the WLGA did not receive a copy of the final stocktake, the WLGA’s contribution on 23rd October stated:

“The Welsh Government and local government have a shared commitment to work in partnership and this has been strengthened during COVID 19. There has been an unprecedented level of political dialogue and engagement, with regular bilateral meetings between Ministers and WLGA spokespersons and regular meetings between all 22 leaders and Ministers. These formal and informal channels of communication have ensured Ministers can test emerging proposals and engage and communicate national priorities and strategy directly with leaders and have also ensured that local issues and risks are rapidly escalated to Ministers and allow local intelligence and innovation to shape national strategy. This approach to engagement has been welcomed by all leaders and it is recognised that this degree and regularity of central-local engagement has not been seen in other parts of the UK.

The approach to engagement from officials has evolved throughout COVID-19: inevitably the pace and urgency of the response phase was challenging for the Welsh Government and all in public services and this continued into the three-weekly review of the initial lockdown. The open and effective political dialogue has not always been replicated at an official level, and despite several examples of excellent co-construction of timetabling and guidance between officials, co-production and information sharing has been inconsistent and it proved very challenging for local authorities to plan for the operational implementation of announcements (particular those affecting council services) with limited notice

during the 21-day review period. There has been significant improvement in recent months in terms of dialogue and planning for local lockdowns but some instances where clarity and information sharing should have been quicker. Our view is that earlier and more detailed discussion, coupled with professional advice, results in better the [sic] outcomes.

The level of dialogue in particular around the ‘firebreak’ in the past week, where Ministers engaged with leaders and chief executives through several meetings to help inform and prepare for decisions affecting their areas or services, has been a model of central-local relations.

There remains scope to review how the civil contingency architecture operates in the medium-term. Lessons are being learned about how effectively civil contingency arrangements have operated in the response and recovery phases. It is widely felt that the current civil contingency planning and reporting arrangements are more appropriate for short-term, localised emergencies rather than a long-term, national/global emergency such as the current pandemic. There have been recent developments to streamline communications, reporting and decision-making into Welsh Government, particularly with the introduction of local health protection zones. The role of political leaders in the civil contingency process however needs to be clarified and strengthened, including ensuring access to and sharing of information and early involvement in decision-making on any local interventions.

It is important that lessons from the initial experiences are learned and the Welsh Government continues to engage effectively with local government throughout COVID 19 and beyond in planning and managing the ongoing response to COVID 19 and in preparing for future recovery and reconstruction.”

147. More generally, although the WLGA did not conduct a formal review of civil contingency arrangements, council leaders have identified limitations in the civil contingency governance arrangements in that the Civil Contingencies Act 2004 and accompanying architecture is designed to plan for and, crucially, respond to short-term, often localised or regionalised emergencies.

148. The extended duration, unpredictability and the national and global nature of this pandemic emergency meant that local and national democratic decision-making

arrangements were impacted and disrupted for a prolonged period. Interim arrangements for the duration of this pandemic developed in an ad hoc and contingent way, both within councils and nationally through the WLGA with Welsh Ministers. These ad hoc arrangements, as outlined above, worked well.

149. There is limited guidance on the role of leaders (and wider elected memberships of councils) in civil contingencies which is applicable to Wales. The Coronavirus Control Plan for Wales states that -

“Each local authority will have its own governance arrangements set out in their constitution and Leader’s schemes of delegation and functional responsibilities. These set out how and by whom decisions are made. This may include key strategic decisions such as the temporary closure of public services in an emergency.”

150. Civil contingency and gold command arrangements for senior professionals within Category 1 responders are well-established, tried and tested and necessarily rely on inter-agency decision-making from professional leaders. During the pandemic, successful communication, information sharing and involvement in any decision-making was reliant on effective and trusting local professional and political relationships existing in the background, rather than clear and consistent statutory guidance or a legislative framework to ensure democratic leadership and oversight. Senior professionals in local government would have been sensitive to the need to consult and advise their council leaders and senior elected members in the course of planning key decisions in both the response and recovery phases of the pandemic. This is an area that should be reviewed, and strengthened in guidance, in preparing for any longer-term emergency or pandemic scenario.

151. Table 4 provides a chronological list of any internal or external reviews, lessons learned exercises and other reports involving, authored, overseen or responded to by the WLGA during the period to which Module 2B refers.

Table 4 – Chronological List of reviews or learning exercises with WLGA participation

Date	Title	Theme	Status	WLGA involvement	Document Reference
3 rd March 2020	Exercise Seren City 2020	Review of lockdown measures	Formal	Public Health Wales and South Wales Police (WLGA participated)	CL/142 - INQ000082840
June 2020	First Ministers BAME COVID-19 Advisory Group report of the Socioeconomic Subgroup	Report into impact, including recommendations, around disproportionate impact of COVID-19 on Black, Asian and Minority Ethnic people	Formal	Welsh Government-led (WLGA a participant)	CL/143 - INQ000082912
13 th July 2020	Covid-19 Pandemic Welsh Interim Operational Review C19 National Foresight Group	Civil contingencies review	NB Marked Official Sensitive Formal	Welsh Government-led (WLGA participated)	CL/144 - INQ000082914
27 th September 2020	Local Lockdowns – Learning Lessons	Learning the early lessons from the experiences of local lockdown (Autumn 2020)	Informal	WLGA coordinated feedback and produced report	CL/19 - INQ000089884
20 th October 2020	Financial Sustainability of Local Government as a Result of the COVID-19 Pandemic	Financial Sustainability of Local Government as a Result of the COVID-19 Pandemic	Formal	Audit Wales	Not exhibited
23 rd October 2020	COVID 'Stocktake'	Email views to Permanent Secretary internal stocktake.	Informal	Welsh Government-led (WLGA provided views)	CL/07 - INQ000089872
13 th April 2021	Procuring and Supplying PPE for the COVID-19 Pandemic	Review of procurement and supply of PPE	Formal	Audit Wales (WLGA provided information)	Not exhibited
10 th June 2021	Rollout of the COVID-19 vaccination programme in Wales	Review of the rollout of COVID-19 vaccination in Wales	Formal	Audit Wales	Not exhibited
2 nd July 2021	Locked out: liberating	This report is about the	Formal	Welsh Government-led	CL/150 - INQ000082917

	disabled people's lives and rights in Wales beyond COVID-19	impact of the COVID-19 pandemic on disabled people.		(WLGA did not contribute, but included as it is a significant report)	
4 th October 2021	Penally - Lessons Learned	Review of Home Office commissioning of Penally Camp to house asylum seekers	Formal	WLGA report	CL/151 - INQ000082920
29 th October 2021	Financial Sustainability of Local Government - COVID-19 Impact, Recovery and Future Challenges		Formal	Audit Wales	Not exhibited
October 2021	First Ministers BAME COVID-19 Advisory Group report of the Scientific Risk Assessment Subgroup	Review of risk assessment relating to Black, Asian and Minority Ethnic workers	Formal	Welsh Government-led (WLGA did not contribute, but included as it is a significant report)	CL/153 - INQ000082919
10 th May 2022	Covid-19 - Lessons Learnt insights from Stakeholders Session	Lessons learnt from being a stakeholder engaged in sector meetings across the visitor economy during the covid pandemic	Informal	Welsh Government (WLGA provided views)	CL/154 - INQ000082923
11 th July 2022	Third Sector COVID-19 Response Fund	Review of Welsh Government's Third Sector Response Fund	Formal	Audit Wales	Not exhibited
17 th October 2022	COVID-19 business support in 2020-21	Review of COVID-19 business support in Wales	Formal	Audit Wales	Not exhibited

Part 4 - Cooperation and joint working between WLGA, Welsh Government and UK Government

Relations with the Office of the Secretary of State for Wales (OSSW)

152. The WLGA's main focus during the pandemic was supporting Welsh local authorities' emergency response and engaging with the Welsh Government and public service partners in the devolved content. The Welsh Government maintained a working relationship with the Office of the Secretary of State for Wales (OSSW) and UK Government throughout the pandemic through a range of bilateral intergovernmental mechanisms for engagement, information sharing and cooperation.

