

FW: Conference Call: Indicators/Four Harms Meeting
18 November 2022 15:26:05

Subject: RE: Conference Call: Indicators/Four Harms Meeting

2. Public health advice
3. Four harms consideration
4. Dialogue with local government
5. Recommendations
6. Decisions
7. Implementation
8. Review (and repeat)

Step 1 is a joint endeavour between SG and PHS, and the latest version of that is represented by Audrey's paper, circulated earlier.

Step 2 is for the NIMT, chaired by Jim McMenamin, which is meeting as I type.

Step 3 is for what I will hereafter call the Four Harms Group, which is you: that is, a group of SG chief advisers and lead officials, combining expertise on the "four harms" and the other principles and considerations set out in SG's *COVID-19 Framework for Decision-Making*.

For new readers, I've convened or consulted this grouping at several earlier points to inform recommendations to Ministers. This is, therefore, an internal SG group preparing advice to Ministers, on which I am now drawing to support recommendations and as part of the dialogue Ministers wish to have with local government. Despite the apparent solidity of the initial capitals, therefore, it has no distinct personality of its own (one reason I've called it a Group not a Committee). The decision-takers here are Ministers.

Step 4 will follow when we have a set of indicators, ranges, allocations and supporting reasoning to share with local authorities, and dialogue will be in parallel with preparing recommendations (step 5) in that Ministers and local leaders will need to know what is proposed in order to have a meaningful dialogue about it.

That process is likely to be started by me writing to Sally Louden formally requesting the views of local authority chief executives on a proposed initial allocation of areas to levels. It will be followed by engagement at political level between Ministers and local authority leaders, done in a rapid and proportionate way (and the timing and design of that will be informed by a number of things, including the complexity of the analysis, new data as it comes in, the timing of Parliamentary scrutiny, and so on).

Following discussion with COSLA and SOLACE, the DFM proposed that both receive the data at 1, and be represented as observers at steps 2 and 3 above, for the sake of transparency and to support dialogue. I'm grateful to Jim for agreeing to that for the NIMT; and I look forward to welcoming Sally, Anne-Marie and Jim to the group later this morning.

Step 5 will be a formal recommendation from me to Ministers, for their decision (step 6), following which they will promote regulations (step 7). Recommendations will be accompanied by a draft statement of the reasons for decisions; and those statements will be published along with the regulations implementing decisions. I will be drawing on the support of this group to ensure that the advice is sound, and the statement of reasons accurate and robust – including that it reflects public

health advice and ‘four harms’ consideration, and the views of local government.

The end result of this process will be exercise of statutory powers to impose restrictions to normal ways of living. These have to pass the legal tests of being justified, necessary and proportionate; and such restrictions may only be kept in place for so long as those tests are satisfied. We therefore propose a weekly review process, though we anticipate that it will be necessary (and justified, etc) to keep measures in place for longer than a week in a given area – for at least 2-4 weeks, yesterday’s paper says. I’m not going to say much more about the review process today, except to ask you to note that we intend in future to manage the timings such that regulations come into force on Fridays, not Mondays, to avoid incentives for a “last weekend” of drinking where hospitality closures are proposed, for example.

Having set the process out like that, I also need to say that, in the volatile and uncertain world of the virus, it may change! But that’s the process we’re in for this weekend, and the coming discussion.

All of that is by way of preface to the business of this morning’s call, which is part of step 4 above. Taking Audrey’s analysis as a starting point, I’ll be asking Jim and clinical advisers what their public health advice to Ministers would be, based on these data (and of course we will have more data each day as we firm up towards decisions).

We’ll explore ways of testing advice against the data, and the proposed ranges against the advice. That recognises that complete certainty is not achievable, and that ultimately decisions will involve the exercise of judgement.

I’ll ask for perspectives from or on behalf of clinical, economic and social policy advisers on any aspect of this process and the emerging outcomes as they affect harms 2-4 (wider health and care, society, and the economy).

I’ll ask for perspectives from COSLA and SOLACE on both the process and the emerging outcomes.





If we get through that in an hour, we’ll have done well. I will then set myself to writing a letter to local government of the kind described above, on which I shall need support from some of you in the form of updated or new material, and (later) comments on a draft. That means two things:

1. this morning’s call will not reach any firm *decisions*, and we are very likely to be back together soon
2. the discussion will remain in the private space protected for the formulation of policy etc (for FOI geeks, that is a reference to s.29 of FOISA; and s.27 also applies since the material we’re developing is intended for publication).

I hope all that makes sense, and that reading it will save us some time at 10:30; though I will check then that I’ve made sense and that you agree.

“See” you then,

K

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

Colleagues –

Attached is a paper prepared by Audrey and her team, which will be the main focus of our discussion at 10:30. I'm sending that now to give you the luxury of a whole 90 minutes to read it (!). I'll email again shortly to set out the purpose and format of the meeting, to save us a bit of time when we start.

This goes also to Jim Savege, who is back from leave and will dial in along with Anne-Marie O'Donnell for SOLACE, and Sally Loudon for COSLA.

"See" you all shortly,

K

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