



OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government and Communities Committee

Friday 15 May 2020

Session 5



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Pàrlamaid na h-Alba

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LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE
12th Meeting 2020, Session 5

CONVENER

*James Dornan (Glasgow Cathcart) (SNP)

DEPUTY CONVENER

*Sarah Boyack (Lothian) (Lab)

COMMITTEE MEMBERS

- *Jeremy Balfour (Lothian) (Con)
- *Annabelle Ewing (Cowdenbeath) (SNP)
- *Kenneth Gibson (Cunninghame North) (SNP)
- *Graham Simpson (Central Scotland) (Con)
- *Andy Wightman (Lothian) (Green)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Aileen Campbell (Cabinet Secretary for Communities and Local Government)
Stephen Gallagher (Scottish Government)

CLERK TO THE COMMITTEE

Peter McGrath

LOCATION

Virtual Meeting

Scottish Parliament

Local Government and Communities Committee

Friday 15 May 2020

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (James Dornan): Good morning. Welcome to the 12th meeting in 2020 of the Local Government and Communities Committee. I ask everyone to ensure that their mobile phones are in silent mode. I thank all members for their attendance, and I thank the broadcasting office for all its hard work in setting up our first remote formal meeting.

It is important that the committee is able to fulfil its important role of scrutinising the Government's response to Covid-19 in these challenging times. We pay tribute to all local government staff, charities and volunteers for their continued dedicated service and hard work in supporting communities and, in particular, the vulnerable.

Agenda item 1 is consideration of whether to take agenda items 3 and 4 in private. Item 3 is consideration of the evidence that will be heard today on Covid-19, and item 4 is consideration of our work programme. I also take the opportunity to ask whether, for the time being, members are content to agree to take all future work programme discussions in private. I will simply ask whether anyone objects to that; if there is silence, I will assume that members are content. That is how I propose to deal with all routine public decisions during virtual formal meetings.

As no member objects, we agree to take those items in private.

Covid-19

10:01

The Convener: Agenda item 2 is an evidence session on the Scottish Government's response to Covid-19 in the local government, housing and planning sectors. I welcome Aileen Campbell, who is the Cabinet Secretary for Communities and Local Government, and, from the Scottish Government, Shirley Laing, who is the director for housing and social justice, and Stephen Gallagher, who is the director for local government and communities. I am grateful to you all for taking time to answer our questions. All our recent correspondence with the cabinet secretary and the Minister for Local Government, Housing and Planning is on our website.

As this is a remote meeting, we will take questions in a pre-arranged order, although we might have time for a small number of supplementary questions at the end. If the cabinet secretary invites one of her officials to answer any question, I would be grateful if she could state that clearly. Once the cabinet secretary has made her opening remarks, I will start off the questions and then invite other members to ask theirs. I expect the evidence session to last roughly an hour and a half. Please give broadcasting staff a few seconds to operate your microphone before beginning to ask your question or to provide an answer.

I invite the cabinet secretary to make a short opening statement.

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): Thank you for the opportunity to join the committee today and to speak to you about the significant effort, across my portfolio and beyond, in response to these unprecedented circumstances. I hope that committee members have found the updates that Kevin Stewart and I have provided helpful.

As I set out in my letter to the committee, the pandemic has the ability to widen social and economic divisions, which is why my response to helping Scotland's communities to stay safe and well has focused on key groups who need additional support during this time. It remains essential that we continue to work collaboratively with local government, the third sector, business and communities to develop and deliver cross-cutting and joined-up responses. Local authorities are playing a critical role in providing local services to those who are most in need, and I welcome the close collaboration with the Convention of Scottish Local Authorities and individual councils.

As outlined in my correspondence to the committee, we have been working to ensure that the £350 million package of communities funding

that has been announced reaches those who are in need. I will give a quick run-through of that package. To date, more than £100 million has been allocated to local authorities, including £50 million in hardship funding, which is to be used as they see fit; the first £22 million of the £45 million that was committed to more than double the Scottish welfare fund; and £30 million to help local authorities to co-ordinate a local response for those who need additional help. We have also committed £125 million to support third sector and community efforts. Our third sector resilience fund, which was launched on 25 March, has already awarded £17.9 million to support 899 organisations, saving an estimated 12,000 jobs.

Changes have been delivered very quickly. For example, thanks to a rapid and co-ordinated response across Scotland, hundreds of people who were previously sleeping rough or in unsuitable night shelters are now being supported in hotels and other self-contained accommodation.

Multiagency working and additional funding is also supporting Gypsy Travellers during the outbreak. We have shown the value of partnership working in rapidly providing effective support to community members across communications, food, financial support and, crucially, sanitation and stopping places.

I welcome the powerful responses that have come from all quarters to protect those who are most in need. We are seeing inspiring and collaborative locally based responses to the crisis, where communities and service providers have quickly come together, broken down institutional barriers and focused on local priorities. We now need to build on that effort to ensure that there is no backwards movement in the aftermath of the crisis. Our ambition is to secure long-term systemic change for the most vulnerable people in our communities and those in the most marginalised groups.