153. The WLGA Leader and Chief Executive had a teleconference call with the Secretary of State for Wales on 19th March 2020 to discuss the emerging pandemic. Leaders met with the Parliamentary Under Secretary of State on 20th April 2020 and with the Secretary of State for Wales on 13th and 16th November 2020 to discuss the UK Government's approach and support for the COVID-19 response in Wales, as well as future UK Government regional funding. The WLGA also liaised informally with officials in the OSSW at various points during the pandemic.

154. Issues raised included:

- The need for greater clarity in UK Government announcements relating to England-only.
- Consideration of all areas of the UK when the relaxation of lock-down is discussed, partly to aid public communications but also that the 'peak' is likely to affect different areas of the country at different times and therefore any changes in lockdown policy should consider the implications for and impact on all parts of the UK; and
- The need for small businesses, in particular the self-employed, and charitable and third sector organisations who do not currently qualify for NNDR grant scheme support.

(CL/22 – INQ000089887 - 200420 Leaders Meeting (Informal) Notes)

(CL/23 – INQ000089888 - 200422 - WLGA Letter to David Davies MP)

General overview of the interaction between the WLGA, the Welsh Government, and the OSSW

155. The WLGA did not participate in any meetings with the UK Government Cabinet Office or its sub-committees.

156. The WLGA did correspond with UK Ministers on various matters from time to time, including finance, welfare, prisoner matters and general approach to COVID-19 management.

157. The WLGA, Welsh local government representatives and Welsh Government officials also met with Home Office officials and HM Prison and Probation Service to consider the implications of the COVID-19 response on asylum seekers' resettlement, homelessness and prisoner release.

158. The WLGA chief executive also attended a UK Government meeting on COVID-19 Communications in Wales on 15th May 2020 and was invited to fortnightly informal 'R9 Meetings' convened by the Department for Levelling Up, Housing and Communities, which included English chief executives to exchange information on a range of matters including COVID-19. Meetings were attended by DLUHC, the LGA, London Councils and council chief executive representatives from each of the nine English regions (R9 group). R9 meetings were constituted in January 2019 to help ensure an effective and timely two-way flow of information between central and local government on local EU exit preparations. From February 2020 the weekly meetings included Coronavirus as an agenda item. The WLGA Chief Executive attended 'R9' meetings on the following dates:

- 14th October 2021
- 25th November 2021
- Weekly from 6th January 2022 – 7th April 2022
- 21st April 2022
- 5th May 2022
- 19th May 2022

Part 5 - Public health communications and public confidence

Outline of WLGA engagement in public health communications

159. The WLGA was not responsible for and therefore did not have arrangements in place for distributing public health messaging. Public health messaging was the responsibility of Welsh Government, Public Health Wales and local partners. The WLGA however did retweet core public health messages via Twitter and issued several press releases reiterating public health advice or guidance from Welsh Government or Public Health Wales. The WLGA provided a regular email bulletin to all councillors to update them of the latest position, signposting to the latest Welsh Government guidance and advice and to help them in their work in supporting communities.
160. The Welsh Government did not provide specific public health communications guidance to the WLGA as the WLGA did not issue public health messaging directly. The Welsh Government made communication campaign assets available for use by partners, including local authorities, via AssetBox and a communications update for Key Stakeholders (which included the WLGA) was provided daily.
161. The WLGA did not coordinate local authority public health messaging. Public health messaging was undertaken by local authorities and was informed by Public Health Wales communications and via the regional Local Resilience Forums (LRFs). The LRFs' communications leads fed-in to the Welsh Government convened Wales-wide Warning and Informing (W&I) group which met weekly (and urgent ad hoc meetings were called as appropriate) to share information and consider core communications matters. The WLGA attended the W&I meetings and provided feedback from leaders meetings and any communications or public health messaging issues raised as appropriate.
162. The WLGA did not have its own approach for public health communications as its primary audience is not public facing and therefore, there were no occasions where communications differed. The WLGA was not curtailed in public health communications by the Welsh Government.

WLGA involvement in high-level discussions on public health communications

163. The WLGA Leader took part in an early Welsh Government press conference alongside the Minister for Housing and Local Government on 17th March 2020 to urge the public's compliance with guidelines as local services started to become overwhelmed.

164. The WLGA was not directly involved in the development or commissioning of Welsh Government communications, although the Welsh Government updated on campaigns at the Warming and Informing Group which was attended by the WLGA's communications officer/s.

165. Clarity of Welsh Government communications around NPIs and public compliance, rather than public health communications specifically, were regularly raised as issues by leaders and Police and Crime Commissioners in meetings with Welsh Ministers. Views from local government and other agencies clearly expressed that early dialogue and communications was vital for a shared understanding for the public, and of policy intent as the pandemic progressed. Details of these discussions, where issues were raised regarding communications and messaging, are held in various meeting notes, minutes and papers (outlined in CL/51 - INQ000115551 - Chronology of Meetings & Index of Documents). Specific examples include:

- [CL/178 – INQ000228436] - 200506 Item 5 Easing the Lockdown (6th May) (paragraphs 3 / 11 / 12)
- [CL/179 - INQ000228437] - 200925 Item 3 Local Lockdown - Lessons Learned (paragraphs 5 / 6)
- [CL/02 - INQ000089864] - 201016 Circuit break responses (communications referenced throughout)
- [CL/180 - INQ000228438]- 210428 Leaders & Ministers Enforcement meeting - Opening up events (paragraphs 17/19)

There were no formal follow up responses from Ministers, other than any comments given within meetings. Leaders received a presentation from Welsh Government on a post-firebreak communications campaign in December 2020 (CL/162 - INQ000181657 – Diogelu Cymru Keep Wales Safe – Post-firebreak campaigns.ppw).