That is a brief overview, convener, and I am happy to take questions from the committee.

The Convener: You have just mentioned your close working with local government. Have you increased liaison with and support for councils to help them to implement the new measures, particularly the business grants?

Aileen Campbell: Yes, we have. A lot of work is being done across Government on business grants, for example. My colleague, Kate Forbes, works very closely with Gail Macgregor and the rest of the COSLA team on such issues.

Senior officials are also involved. There is regular dialogue between my officials, wider government officials and COSLA. That also extends into the Society of Local Authority Chief Executives and Senior Managers. SOLACE and

COSLA also have a place at our regular Scottish Government resilience room meetings.

Engagement has intensified during the pandemic and it is necessary for us to work together as closely as we can to respond to the challenges that communities still face. We continue to engage across many different portfolios, but I have regular dialogue with my counterpart in COSLA, Alison Evison. We catch up regularly just to make sure that we are working in partnership and as closely as we can.

The Convener: How is the Government working to monitor and understand the wider financial impact that the Covid crisis is bound to have on council budgets?

Aileen Campbell: I have also been working with Kate Forbes on that. COSLA has undertaken an exercise to identify local authorities' net additional costs and loss of income as a result of the Covid pandemic. We understand that we will soon have a full assessment and analysis of that from COSLA. That has been a big and important piece of work that COSLA has undertaken in order to give us a complete understanding of the financial pressures and challenges that local authorities are facing so that we can work together on some of that. I understand that Kate Forbes will receive that analysis soon.

The Convener: You received £359 million in Barnett consequentials for local government, excluding the business grant measures. Can you give us an update on how much of that has been passed on to local government to deliver core services, and how much has been passed on for specific purposes?

Aileen Campbell: To date, more than £300 million has been committed to local authorities. Although £175.6 million of that has been identified, none of it has been ring fenced. Local authorities have also been passed the £155 million in consequentials. As I said earlier, we are still waiting for the leaders to agree how they will work through the distribution of that. We passed the £50 million hardship fund directly to local authorities as part of the £350 million that was outlined to Parliament back in March. Again, that is for local authorities to spend as they see fit.

There is also the £45 million Scottish welfare top-up; £22 million of that has been allocated and we are working with local authorities to see where there might be additional needs. It also includes the £15 million for free schools meals and the food fund.

We will continue to work with local authorities. As the Deputy First Minister and Cabinet Secretary for Education and Skills outlined in his statement, additional flexibilities have been provided because it is unlikely that we will be able

to deliver the target of 1,140 hours of early learning and childcare. Additional flexibility has been added to the mix, as well as additional funding. Moreover, a significant package of business support has been provided to local authorities. None of that negates the fact that there will be challenges, but we have been working with local authorities to provide them with the support that they require.

The Convener: Do you expect any more Barnett consequentials from the Westminster Government to go to local government?

Aileen Campbell: I have not had any firm commitment on that, but Kate Forbes certainly presses the UK Government to ensure that we get any consequentials that are due to come our way. We will continue to keep the committee updated but, at this stage, there is nothing to suggest that anything further is coming.

The Convener: You say that you are waiting to hear how the local authority leaders will distribute the £155 million. How far along the line is that process? When do you expect a response?

Aileen Campbell: The leaders are meeting today. Once they have agreed the distribution of the £155 million, that sum will be distributed. I guess that any further allocations will depend on the UK Government providing further consequentials. However, it is important to recognise that, alongside that, COSLA is doing a piece of work to understand better the pressures that individual local authorities are facing. That will be important information, and I understand that it is due to come to the Government very soon, if not today.

The Convener: I apologise for asking a lot of questions on finance, but you will get more questions on your portfolio from now on. I will pass you on to Sarah Boyack.

Aileen Campbell: Convener, I cannot hear Ms Boyack.

The Convener: Neither can I.

Sarah Boyack (Lothian) (Lab): Convener, can you hear me?

The Convener: I can hear you now.

Sarah Boyack: Thank you. For clarification, are we meant to turn off the mute button?

The Convener: No—that is done centrally.

Sarah Boyack: That is fine. It was on when I started, so I unlocked it myself.

I draw members' attention to my entry in the register of members' interests.

I want to follow up the questions that the convener asked. I have asked similar questions in

the chamber over the past few weeks. The last time that I got an answer from the Cabinet Secretary for Finance, she said that she would be assessing how to spend the second tranche of the UK Government's consequentials of £155 million. Is the answer that you have given to the convener that the money is now guaranteed to go to local authorities and that COSLA will be involved in distributing it? When will the money actually reach local authority bank accounts?

10:15

Aileen Campbell: Once COSLA's leaders have agreed the distribution of the £155 million, it will be distributed. At the moment, I do not have a date for when the money will land in local authority bank accounts, but that work is certainly on-going, and we will endeavour to keep the committee updated on when that money will transfer into the bank accounts.