General issues concerning messaging

166. In any instances of local public health issues, local authorities sought to ensure residents were notified of any restrictions in the most effective way possible using their own intelligence of local audiences. This included targeting relevant audiences as appropriate, including identifying spoken languages and targeting the most appropriate channels including a mix of online and offline communications (including door drops).
167. A specific illustrative example includes the outbreak at the 2 Sisters abattoir in Anglesey which saw the introduction of hyperlocal restrictions in June 2020. Welsh Government and Public Health Wales worked with the LRF to produce Polish language collateral to communicate with those most affected. Local authorities sought to ensure that all information was targeted to primary local audiences.
168. The Welsh Government worked closely with LRFs and specific local authorities whenever local issues became the subject of public health messaging. This was particularly evident during the introduction of local restrictions in separate areas across Wales where the choreography of announcements and relevant information was carefully managed to ensure accuracy and consistency.
169. The December 2020 Coronavirus Control Plan for Wales was a response to the second coronavirus wave (the Kent variant) and was a Welsh position statement that differed to the English response. The Plan set out four alert levels, aligned with the measures that would be put in place to control the spread of the virus. It used the level of coronavirus in Wales and other key indicators to determine when there would be movement between these alert levels. It was revised in March 2021 and again in October 2021. The Control Plan was used by local authorities and all partners as the primary way to communicate the level of risk in areas across Wales.
170. Whilst this was a product of devolution and different approaches to responding to and controlling the pandemic, there were several different 'alert levels' or 'tiers in operation across the UK during the Autumn of 2020. Scotland had set out five alert levels, England had set out a three-tiered system of local COVID Alert Levels in October 2020 with levels set at medium, high, and very high. Wales put a fire break in place in the last week of October. Public messaging and awareness was inevitably impacted by the UK Government messaging given the composition of UK news media within Wales.

171. The WLGA did not directly identify any disinformation. However, instances where there was leafleting of disinformation observed – particularly in relation to the vaccines – were reported to the Warning and Informing group by some LRFs. Welsh Government commissioned a disinformation specialist who held workshops with partners to introduce this area of work and how to counter it in communications.
172. The WLGA did not monitor the effectiveness of public health communications and the WLGA did not assess the success of public health messaging. The WLGA did not undertake specific communications work to maintain public confidence in the measures. The WLGA has no evidence to suggest that specific events or incidents had a material impact on the maintenance of public confidence.
173. The WLGA did not commission behavioural management work during the pandemic however the Welsh Government did commission or conduct work around behavioural insight through the ‘Keeping Wales Safe: Covid Behaviours programme’.
174. Local Authorities would signpost to their local residents how best to contact them for any guidance, support or clarifications, using their local channels.
175. The Welsh Government regularly provided assets in different languages and consulted local authorities to ensure all relevant languages in their areas were catered for.

Cross-border issues concerning messaging

176. The UK Government’s messaging initially failed to take account of devolved competencies which occasionally led to confusion which was reported in the press. The messaging did improve as Welsh Government continued to make representations to the UK Government and correct the UK press and media coverage as necessary.
177. The consistency and timeliness of UK Government announcements (mainly relating to NPIs) and the consequent issue of clarity and public understanding in Wales was raised with Welsh Ministers through leaders’ meetings and in correspondence with the Parliamentary Under Secretary of State for Wales on 20th April 2020.

Part 6 - Public health and coronavirus legislation and regulations

Outline

178. The WLGA did not have a role in the drafting of the Coronavirus Act 2020 and did not play a role in any reviews of temporary provisions of the Coronavirus Act 2020.
179. The WLGA did however provide initial views to the Welsh Government about flexibilities and suspension of statutory duties to assist local authorities, for example, flexibilities around council reporting duties and formal council meetings during the pandemic.
180. The WLGA facilitated views from local authorities relating to when requested, for example in relation to the use and suitability of the immediately available Public Health Act 1984 powers, and thereafter in relation to the suitability of proposed coronavirus regulations. The views of Environmental Health Officers in their capacity as Communicable Disease experts were especially relevant and were accessed via the Directors of Public Protection Wales group, and utilised throughout the pandemic.
181. The Directors of Public Protection Wales (PPW) is the collective organisation of officers heading up public health protection services within Welsh local authorities. Public Protection services include the Environmental Health, Trading Standards and Licensing functions in local authorities. Collectively, they protect the health wellbeing, and prosperity of residents, the integrity of the food chain, and animal health and welfare. PPW work to support reputable businesses, enabling them to thrive while at the same time tackling rogue traders and those that flout the law. More specifically, during the pandemic PPW provided effective leadership and support to the Test, Trace, Protect (TTP) teams in Wales, leading local and regional Incident Management Teams, identifying local clusters and incidents and informing and shaping the development of government policy, legislation and guidance relating to business restrictions. PPW adopted a risk-based approach, prioritising work in connection with the COVID-19 response, diverting significant resource away from 'business as usual' activities and other work to protect local communities. The local authority data submitted to Welsh Government (unpublished) demonstrates the significant consumer and business demand for Public Protection services in relation to COVID-19 and the scale of the response since March 2020.

Wider legislative issues

182. Although not specifically related to public health regulations, there were public health dimensions (in terms of minimizing close contact and social distancing) to wider regulations of relevance to local government, including those relating to the administration of elections and council business.

Easements

183. The Coronavirus Act 2020 provided for modifications to the Social Services and Wellbeing (Wales) Act 2014 to ensure the best possible care for some of the most vulnerable people, this included the ability for local authorities to streamline assessment arrangements and prioritise care so that the most urgent and acute needs could be met if services were under such extreme pressure as a result of the pandemic that a local authority would be unable to fulfil their statutory duties.

184. To support this, the Welsh Government developed statutory guidance to assist in implementation of these easements, undertaking a rapid engagement exercise on draft guidance in the form of a written consultation exercise during April 2020.

185. The WLGA responded on behalf of local authorities welcoming the intent behind both the legislation and the subsequent guidance, albeit as a last resort, to ensure that those who are most vulnerable and at risk of harm are supported and protected.

186. A further rapid review of these easements was undertaken in October 2020 seeking views on whether stakeholders supported the retention or suspension of the social care provisions of the Coronavirus Act 2020. This was again undertaken as a written consultation exercise which the WLGA responded to supporting the option of keeping these provisions in place, with a further review in 6 months' time.

187. Following the second consultation exercise, these easements were kept under review with Ministers engaging with WLGA to seek views on when these easements could be suspended, with a desire to make sure that they were not in place for longer than was necessary. No local authority in Wales implemented the 2020 Act provisions in relation to social care and Regulations were subsequently made suspending the social care provisions which came into force on 22nd March 2021. These provisions have now expired.

Elections

188. There was engagement from the Welsh Government with electoral practitioners in Wales, in particular through the Wales Elections Coordination Board, regarding changes to electoral legislation and regulations including the Welsh Elections (Coronavirus) Act 2021 and Local Government (Coronavirus) (Postponement of Elections) (Wales) Regulations 2020. The Wales Elections Coordination Board is convened by the Electoral Commission and includes Welsh Government officials and Returning Officer and Electoral Administrator representatives, and the WLGA is an observer. These reforms provided flexibility around the administration and timing of elections and by-elections during the pandemic and considered public health, PPE and social distancing implications, COVID-19 contingencies and risk-assessments relating to the administration of the Senedd elections in May 2021.

Local authority governance

189. Welsh Government also sought the views of local government regarding regulations relating to local government administration and governance, including council meetings, public access to meetings and flexibility around the '6 month' rule regarding councillors' attendance at meetings.

190. This engagement was welcomed and ensured greater flexibility was provided to councils through the Coronavirus Act 2020 and regulations including the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (April 2020) and the Local Authorities (Coronavirus) (Meetings) (Wales) (Amendment) Regulations 2020. The flexibilities in the Welsh Government's regulations relating to 'remote council meetings' were made permanent in the Local Government and Elections (Wales) Act 2021 (an approach not replicated in England where there has been frustration that councils have had to return to traditional face-to-face meetings).

Further WLGA legislative and related initiatives

191. The WLGA was engaged by PHW, in February 2020, in relation to the use by local authorities of already existing Public Health Act 1984 powers (i.e. the Part 2A Orders discussed above). Early proposals by PHW were to utilise these powers where necessary to contain the virus. As a result of dialogue with local authority and public health consultants in communicable disease a protocol was issued on 6th March to all local authorities in Wales.

192. Ultimately, as the situation developed, these powers were not considered appropriate for dealing with a significant spread of the Coronavirus disease, and emergency legislation was introduced by the Government.

193. In relation to the development of Wales specific coronavirus regulations the WLGA did not play any significant role in their drafting, though on a number of occasions, discussions took place with Welsh Ministers and Welsh Government officials in relation to the operational implications or practicalities of proposals, where it was felt that local government's enforcement or service delivery experience could assist.

194. An example is the briefing note for WLGA Leaders for an enforcement meeting with the First Minister 10.30am 5th August 2020 (CL/163 - INQ000228421 - WLGA Leaders follow up to the enforcement meeting with the First Minister 10.30am 5th August 2020)-

Since the start of the pandemic, the Directors of Public Protection Wales (DPPW), and WLGA have engaged positively with WG in relation to emergency Coronavirus Regulations, and their impact on regulatory activity for public protection teams, businesses, and the general public.

As we enter a period of further relaxation, businesses such as pubs, cafes, restaurants and clubs have reopened, firstly outdoors, and from 3rd Aug, indoors again. We believe this to be the right move at the right time but are aware that in England issues have arisen in licenced premises, which could easily be replicated in Wales. The re-opening of leisure, beauty and fitness sectors and the relaxation of controls on gatherings may also present challenges.

We understand the First Minister has asked for confirmation that existing legislative powers would permit local authorities to act swiftly, so that problem premises or activities can be closed immediately if necessary.

It is important to stress that our concerns are about both premises, and activities, which by definition are distinct – and may require enforcement for either premises, activities, or both. To only include enforcement in relation to premises, would render effective enforcement impossible.

After examining a wide range of legal powers, including the current version of the Coronavirus Regulations, the Licensing Act, The Public Health Act, and others,

local government is not confident that sufficient authority exists to deal efficiently and effectively with immediate public health risks.

In order to move confidently and safely into a long period of full reopening, local government has pressed WG on the need for enforcement powers, which would enable public protection officers to deal immediately with problem premises and or activities and hence prevent longer term and more serious issues, namely an increase in the spread of the virus.

In a recent email to Reg Kilpatrick, DPPW and WLGA has suggested some solutions which, if written into Wales regulations, provide that enforcement backstop, and give confidence should the worst happen, action can be taken immediately by competent, local and accountable public protection officers.

The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 contain a number of important provisions which we believe could be replicated in the context and framework of future Wales Regulations.
<https://www.legislation.gov.uk/ukSI/2020/750/made>

Reg 4, 5, and 6 provide wide powers in relation to premises, events and outdoor spaces, which could be used to deal with incidents etc immediately, by authorised officers. These largely refer to the issuing of immediate direction orders requiring the closure of premises, restriction of entry or other necessary controls as directed by an officer. These powers are in our view essential tools going forward.

The regulations provide that any action taken is “necessary” and therefore, alongside local authorities existing enforcement policies – this would ensure proportionality in protecting the wider public interest. In the advent of local escalations in infection rates, Local authorities would seek to ensure the use of such powers is therefore done in consultation with Directors of Public Health and Health Boards as necessary and is commensurate with the Coronavirus Prevention and Response Plans in place for each Region.

An additional, important omission we believe should be included, is one which WG has already considered and approved within the Sunbeds (Regulation) Act 2010 (in this regard, we suggest that if WG considered these powers appropriate to investigate offences about Sunbeds, then one would imagine they would be appropriate for Coronavirus):

Section 7 of the Sunbeds Act, refers to the Schedule which contains inter alia:

“(c)where the officer considers it necessary for that purpose, to require the production of any book, document or record (in whatever form it is held) and inspect it, and take copies of or extracts from it;

(d)to take possession of any book, document or record which is on the premises (in whatever form it is held) and retain it for as long as the officer considers necessary for that purpose;

(e)to require any person to give such information, or afford such facilities and assistance, as the officer considers necessary for that purpose.”

Subsection (e) being especially useful.

A further practical enforcement issue that is arising is in relation to enforcement of face coverings in taxis. Currently, the regulation cites the police as enforcers, from an operational perspective, to include local authorities would be sensible.

Finally, the insertion into amended Wales Regulations of wording such as “a person taking all reasonable measures to minimise the risk of exposure to coronavirus” would enable local authorities to deal with e.g. playing loud music, or loud sports streaming, not recording TTP records, etc

In a more general sense, we remain concerned at the number and scale of gatherings (for example in Cardiff Bay, or Ogmore) which appear to be gaining in popularity, while at the same time, increase the risk of transmission. Enforcement in these circumstances is particularly difficult – and where “policing by consent” fails, positive outcomes are difficult to obtain.

While we welcome a strengthened enforcement regime to enhance the protection of public health, we also seek urgent clarity and sight of the escalation plans where localised and individual incidents (such as a non-compliant pub), become a larger issue of transmission in localities, communities, sectors etc.

We understand there are ongoing discussions between Welsh Government, and public protection officers in relation to the enhanced and strengthened

enforcement powers; we remain committed to assisting and coproducing with Welsh Government to find the most appropriate and effective way forward.

It cannot be over emphasised, that our officers have a depth and breadth of experience and knowledge, and we willingly offer this in the spirit of coproduction.

Unfortunately, during the pandemic this resource has been overlooked in the planning, preparation and drafting of legislation. As a result, significant Public Protection resource across Wales has been ploughed into deciphering and interpreting regulations, instead of being put to better use, on the front line of providing advice and guidance to businesses and the public.

195. The WLGA and local authorities ordinarily accessed links to website versions of legislation as soon as they were provided by the Welsh Government. The WLGA and local authorities engaged with Welsh Government on a number of occasions where there were interpretational issues, or where there were concerns about practical application of the legislation.

Issue relating to making of legislation

196. Welsh Ministers engaged leaders through the WLGA on a number of occasions to seek views on proposed NPIs or restrictions, or feedback on how restrictions were working locally, for example on hospitality premises or places where groups of people were gathering.

197. The regulations made by the Welsh Government were intended to slow or stop the spread of disease, by imposing certain limitations on businesses or persons. The role of the local authority enforcement officers was to follow the legislation and lawfully to carry out their prescribed roles to achieve those intentions. The WLGA and local authority officers were able to help the Welsh Government at numerous points, using their experience of existing public health and consumer protection legislation.