The work that COSLA was undertaking to understand the financial challenges, which we have outlined, is due to go to local government quite soon. Kate Forbes is working closely with COSLA on all those issues, as she has outlined to the committee in the past.

I do not know whether Stephen Gallagher wants to say anything more about that or whether he understands when the money will transfer into local authority bank accounts. If those discussions still have to happen, we will ensure that the committee is furnished with the clarity of that detail as soon as we can.

The Convener: Can Stephen Gallagher press his unmute button, please?

Stephen Gallagher (Scottish Government): I hope that that is better.

The cabinet secretary is absolutely right to say that COSLA is meeting today to agree its recommendations on distribution. As soon as it has done that, we will go through the formal process of allocating the resources. I do not expect that there will be any significant delay to that.

However, in the first three months of this financial year, we have given local government an additional drawdown facility on the general revenue grant, which equates to around £200 million over the first three months of the year, to ease local government cash flow. The issue of timing should therefore be less significant than the decision to make the allocation, which the Cabinet Secretary for Finance has already agreed to do.

Aileen Campbell: Yes. That is more granular detail on some of the flexibilities that we have offered to local authorities. Flexibilities have been provided by the Deputy First Minister. Stephen

Gallagher was right to point out the other ways in which we have tried to support local authorities.

In response to Sarah Boyack's very clear question, I underline the fact that, when we are clearer about when the money will transfer, we will ensure that that information is given to the committee.

Sarah Boyack: I very much welcome that—it is different from the approach that has been taken in the past few weeks, when local authorities were told to look to their reserves. I am conscious of the fact that local authorities have stepped up. They have certainly been in touch with me to talk about the additional pressures that they now face.

It would be good to know what additional funding the Scottish Government intends to make available over the next few weeks. I know that my local authority—the City of Edinburgh Council—was reported as being £53 million short just in the first five or six weeks of dealing with the pandemic. There is also the loss of income to local authorities from fees and charges—for parking and sports facilities, for example. Given the pressure on local authorities, which were already underfunded before the pandemic—the committee has discussed that—I am keen to get regular updates.

Are we likely to see any additional funding going directly to local authorities over the next few weeks? The cabinet secretary said that there might be future tranches. I know that we are likely to see the next draft budget on 25 May, to take us through the pandemic over the summer months. Can we have more clarity on that from the cabinet secretary?

Aileen Campbell: At this time, it is important for us to take stock. That is why the exercise that COSLA is doing is important. It will give us a firmer understanding of where the challenges and pressures are.

Sarah Boyack is right to point out some of the income losses that local authorities face—from leisure centres and car parks, for example. In a host of different ways, local authorities are not getting income that they might have had before the pandemic and the restrictions resulting from the lockdown.

We have tried to do what we can in respect of passing over the consequentials. Stephen Gallagher has outlined some of the flexibilities around the general revenue grant. We have also outlined flexibilities around early learning and childcare, and we will continue to keep that under close review.

It will be important that we work together with local authorities because, collectively, the Scottish Government and local government will have big financial challenges to overcome. Trying to work

together through some of those things will be a test of the power of our partnership working.

We will keep members updated on any further allocations to local authorities. We are working collaboratively with local authorities, bearing in mind that, as Sarah Boyack outlined, they have absolutely stepped up to support communities and people across the areas that they cover. We recognise that, and we knew that there would be a challenge in that regard, which is why, in March, we quickly provided the £50 million hardship fund directly to local authorities to spend as they saw fit. That challenge has not ended yet—in many respects, it will grow in the months ahead.

Sarah Boyack: On issues such as homelessness and providing personal protective equipment, local authorities have clearly stepped up. Will they be fully recompensed for that expenditure, which is directly related to the pandemic?

The Parliament has discussed PPE over the past few weeks at every opportunity, but I would like to address homelessness. We know that people have been enabled to come off the streets for their own safety and for the safety of the wider public. What can we do next to make sure that we take the fresh-start opportunity that we are presented with? What funding is available now to local authorities, and in what ways do you think that we can avoid homeless people being put back on the streets? Shelter Scotland has been lobbying us this week about the need to avoid further evictions that would add to homelessness.

Can you clarify whether local authorities will be fully recompensed for the funds that they have already had to spend on pandemic-related activities, and what are your thoughts on how we can keep people off the streets, keep them safe, and give them the dignity and fresh start in life that must come as a result of the pandemic? In your opening remarks, you talked about long-term systemic changes, and I could not agree more with what you said. On those issues, there is a clear opportunity for us to change people's lives for the better.

Aileen Campbell: I absolutely agree with a lot of what Sarah Boyack said. Despite the challenge of having to cope with the pandemic, there have been remarkable social policy gains, which I do not think that anyone wants to lose. The partnership working, the disregarding of institutional barriers and the fact that people have just got on, focused on what needs to be done and worked together collaboratively to deliver that in a short space of time are remarkable.

The conversations that I have had with homelessness stakeholders, and the regular conversations that Kevin Stewart has on the issue,

show that we all are in the same place. We do not want to go back to the old way of doing things; we want to keep what we have managed to achieve and build on it.