198. Although there was time-limited consultation on occasions, the WLGA and local authorities raised concerns on several occasions that the regulations were not generally made available for familiarisation, checking, and problem spotting in advance of their final publication.

199. On the occasions when advance discussion did take place with officials, the WLGA and public protection leads were able to provide advice and assistance to the Welsh Government on framing and drafting. There was not a formal mechanism for these discussions, but WLGA and public protection representatives responded positively to requests for assistance from the Welsh Government.

200. The WLGA recognises that the incredibly tight timescales between policy decisions being made and drafting and publishing regulations meant that co-production of regulations was not always possible.

201. The WLGA and local authority public protection representatives were invited to a series of sectoral meetings (e.g. focussed on hospitality, events, tourism) to discuss the implementation of regulations, their ongoing review and amendment, and the impact they had on the sectors.

202. These meetings provided an opportunity for the Welsh Government to receive feedback from those working in the sectors (i.e. business representatives, trade bodies) as well as regulators. The role of the WLGA and local authorities was to provide reflections on their experiences of advising and enforcing the regulations at any given point in time.

203. The Welsh Government reviewed feedback from these meetings to learn lessons and improve the business closure/reopening processes, from a trade and enforcement perspective. Some examples of feedback and changes in guidance and policy include—

- dialogue around the two metre rule, the application of this control fluctuated as the incidence of the virus rose and fell;
- the mechanisms of recording of customer details to inform test trace and protect procedures;
- how controls around the movement of people were to be applied across council boundaries, particularly with the advent of local health protection areas in Autumn 2020.

The impact of legislation on vulnerable groups and those with protected characteristics

204. Decision-making regarding public health and coronavirus legislation and regulations, and any accompanying equality impact assessments, were the responsibility of the Welsh Government.

205. The WLGA did not routinely identify the impact on different groups of people in relation to NPIs, however, services and/or support for the most vulnerable were a core priority for WLGA members in discussions with Welsh Ministers throughout the pandemic. The needs of vulnerable people were identified and addressed as part of wider COVID-19 matters, which are likely to be the subject of future Inquiry Modules, for example in school settings, homelessness and care homes.

Enforcement issues

206. The WLGA is not an enforcement body and played no role in the enforcement of the Regulations. However, the WLGA did develop an enforcement Cooperation Agreement between local authorities and the police forces across Wales which set out the principles of the enforcement relationship and understanding between these bodies (CL/24 – INQ000089889 – 200408 CV LA Police Cooperation Policy).

207. The Coronavirus Regulations set out the roles to be fulfilled by the local authorities and the Police. The co-operation document, interpreted locally as Memoranda of Understanding at each force level set out roles and responsibilities in greater detail and their scope extended to other enforcement agencies that could play a role in curbing the spread of virus, such as the Health and Safety Executive.

208. Successful implementation of the controls depended heavily upon the dialogue between those agencies and the ability to work as one. The Cooperation Agreement set out the agreed approach to enforcement, recognising that pandemic conditions were unsettling for everyone. Advice on routes to compliance, was the first stage in a stepped approach to enforcement, within the context of the need to stop the spread of the Coronavirus and to relieve pressure on the National Health Service.

209. Local authorities and the Police have often used a staged approach to enforcement on other matters. Local authorities are required to create and publish an enforcement policy outlining how complaints will be investigated, how inspections are carried out and when enforcement action will be deployed. An example is the Enforcement Policy from April 2020, developed by the Shared Regulatory Services covering Bridgend, Cardiff and Vale of Glamorgan Councils. (CL/25 – INQ000089890 - COVID 19 Enforcement Policy Example (Shared Regulatory Services) - April 2020)

210. The Welsh Government Regulations and associated legislation like the Public Health Act 1984 set out the respective roles to be fulfilled by local authorities, which included -

- Ensuring Public Health Act, Part 2A Order capacity for limiting spread of disease.
- Ensuring coordination and consistency of interpretation and enforcement of regulations on the ground.
- Investigating issues of inadequate PPE equipment.
- Monitoring and enforcement of business closures and reopening during lockdowns.
- Providing advice to businesses on compliance matters and risk assessments.
- Providing advice on infection prevention and control to care homes and other closed settings; and
- Coproducing guidance and regulations in relation to reopening of businesses, activities, large events; and applying and enforcing as necessary.

211. In June 2020, the advent of the Test, Trace and Protect (TTP) regime in Wales led to local authorities collaborating further with public health partners to -

- Coproduce and lead the development of the TTP service through the role undertaken by the Director of Public Protection.
- Provide expert staff into the TTP system, to manage teams and resolve complex settings issues.
- Monitor the prevalence of the disease and undertake any NPIs where appropriate; and
- Undertake visits to returning travellers from abroad to ensure quarantine was observed.

212. As circumstances developed throughout the pandemic, local authorities were tasked with implementing the policies and regulations developed by Welsh Government. The magnitude of the numbers illustrates the level of enforcement activity required by them as regulations changed through the 2020–2021 period. Across Wales, local authority Public Protection teams collectively carried out the following Covid-19 related activities –

- 72,000 business premises visited
- 64,000 businesses proactively advised on COVID measures
- 53,000 COVID enquiries received
- 1650 warning letters issued

- 970 business improvement notices served
- 190 business closure notices served
- 1800 care homes contacted about infection control procedures
- 2600 accommodation premises directed to reopen
- 1750 complaints received about breach of consumer contract deposits not returned
- 220 notified scam complaints

213. Enforcement roles changed through the pandemic, with additional functions/tasks being assigned to the different enforcement agencies. For example, the introduction of reasonable measures to be used at workplaces was assigned to local government in June 2020. The need for facemasks on public transport was assigned to the police in August 2020.

The local enforcement framework

214. The first composite set of Regulations issued by the Welsh Government on 26th March 2020, the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 provided for the closure of certain business premises and restrictions on the movement of people. The role of enforcement by local authorities, the police and others were set out in these regulations, amended over time.

215. Memoranda of Understanding set out roles and responsibilities of the local authority and the Police in greater detail, but the successful implementation of the controls depended heavily upon the dialogue between those agencies and the ability to work as one. The creation of joint enforcement teams (JET) is an example of that interaction. As indicated above, as the roles and functions of the enforcement agencies changed, so did the framework.

Enforcement guidance

216. As the legislation evolved through 2020, dialogue developed between local authority officers and Welsh Government officials, with the content of the regulations, on occasions, being shared ahead of publication and enactment. The Regulations were subject to periodic review and amendment by the Welsh Government.

217. The key principles within the Regulations were that –

- Restrictions on the movement of people seeking to ensure that individuals travelled/interacted only where necessary:

and

- Closure of some business premises; however, many industries continued to operate but were required to operate social distancing provisions.

218. Local authorities in Wales were responsible for managing outbreaks of coronavirus in care settings and educational establishments and investigating workplace clusters. The volume of outbreaks in these settings was significant and officers with other statutory duties were seconded into this work. Guidance was developed for care homes on disease prevention measures in conjunction with PHW.