I mentioned the £350 million package. Some £50 million of that went to local authorities for hardship issues. We have provided quite considerable support to the third sector to help people who are rough sleeping and homeless, including support for people who have no recourse to public funds. Again, that is another social policy gain because, before the current situation, those people were sometimes hidden from us and were unable to get the support that they required.

Further, we are working with local authorities to ensure that we continue the existing structures of work that were in place and the groups that were working through the recommendations of the homelessness and rough sleeping action group. Those structures will be crucial. We need a collaborative approach to ensure that we can secure the gains that we have made and work out how we can continue them after the pandemic. That will be ever more important.

Those conversations are happening, and the actions that flow from them will need to be considered. Already, an enormous amount of work has been done and resources have been provided, including resources for local authorities, to ensure that we do what we can to protect that vulnerable group of people.

Sarah Boyack: Do I have time for a final quick question, convener? With respect, I say that that answer did not fully answer my question.

The Convener: No, you can come back to the issue later, but you are over your time just now. I am sorry, but we have to be quite strict with time.

Graham Simpson (Central Scotland) (Con): Hello, cabinet secretary; it is good that you can join us. I have a few questions to ask on council funding, so I will race through them. I was pleased that Kate Forbes finally agreed to let councils decide how to divvy up that extra money themselves. It took a while, but she got there.

We have mentioned the pressure on council budgets. We all know that councils have been doing an exercise on costs, and my understanding is that that has identified a £100 million black hole in council funding, over and above the £155 million in Barnett consequentials. They are saying that, even after they have received that money, they will still be short by £100 million. How are we going to fill that gap? Clearly, councils are being asked to do quite a lot of the heavy lifting in this situation.

Aileen Campbell: That will partly come down the Government's decisions on how we can

reprioritise funding and how we will work with local government.

I am conscious that, to date, we have provided a significant package of resources to help local authorities cope with the consequences of the pandemic. We have also added flexibility to existing budgets so that they can be supported through any cash-flow issues that they might experience.

Those will be considerations, and it is right that we work with local authorities to get a granular understanding of the challenges that they are facing and how we can use resources collectively and in partnership to maximise their impact. A lot of this feels like quite familiar territory, or a familiar narrative—probably because Christie told us to maximise the impact of resources nine years ago. The crisis is enabling us to think about how we do that meaningfully, because it will be critical for us to continue to work with local government to support our communities, which will require us to work together on funding issues.

Graham Simpson: That does not quite answer the question. There is a huge gap between what local government needs and what it has got so far.

On further consequentials, I noticed that an announcement was made down south of some £600 million to councils for adult social care, and there will be a knock-on effect for Scotland in that regard of, I think, about £50 million. Have you heard a figure, cabinet secretary?

Aileen Campbell: I will double check that, but the health secretary has recently announced £50 million to support social care.

Graham Simpson: It was announced this week.

Aileen Campbell: I can check that, but the health secretary has been very clear about the support that the Government wants to provide for social care. I think that she announced £50 million to support social care just the other day. If there are further consequentials to come from the UK Government, we will have the discussion and make a judgment.

That takes us back to why it is really important that we work with local authorities and COSLA, which has undertaken an exercise to illustrate where the challenges and pressures are and how we can work together to resolve them. This is all a challenge to the Scottish Government financially. We have had to refocus, reprioritise and change what we are doing, and that comes with fiscal challenges. There will have to be a pretty frank and open discussion about our next steps on rebuilding our economy and dealing with some of the issues that have arisen as a result of the pandemic, as well as renewing and reforming what

we do so that we can continue to build on the social policy gains that we have made to date.

We also need to think about how we ensure that people do not fall behind and that there is no further inequality. We need to do that with local authorities an open and transparent way, taking on board the financial challenges that they are clearly facing, as well as our own.

Graham Simpson: I need to move on; thank you for that.

There has been a lot of discussion about when we can get construction firms back in business in Scotland, as they are down south. We have 6,000 new homes that are very nearly finished; people are literally waiting to get their keys. What is it that construction firms need to prove to the Scottish Government so that they can get back in business?

10:30

Aileen Campbell: The Minister for Local Government, Housing and Planning has been working closely with the construction sector on the challenges. We recognise that there are differences in the approaches that are being taken across the UK. That is why a loan fund has been announced recently to support the construction industry's short-term cash-flow issues and to work through what we need to do to make sure that it is safe for the industry to return to work, in a staged way. That work is progressing.

We do not want there to be too many differences between what is happening for companies down south and what is happening here. We want to make sure that we do things in a way that does not impact on the coronavirus reproduction number and that we support the industry during time of restrictions. The Minister for Local Government, Housing and Planning is working with the construction industry to make sure that we do that in a reasonable way and give clarity about the preparation work that needs to be done. We need to handle that reasonably and pragmatically so that the industry can get back to doing what it does best, and getting a lot of construction work back on stream will make a valuable contribution to our economy.

Graham Simpson: I am afraid that—

The Convener: This needs to be your final question.

Graham Simpson: Okay—I will ask a different question.

Some planning regulations raced through Parliament with no scrutiny whatsoever. That is not acceptable. The regulations bypassed MSPs completely and became law within days; in fact, a

couple of them became law within 24 hours. That is happening at a time when planning applications are literally out of the public's sight; in a lot of cases, councillors are not seeing planning applications either. Decisions are becoming centralised. Do you think that you should have taken a breath before rushing through some of this stuff?

Aileen Campbell: We had to move quickly to make sure that we put in place the right parameters under which planning could continue. Some of that has clearly frustrated you—you feel that there has not been adequate scrutiny. However, we sought to move quickly to enable planning functions to continue as best they could within the lockdown restrictions.

These are temporary, emergency measures, and we are continuing to work with COSLA, Heads of Planning Scotland, the Royal Town Planning Institute, SOLACE and others to make sure that we get the balance right. However, if the committee wants to raise further issues with or concerns about the measures, I will be happy to look into them and to understand any specific concerns about what has been done.

However, I re-emphasise that the measures were taken so that we could work with the speed that was necessary as a result of the lockdown measures that were put in place very quickly to protect people's health and respect social distancing and other restrictions.

We continue to engage with that high-level group, which includes Heads of Planning Scotland, COSLA and the RTPI, to make sure that the balance is right. I understand that there has also been engagement with the Midlothian federation of community councils, the Scottish planning consultants forum and others on some of the issues. We have sought to get the views of others, but if the committee has further issues to raise with us, we will be happy to look at them.

Annabelle Ewing (Cowdenbeath) (SNP): Good morning, cabinet secretary. With regard to local authorities' workload, everybody appreciates that they have to focus on the immediate task of dealing with the first phase of the virus, and I pay tribute to the work that all local authority employees are putting in; they are doing a fantastic shift. However, we do not yet know what the next phase or the phases beyond that will be.

Housing adaptation is an important issue; at a certain point, some of that activity will need to resume. Notwithstanding the work that they are doing to respond immediately to pressing matters, I hope that local authorities will also take time to look at the short to medium-term future, because so many issues require important attention. To

what extent is the cabinet secretary aware of contingency planning for those issues?

Aileen Campbell: Along with the Association of Local Authority Chief Housing Officers and Sheltered Housing Management Ltd, we have recently asked local authorities about their current approach to adaptation delivery and whether they will need additional guidance or support to re-establish services. The councils that have responded so far say that work on emergency adaptations is continuing where possible and that they need us to support future work.

As the committee has raised before, there is still a lot for us to work through to get something firmer in place on adaptations, because different parts of public life are responsible for different things. That will require us to quickly streamline the process as best we can and to provide guidance, reassurance and support to local authorities, so that they can continue to do necessary adaptations.

Annabelle Ewing: I thank the cabinet secretary for her answer. The committee will wish to return to that issue.

I am sure that every MSP is aware of their constituents' concerns about recycling centres. We all understand that nothing can happen until it is safe for it to do so but, in the contingency planning for the reopening of recycling centres, what account is being taken of the fact that, when they reopen, there will be a significant immediate demand, with all the traffic that that will entail? The Scottish Government has been in extensive discussions on recycling centres with local authorities and other bodies.

Aileen Campbell: As the First Minister indicated recently, we are working with COSLA, local authorities, Zero Waste Scotland and the Scottish Environment Protection Agency on the reopening of household waste and recycling centres and we are finalising the development of the guidance on reopening. However, Annabelle Ewing is right that there are also lots of other interrelated interdependencies. For example, how do we make sure that the right support and guidance are there to enable appropriate car flow through the sites? In local authorities in England, I have seen restrictions on the size of vehicles because sites have to be managed so that there are appropriate turning circles. Individual authorities will have to work through lots of things; there will not be one blanket approach, because sites will have lots of differences. However, I reassure the member that there is on-going work to finalise the guidance on reopening the recycling centres as soon as we can.

In addition, the issue of fly-tipping has become apparent—I am sure that everyone has had that in their constituency mailbag. You will have seen

explicit messaging from different agencies and bodies to get people to stop that, because it only adds more pressure to the sector. The councils are doing a remarkable job in reprioritising their workforces to cope with staff absences and continue to lift domestic waste from the kerbside. There is a lot of work being done to knit together those issues and it will be finalised imminently.

Annabelle Ewing: That is good to hear, and we would all like to see the guidance when it is published. The reopening of recycling centres will have an impact on smaller construction businesses and local tradesmen by giving them somewhere to take their waste.

I hear what the cabinet secretary is saying about construction, which has already been raised. Again, nothing can happen until things are safe, but it would be helpful for the Minister for Local Government, Housing and Planning to write to the committee to provide more detail on where we are with the hugely important issue of the construction sector being able to get back to work.

I have heard suggestions about staggered working, which would mean working on site for much longer. That would perhaps require concomitant changes to any planning conditions and so forth.