219. Additionally, local authorities received large numbers of queries from business and individuals seeking to understand how these broad concepts translated to everyday incidences of social and economic activity. The subsequent consultation/interaction between local authorities and the Welsh Government led to the further development of the Regulations through 2020 and the production of guidance to underpin the key principles. The amount of guidance issued and revised through 2020-21 was considerable as it sought to set out what individuals and businesses were expected to do in certain circumstances.

220. Some early examples include guidance to the accommodation sector on opening to support the homeless, asylum seekers and key workers. Local authorities supplemented this with information on cleaning the premises effectively when occupation of rooms changed.

221. The second iteration of the Regulation issued in July 2020 gave legal status to guidance issued relating to the reasonable measures required to be in place at open business premises. The local authority role was to ensure practical application of the requirements to minimise the risk of exposure to coronavirus at business premises. Local authorities had requested this, suggesting that such a regime offered a better framework to enable businesses to comply with the Coronavirus requirements. That helped to provide more effective and consistent enforcement.

222. The guidance issued on the reasonable measures to be in place at different business premises developed over time to include business specific "action cards" covering

sectors such as beauty and haircare, licensed premises, etc. (CL/26 – INQ000089891 - Example - Tourism & Hospitality Action card 24-4-21)

223. One key action on the part of local government was the secondment of an officer into the Welsh Government in May 2020. The officer assisted the Welsh Government providing an operational and enforcement perspective and advice and ensured a conduit for local authority officers to provide feedback on guidance and emerging policy approaches.

224. The Welsh local authority Directors of Public Protection met regularly, and the Directors of Public Protection (Wales) executive weekly, to ensure strategic leadership, and through expert panels a consistent source of expertise on enforcement, but also on the measures needed to prevent transmission in certain environments. Engagement between the Directors of Public Protection and the Welsh Government officials focused upon the impact of proposals and the feasibility of effective implementation locally. While there was no formal process, for consultation interaction was regular, but at times did not allow local authorities the opportunity to consider fully the impact of any changes. Importantly, local authorities were often unable to provide immediate detailed advice to those businesses impacted by the revised controls. That said, local authorities engaged with the police to ensure a consistent approach to enforcement of the requirements, often working in tandem to achieve maximum impact.

225. Guidance from the Welsh Government developed over time. The efforts of Welsh Government colleagues should not be underplayed, nor should the input of local authorities into such guidance. While the Welsh Government issued guidance to enhance the core regulatory principles, that advice often generated more questions or requests for clarification given the pace of developments. The Welsh Government and local authority officers developed action cards for specific trade sectors and while this level of detail was time consuming to produce, it gave the business community a clear template to follow. Over time, the local authorities developed the Regulatory Information and Management Systems (RIAMS)⁷ regime to allow conversations between and support to enforcement officers. Enforcement at a local level was generally successful because of the dialogue between the public protection services in Wales.

⁷RIAMS is a secure online discussion forum used by local authorities in Wales to promote and ensure consistency in the application of regulations.

Local Authorities and the local police forces

226. Local authorities have always worked closely with the Police to deliver public protection and enforcement. For example, the Coronavirus responsibilities assigned to these bodies generated periodic meetings between the Police and local authorities. The police and local authorities were also key partners within the LRF and SCGs.
227. For example, in the South Wales area meetings discussed ongoing priorities, emerging issues, allocation of resource to the Joint Enforcement Team (JET); a mechanism to pool resource to deal with demand (CL/27 – INQ000089892 - Example – All Party Joint Enforcement Team MOU 12-02-21).
228. Additionally, South Wales Police attended the Incident Management Teams held at health board level and the leadership team meetings held in the Cardiff and Vale health board area involving political leaders and chief executives.
229. The Welsh Police and Crime Commissioners and Chief Constables also participated in several meetings between Welsh Ministers and local authority leaders and chief executives, including the meetings to discuss the '21 Day Reviews' .

Enforcement related meetings between the WLGA and the Welsh Government

230. From the 6th April 2020 onwards, Welsh Government engaged the WLGA and local authority professional representatives regularly on a range of issues regarding the enforcement of regulations and their application to various business sectors such as hospitality, tourist attractions and tourism, caravan parks, places of worship, funeral arrangements, second homes etc.
231. These were not necessarily 'significant' meetings where there were significant differences of opinion or decisions taken, however, were an opportunity to jointly consider the impact and practicability of enforcement of regulations as appropriate. The WLGA's role alongside local authority specialist public protection and regulatory services officers, was to provide feedback on the situation on the ground to help to improve regulatory controls.
232. Welsh Government did not establish a formal rhythm regarding these issues but sought to arrange meetings and consult as and when was necessary e.g. around times

when regulations were due to change. Examples of meetings between April and July 2020 include -

6/4/2020 Closure of hotels, caravan parks etc
8/4/2020 Holiday accommodation restrictions
9/4/2020 Funerals update
16/4/2020 Accommodation closures
20/4/2020 Funerals and burials
20/4/2020 Second homes
21/4/2020 Management of covid in care homes
28/4/2020 Second homes
4/5/2020 Health and Safety in the workplace
4/5/2020 Multi faith burials and funerals
21/5/2020 Registrations of births deaths and marriages
21/5/2020 Funerals, burials, cremations group
27/5/2020 Safety guidelines for hospitality
17/6/2020 Second homes
22/6/2020 Food processing plants and meat factories outbreaks
24/6/2020 Hospitality restrictions
3/7/2020 Hospitality reopening
3/7/2020 Second homes
6/7/2020 Reopening hospitality
8/7/2020 Reopening hospitality
9/7/2020 Caravan park reopening
10/7/2020 Circuit breaker
15/7/2020 Reopening hospitality
16/7/2020 Places of worship and marriage
21/7/2020 Health and Safety forum
21/7/2020 Reopening hospitality
28/7/2020 Reopening hospitality

Welsh Government support for enforcement

233. The Welsh Government provided support to enhance the enforcement of the Regulations in several ways, including financial support. In September 2020-21, through a grant application process, local authorities were able to recruit support additional capacity in COVID 19 compliance and enforcement (see example grant application submitted September 2020 (CL/164 - INQ0000228422) - Shared Regulatory

Services - Request for funding to support additional capacity in COVID 19 compliance and enforcement). In the following financial year, 2021-22, local authority enforcement activities were reclaimed through the Welsh Government's Local Government Hardship Fund.

234. The Welsh Government provided access points to senior Welsh Government officials, including lawyers, to expedite matters of concern. Any new legislation brings change, and with change uncertainty. Local authorities were able to quickly discern the policy intent from Welsh Government officials and apply that to individual circumstances promptly.

235. The Welsh Government took the concept of the Incident Management Team (IMT) enshrined the Communicable disease framework and "nationalised" the process employing the Situation, Background, Assessment, Recommendation (SBAR) regime. This enabled local partner agencies to escalate matters of concern for national consideration and allowed for feedback from Welsh Ministers on policy direction and the national position of all agencies during the Pandemic as new variants emerged.

Part 7 - Third sector, voluntary and community sector involvement

Outline

236. National leadership was provided by the Welsh Government and complemented by community leadership through councils working closely with voluntary bodies and through their County Voluntary Councils, to resolve challenges for third sector such as capacity, demand for service support, loss of income through reduced fund- raising opportunities, costs of providing covid-safe environments, sourcing personal protective equipment (outside of health and social care). This support included national funding, pooling of funds locally and small grants for local community groups.