It would be helpful if the cabinet secretary could undertake to have the Minister for Local Government, Housing and Planning write to the committee to provide more information. I understand that he is chairing a short-life working group on the matter. The cabinet secretary is nodding—

Aileen Campbell: Yes. The minister is working through some of the issues that have been raised with him about matters associated with the construction world.

The construction sector is also developing its own guidance, to ensure that staff members remain safe and come back to their industry as well protected as they can be. Again, that work is on-going and is being led and guided by Kevin Stewart. I will ensure that he updates the committee as soon as he can, so that we can get the sector back to doing what it wants to do: delivering the buildings and houses that we as a Parliament know are so critical to the well-being of the country.

Annabelle Ewing: I have a last, very brief question.

There are financial pressures across the board. These are unprecedented times for business, local authorities, and everyone everywhere. At the same time, I would have thought that a lot of planned expenditure on the part of local authorities has not been incurred, because a lot of things are

not happening. Where is the information about that, and how is it factored into the overall picture? People need to look at both sides of the equation to get a proper realistic picture of the bottom line. Is the cabinet secretary aware of that happening?

Aileen Campbell: That is why the work that COSLA is undertaking to identify local authorities' net additional costs and losses as a result of the Covid-19 response is so critical. That work will give us a firmer understanding of the position.

In cases in which we would be prepared to allow local authorities flexibility in the use of funding streams—such as those for the expansion of early learning and childcare, attainment and pupil equity funding, and regional improvement collaboratives, totalling around £800 million—we will continue to work with them to enable that to happen. That links to what you have asked about planned work that is not going to happen in the way that we first anticipated. The Deputy First Minister very quickly enabled flexibility for some of that resource in order to support local authorities and to recognise the pivotal role that they play in helping the country respond to the pandemic.

Annabelle Ewing: Thank you very much.

Andy Wightman (Lothian) (Green): Thank you for joining us, cabinet secretary. I have a question of a general nature. There have been two pandemic planning exercises in the UK in recent years: exercise Silver Swan in Scotland and exercise Cygnus across the UK. What have you learned from those exercises, and what recommendations did you pick up for your portfolio so as to be prepared for the current event?

Aileen Campbell: I do not have information on that to hand, so I will get back to Andy Wightman with the specifics.

10:45

Andy Wightman: Thank you—that would be helpful. Those events were both recent and I am keen to know how the Government has or has not adjusted its processes to deliver on that.

You said in your opening remarks, and on a number of occasions during question time sessions, that you have been working collaboratively with local government. That is very positive, and I know that that is the case, as many people who work in local government have talked to me about it. However, some people have said privately to me that there has been too much command and control in the system, that it has been too centralist and that it does not take account of different local authorities and where they are. For example, when the shielding arrangements were put in place, in a week in which the Scottish Government delivered 1,500

food packages across the whole of Scotland, one local authority alone delivered 4,000 food packages.

Do you recognise that there have been difficulties due to the speed at which you have had to respond and because many local authorities would have been perfectly able to pick up a lot of this stuff on their own—they already deliver social care, meals at home and so on—so there has been tension between the central demand and the local capacity and leadership?

Aileen Campbell: The pandemic was not going to wait for us to think through how to deal with it in the way in which we would take forward a policy when there was no pandemic or other emergency going on. We had to move swiftly to ensure that we looked after people who had been told that they had to stay home to protect themselves.

We did that in partnership with local government. From the very start, I was involved in many discussions and calls with COSLA and SOLACE as we worked through what we had to do, and we were heavily guided by their input. We had to work quickly to ensure that people had the option of being supported to access food, which was why we took forward the food packages that continue to be delivered by Brakes and Bidfood to those who want them.

On food insecurity, as the weeks have progressed, we have managed to work more collaboratively to ensure that people feel supported. We have used the best local intel and infrastructure and supported that nationally when we needed to. There has been a blend of support for people who are marginalised, vulnerable or shielded. We have gained from the best expertise at national and local levels, including from third sector organisations. For instance, we have provided support to Food Train, which works in a number of local authorities around the country providing support and food to elderly people.

We have given £15 million directly to local authorities so that they can do their own thing on food insecurity. On top of that, we have given organisations such as FareShare more resource so that they can purchase food for people who need to access emergency support. A lot of the preparation that we did with food organisations and food groups in anticipation of a no-deal Brexit built up local infrastructure, connections and relationships that have been invaluable in enabling us to respond as swiftly as we did. We will continue to build on that.

Moreover, we have given local authorities the Scottish welfare fund top-up, so that if people find themselves in crisis, they can access funding that provides them with the dignity of being able to purchase food in the way in which they want.

I am vexed to hear that people feel that there has been command and control, as that has not been the intention. The intention and the focus has been to support those who are most vulnerable and to ensure that they are kept safe and well. There might have been a few bumps at the start—who knows?—but it was an emergency situation.

On the issue of food alone, we now have phenomenal working relationships. Our response is not about just national or local government; it brings together communities, third sector organisations and the retail sector, and it is delivering well around the country.