237. The WLGA and Wales Council for Voluntary Action (the national representative body for the third sector in Wales) had a constructive and well-established relationship before the pandemic. At the outset of the pandemic, the Welsh Government, WLGA and Wales Council for Voluntary Action worked together to ensure regular updates, problem solving, grant funding and co-producing guidance etc. during the pandemic enabled public and third sector to come together quickly to develop local responses and solutions underpinned by national support.

238. The Welsh Government was an active contributor in council and third sector meetings, building a good relationship with both sectors. At a national level, the WCVA, One Voice Wales (the representative body for community and town councils) and the WLGA established a Joint Protocol outlining the respective sectors' national and collective commitment to "the health and safety of people and communities across Wales during this crisis" which included principles such as mutual respect, communications, information and intelligence sharing, flexibility and co-producing solutions. (CL/28 – INQ000089893 - WLGA, WCVA & OVW Joint Working Protocol 23/03/20)
239. The organisations worked jointly in sharing good practice including multi-agency webinar and good practice case studies, collaboratively commissioned an evidence review from Wales Centre for Public Policy on the link with Volunteering and Wellbeing; the joint development of resources to support practitioners on the ground in areas such as safeguarding for volunteers, signposting to key organisations and promoted via sectors' websites. (CL/29 – INQ000089894 - Volunteering and wellbeing in the pandemic (WCCP) - June 2020)
240. Partnership working was reflected locally with a significant increase in people volunteering, 24,000 extra people coming forward through national and local 'recruitment drives', apps and websites. There were good local working relationships, rapid deployment and mobilisation of public sector and voluntary sector resources in the initial response phase.
241. Welsh Government surveys undertaken in April and July 2020 identified that the rapid mobilisation of councils, voluntary organisations, community and town councils and community groups to support the most vulnerable in their localities demonstrated the effectiveness of collaboration and partnership working, the importance of local knowledge for the effective use of community resources and emerging innovative practices.
242. Despite uncertainties over income caused by diminished opportunities for fundraising, the sector continued to deliver crucial services to communities across Wales, offering support across a range of service areas including Advice and Advocacy services, Asylum Seekers and Refugees, Health and Social Care, Older People to name just a few.

Funding and collaborative working

243. The Welsh Government provided financial support of £40m to support the third sector for the third sector to induct volunteers in 2020-21 to support 3 key areas of activities:
- Helping charities and third sector organisations financially to survive the crisis (and to become more resilient).
 - Helping more people volunteer and volunteering services; and
 - Strengthening the essential third sector infrastructure.
244. Some of the key findings of the evaluation of the Volunteering Recovery Grant include -
- The grant funding provided the opportunity for already strong partnerships to push the collaborations further and seek to co-design and co-produce volunteering strategy, mechanisms and processes.
 - projects provided opportunities for different stakeholders to interact and develop greater knowledge and understanding in the volunteering sphere, leading to more well-developed relationships.
 - There has been significant sharing of ideas, resources and expertise which has enhanced organisational capacity to respond effectively to challenges; and
 - Investment in skills development has improved volunteer motivation and wellbeing especially among small community organisations. Reports identified higher retention of volunteers, resulting in a positive impact on the long-term sustainability of volunteers.
245. Councils provided additional support, for example, through relaxation of grant conditions or agreeing the refocusing of core activities to support the collective COVID 19 response. Pembrokeshire County Council, for example, have worked with other statutory partners in supporting Pembrokeshire County Voluntary Council in the development of a local COVID-19 grant scheme, bringing together a range of local and national funding streams to create a single integrated fund to help local voluntary and community groups survive the crisis and develop innovative responses to service delivery in light of COVID-19 restrictions. Others, such as Flintshire County Council and Neath Port Talbot County Borough Council have given grant funded third sector organisations flexibility to use their funds as appropriate to the situation. The relationship between local government and the third sector during the first part of the pandemic was summarized in WLGA evidence to a Senedd Committee Inquiry into the Impact of the Third Sector. (CL/30 – INQ000089895 - WLGA Evidence - Inquiry into

246. Councils also promoted uptake of the various Welsh Government grants available such as the Volunteering Recovery Grant to embed sustainability in local collaborations and practices and the Age Cymru/Welsh Government to support people experiencing loneliness and isolation and the distribution of Tackling Poverty funding to councils to support independent food banks.

247. Since 2019, under the Brexit support programme, the WLGA had already been in discussions with Welsh Government to address food poverty. It had been identified as a key risk and priority area in the eventuality of a 'no deal' Brexit outcome. WLGA distributed this funding of £1.25million via established councils' Brexit coordinators to support the development of additional capacity in the food supply and distribution network, i.e. food banks and related projects. A further £1million was allocated at the for distribution to councils for 2020-21 to support food banks with capital expenditure, to upgrade, refurbish or replace items to enable them to be more effective and efficient in meeting needs using the now established channels. In December 2021 a further £0.5m (revenue), to meet an anticipated increase in demand in foodbank caused by anticipated increase in energy prices, changes in Universal Credit, increase food prices increases etc. was distributed to councils via the WLGA. Further Welsh Government grants have been made available to support food poverty, sustainable food partnerships and warm hubs.

248. Following the outbreak of the pandemic, due to rationing, lack of food supplies in supermarkets etc. donations to food banks had decreased, the WLGA collected local intelligence on the needs of the food banks and food stock was delivered by the Welsh Government and also promoted and supported the Welsh Government separate food poverty/insecurity fund was opened for organisations third sector, faith groups etc. to bid directly to the Welsh Government.

Voluntary and community sector support powers

249. The Welsh Government did not provide any powers to the WLGA specifically to support the voluntary and community sector, as the WLGA and local authorities already had effective working relationships with the third sector nationally and locally. The Welsh Government did however provide advice and grant funding to local government

and the third sector and the WLGA supported the development of collaborative funding bids from councils and third sector bodies.

250. There was a collaborative approach between the Welsh Government and WLGA in providing assistance to the third sector, for example to source local intelligence to inform decision and policy making, simplifying applications criteria and a proportionate monitoring of grants that were distributed via the WLGA. The WLGA were keen to promote, advise on collaborative bids between councils and third sector organisations.

Part 8 - Recovery Planning

Introduction

251. The WLGA has interpreted recovery in the context of Module 2B as the wider community and economic recovery post-pandemic, as future 'Impact' Modules are anticipated to focus on the adaptation or recovery of public services (and therefore local authorities).

252. Recovery planning following a civil emergency is the responsibility of Recovery Coordination Groups (part of Local Resilience Forums), however, given the scale and significance of the pandemic, the Welsh Government and UK Government played a central role in the pandemic recovery planning.

253. The WLGA does not have a formal or statutory role in recovery planning or delivery, however, as the representative body of local government, leaders were keen to prioritise recovery planning, to provide a contribution into Welsh Government's strategic recovery planning to identify where local priorities and where local government could support recovery or where specific support or flexibility was required.

Actions taken

254. Recovery (and planning for the easing of lockdowns) was an early topic of discussion at meetings between leaders and Ministers, however, as the pandemic worsened and lengthened, the nation and public services remained in a longer 'response phase' throughout 2020-22 and the transition to recovery was delayed and more incremental.

255. The First Minister published "Leading Wales out of the coronavirus pandemic: A framework for recovery" on Friday 24th April (CL/32 – INQ000089897 - Welsh

Government - Leading Wales out of the pandemic - 24-04-20) and leaders received a brief discussion paper in response on 30th April 2020. (CL/33 – INQ000089898 - WLGA Discussion Paper - Exiting the Lockdown - 30-04-20)

256. The Partnership Council meeting of 10th June 2020 received an oral update from the Counsel General on 'Unlocking our society and recovery' and considered a Welsh Government paper on 'Moving from Response to Recovery' (CL/34- INQ000089899 - Partnership Council - Moving from Response to Recovery (Welsh Government paper) - 10-06-20) and a WLGA paper on 'Response and Recovery' (CL/35 – INQ000089900 - Partnership Council for Wales - Our Shared Recovery (paper by the WLGA) - 10-06-20). This paper had been shaped by views from local authorities and leaders. This paper outlined ongoing challenges and that '...the transition phase to recovery will be an extended period, with possible local variations in approaches and restrictions. Transition will be prolonged and may be disrupted as there remains a need for readiness to revert to a dedicated response phase should there be localised spikes or a second peak later in the year.' The paper however highlighted several opportunities or priorities for recovery. (CL/36 – INQ000089901 - Partnership Council Minutes - 10-06-20)

257. The Welsh Government convened a series of Recovery 'roundtables' with a range of stakeholders, which considered 3 main themes to 'build-back better': economic justice (including the impact on the economy and the most vulnerable of people); public services; and green recovery. WLGA leaders attended a round-table on the 25th June 2020. (CL/37 – INQ000089902 - 200625 - Recovery Roundtable (Informal) Notes)

258. On 3rd July, leaders considered a 'Recovery and Economic Stimulus Package' (CL/38 – INQ000089903 - 200702 Item Recovery and economic stimulus - shovel ready schemes) which included '...a number of integrated investment programmes that (subject to funding) could be undertaken by local authorities in a co-ordinated way, contributing to efforts to 'build back better' from the COVID experience whilst providing a stimulus to local economies.' (CL/39 – INQ000089904 - 200703 Leaders & Ministers (Informal) notes)

259. The Partnership Council of 10th June also agreed to establish a 'Recovery Sub Group' to serve in '...an advisory and consultative role rather than a decision-making one' The Recovery Group met on 6th July 2020 and 21st July 2020. The 6th July meeting considered the draft terms of reference, ". (CL/40 – INQ000089905 - Partnership Council - Recovery Sub Group - covering paper draft Terms of Reference - 10-06-20) a Welsh

Government paper on 'Key opportunities for change' (CL/41 – INQ000089906 - Recovery Sub Group of Partnership Council - 06-07-20 - Paper 2 - Key opportunities for change) and a WLGA paper on 'local government schemes for consideration'. (CL/42 – INQ000089907 - Recovery Sub Group of Partnership Council - 06-07-20 - Paper 3 - WLGA Paper on schemes for consideration). (CL/43 – INQ000089908 - Recovery Sub Group of Partnership Council - 06-07-20 - Draft Minutes)

260. The WLGA wrote to the Minister for Finance and Local Government and Counsel General on 6th July, outlining a high-level list of recovery projects. The letter identified a 'top ten' list of £762.25m worth of capital scheme programmes, which were practically focused and based on 'shovel-ready' schemes where business cases and plans were already advanced. (CL/44 – INQ000089909 - 200706 WLGA Letter - Group Leaders to Julie James and Jeremy Miles) These projects formed the basis of the 'Recast paper from WLGA on Key Opportunities for Change and Economic Stimulus' considered by the Recovery Sub Group on 21st July 2020. (CL/45 – INQ000089910 - 200721 - Paper 1 including Appendix 1 - WLGA paper on Key Opportunities for Change and Economic Stimulus - Recovery Sub Group 21-07-20)

(CL/46 – INQ000089911 - 200721 - Paper 1 - Appendix 2 - Examples of projects per category)

(CL/47 – INQ000089912 - 200721 - Paper 1 - Appendix 3 - Assessments against criteria)

261. Partnership Council also considered COVID Recovery as an oral item at its meetings on 14th October 2020, 24th November 2021 and 10th February 2022.

(CL/48 – INQ000089913 - Minutes - Partnership Council for Wales 14 October 2020)

(CL/49 – INQ000089914 - Draft minutes - Partnership Council for Wales 24 November 2021 – E)

(CL/50– INQ000089915 - Partnership Council for Wales 10 February 2022 - note of meeting (e))

262. While the status of the national emergency has been downgraded over time, contingency planning for the scenario of a resurgence of the virus or the emergence of a new variant of Covid will remain a concern for local government.

263. Further resources are likely to be required to support any orchestrated national action plan for the future readiness and resilience of local government which will follow evaluative exercises on the response to the Covid-19 pandemic, undertaken at UK

national or devolved national Welsh government level, and indeed this Inquiry. The ability to resource those actions will sit with those who determine public sector budgets and specifically governments at the UK and devolved nation levels. Any request to coordinate a large scale vaccination programme and associated TTP regime would require another significant redeployment of local authority personnel away from their substantive roles.

264. Local authorities, through Local Resilience Fora, will have conducted local lessons learned and reviewed risk assessments and local/regional plans accordingly. The WLGA's Executive Board considered papers on Civil Contingencies: Update and Forward Look on 24th September 2021 [CL/157 - INQ000082834] (Minutes of the meeting [CL/158 - INQ000082927]). This report summarised the impact of the strain felt by the workforce and service managers from having to continue to juggle with the reintroduction of 'routine activity' whilst still engaged in on going response/ recovery to the pandemic. Local authorities were dealing with significant back logs of work in some services, The report also reflected on the protection of the core civil contingencies capacity in local authorities and Welsh Government and the need for succession planning. The report noted the need for:

"...equal investment and commitment is given to local government to ensure a larger and more resilient civil contingencies workforce, provide additional training opportunities and be able to attract and retain the high calibre of employees required...[and]... that engagement and options are explored with Welsh Government apprenticeship sector to consider and deliver specific civil contingencies apprenticeships within local government to assist and ensure the necessary skilled workforce required for succession planning."

265. The WLGA Executive Board considered a paper on 28th January 2022 outlining the wider 'Public Protection Pressures', which included an appendix on 'Building for the Future' authored by the Directors of Public Protection in Wales. [CL/159 - INQ000082835].

266. On the 25th February 2022, the WLGA wrote to the Minister for Finance and Local Government, following the Executive Board meeting [CL/160 - INQ000082836]. The WLGA met with the Minister on 25th April 2022 and the Minister requested further evidence to be submitted for discussion. Directors of Public Protection are currently finalising this work.

267. The WLGA will continue to make this case for resourcing in these services as part of resource planning as we look to the future.

I, Chris Llewelyn, declare that the contents of this my statement are true and accurate to the best of my knowledge and belief,

Personal Data

Signed:

Dated: 6th September 2023