If Andy Wightman wants to raise individual concerns, I am happy to listen. We do not want local authorities to feel that they are not being listened to or respected, or that their infrastructure has been overlooked.

Andy Wightman: You described it as an emergency response, which is partly why I asked you about exercise Silver Swan and exercise Cygnus. Because those exercises were done so recently, they should in theory have led to an infrastructure being put in place that was ready to respond. At another time, I am keen to learn about how much work was done in preparedness for such an epidemic.

Aileen Campbell: Aside from what you describe, local resilience partners and local partnerships do regular, on-going work at a local level. Local resilience planning happens and has kicked into place, and much of the reason why we have been able to draw on the expertise of local authorities is because of their readiness in resilience. It is also why they are a crucial partner at SGoRR meetings; they can feed in information about what they are doing locally and on how the resilience plans that they have in place will kick in. Therefore, we are not starting from scratch.

Andy Wightman: I appreciate that and, if I have time, I would like to talk about resilience planning.

However, I want first to talk about the £40 million supporting communities fund. I understand that £10 million of that has been distributed through intermediaries such as third sector interface organisations, but what role will local government have in administering the £30 million that is still to come, and will it have a say in how that money is allocated?

Aileen Campbell: My officials continue to work with COSLA on distribution of that fund. It is about trying to get the balance and blend right.

We have supported TSIs so that they have the local knowledge and intel to ensure that they can support groups in their authority areas. We are working with the Scottish Council for Voluntary Organisations and other third sector partners to

distribute, check and—I suppose—help them work alongside the on-going support from local authorities.

Officials work with COSLA and local authorities in the distribution of that fund, and COSLA's views and support have been invaluable, but so has the infrastructure that is in place to support that, which has come through the TSIs. That is why we have supported the TSI infrastructure and, in other areas of the distribution of funding, the anchor organisations.

Andy Wightman: I now have a question on resilience, particularly its relationship to the social care sector. Obviously, care homes have featured prominently in this pandemic. Seventy per cent of that provision is privately run, and local authorities have faced their own challenges in delivering social care—and those will no doubt continue for some time. What thought has been given to how we might change the way in which we deliver care so that it is more resilient, both against any resurgence of this existing infection and against future ones?

Aileen Campbell: A lot of lessons about what the future of care looks like will be drawn from the current experience. It will involve local authorities—it already does—and the independent sector.

The Cabinet Secretary for Health and Sport is in regular dialogue with the whole gamut of people who are involved in providing care, and, as with many discussions that are happening across Government, it is about working out what we do going forward, how we make things more resilient or robust and what it teaches us that we need to change in our approach. Undoubtedly, local authorities will play a huge role in that.

However, ensuring that the appropriate support is in place to keep people who are in care homes or who are receiving care as supported as they need to be is uppermost in our minds at this point.

Jeremy Balfour (Lothian) (Con): From the councils that have been in touch with me, my understanding is that they can be ready to reopen the recycling centres at the beginning of June. Is that the Scottish Government's understanding? Will you allow that to happen?

Aileen Campbell: The guidance is being finalised. I am reluctant to put a firm date on it, and I do not want to pre-empt what the guidance will say. I understand from my local authority that it is putting in place plans on all the issues that it needs to consider in order to meet the demands that will be placed on the centres when they open. Those issues are under active consideration by all local authorities.

As I said in response to Annabelle Ewing, the guidance is being finalised, and once that is in place and everyone is content that it is safe for the recycling centres to be reopened, the green light will be given for that to happen. I am reluctant to put a date on that, because I am not sure whether all local authorities are in the same position or whether we might need to provide additional support to help some authorities with the process. I am happy to keep the committee updated as that work is finalised. Everyone understands the pressing need for the issue to be looked at promptly.

Jeremy Balfour: I want to move on to a completely different area—that of the third sector funding that has been given to various charities. That funding is very welcome, but a number of third sector organisations—small and medium-sized charities, in particular—have told me that they are finding it difficult to access the money, because they do not meet the criteria or because the money is going to larger charities. In many ways, it is the local charities on the ground that are doing the work.

How are you auditing how the money is being distributed? How can small and medium-sized charities, which do not have the same level of reserves as the larger charities, access that money? Will you review the way in which money is distributed to such organisations?

Aileen Campbell: We are working with the Scottish Council for Voluntary Organisations and a host of partners on distribution of the funding. We have endeavoured to make sure that the process is as straightforward as it can be. When we announced the funding package, I said that we did not want to overburden organisations with red tape, because we knew that there was a pressing need to get the money to the people and organisations that needed it to enable them to deliver for the communities that they are part of.

We have endeavoured to provide funding to a blend of organisations of different sizes and scales to support the community work that they do. If organisations and groups that are struggling to navigate the process are getting in touch with Mr Balfour, I ask him to let me know, and we can make sure that they can get support. Advice is available on the SCVO's website and, last Friday, the wellbeing fund reopened for a second round of applications, with a closing date of 22 May. If people want to get in touch, I urge them to do so quickly so that we can enable them to access the funding that is available in the current window.

We have also provided resources and support to third sector organisations to help them to inform future decisions. A range of funding has been available, from small grant payments of £2,000 to funding of around £100,000, which has been

available to bigger TSIs that provide national services, and everything in between. I hope that that shows that there is not a preference for all the money to go to larger organisations. We have endeavoured as best we can to support the right blend of organisations to enable them to continue to do what they are doing.

If Mr Balfour wants to flag up particular organisations, I ask him to let me know. We can have a look at that and pass on the information to the SCVO. We want organisations to feel that they are supported in navigating the application process.

Jeremy Balfour: It would be helpful to the committee if you could produce information on where the money has gone and which third sector organisations have received it in which areas. Obviously, you will not be able to do that today, but it would be helpful if you wrote to the committee with that information.

11:00

Aileen Campbell: The process is on-going, and money is still going out the door, but I am sure that we can try to give you a flavour of that, because it has not been hidden. You will have seen lots of organisations doing their own press releases about the grant funding that they have been provided with and what they are delivering with it. I am happy to keep the committee informed about that as we go forward.

Yesterday, I was on the phone to a couple of organisations. One is in the Western Isles and the other is a housing association in Glasgow that has been provided with support to make sure that any residents who require a bit of extra care are given it. The organisation in the Western Isles is doing remarkable work on numbering houses. There are no numbers on many houses there, and if you are asking volunteers to deliver pharmaceutical goods or food, they need to know where to deliver it. Because the organisation is trying to engage volunteers, it needs to do things like numbering houses.

We are not being prescriptive, but we want to ensure that there is good support for communities so that we can let them do what they do best, which is support themselves. We want to support their resilience and keep their people safe and well.

Jeremy Balfour: I go back to the issue of homelessness and the future homelessness strategy. There have been welcome interventions by the Scottish Government, the third sector and local government, but as we come out of lockdown, things will change, particularly for rough sleepers and the way in which we can accommodate them. What is the Scottish

Government thinking about how to ensure that we do not go back to where we were previously with the resources that are available to the third sector and local government?

Aileen Campbell: There is lots to celebrate about what people have achieved, particularly for rough sleepers. We do not want to slip back to the way that things happened previously.

The issue is not just about the provision of housing; it is about other services kicking in and making sure that we provide the holistic and person-centred support that we have always tried to provide. That is now happening at breakneck speed and nobody wants to see that go. That is why we want to put rapid rehousing and the housing first model at the centre of our approach to recovery.

As I said in response to an earlier question, hardship funding has been provided to local authorities, and we have provided approximately £700,000 to third sector organisations to enable them to support people who are homeless or at risk of homelessness. The co-ordination of that grouping of organisations and people who have front-line experience who are delivering services along with other organisations and authorities will be critical in enabling us to move forward and ensuring that we do not slip back to the way that things were previously. We have a chance to build on that and ensure that people who are experiencing homelessness are properly and adequately supported.

Kenneth Gibson (Cunninghame North) (SNP): In response to Graham Simpson, you talked about the need to reprioritise funding. On 31 March, the Scottish Public Health Observatory published a guide to help with the allocation of public funds. The guide revealed that, of the 32 local authority areas, when social, demographic and clinical factors were considered, North Ayrshire, which my constituency is in, is the most vulnerable area in Scotland to Covid-19. Will that be taken into account when the Government is considering additional resources for local authorities?

Aileen Campbell: That is a good point, and it shows why the conversations between the Government and local government need to be open to all those things. There has been a lot of commentary about Inverclyde and other areas that have been particularly impacted by Covid-19. A lot of it is down to deprivation and social inequality, which is why the documents that the First Minister has published about how we lift some of the restrictions when it is safe to do so are about not just the health harms but a range of harms that have resulted from the approaches that have been taken to suppress the spread of the virus.

The issues that you raise—inequality and wider public health concerns—must inform our decisions. Along with Shirley-Anne Somerville, Humza Yousaf and other ministers, I am a member of a group that is convened by the Deputy First Minister, the purpose of which is to articulate the social harms that have been caused as a result of Covid to ensure that those are not lost in among the health and economic concerns. The social harms are sometimes more difficult to quantify, which is why it is important that we take on board the public health evidence that you cited, along with evidence of other social harms, so that we can get the right support in place in the right places to ensure that the inequality divide does not widen.

Kenneth Gibson: Thank you for that helpful answer.

Andy Wightman mentioned care homes, about which I, too, have a question. I should say that my 82-year-old mother is a resident of a care home, so I have an interest in the issue.

Before the pandemic, there were significant concerns about the financial viability of a number of care homes. Two have closed in my constituency in recent years, and others closed in the years before that. Is the Scottish Government looking at the financial viability of care homes? There has been concern about the amount of public money that is allocated to local authorities to contribute to the care of each individual resident; I am thinking of local authority-funded residents rather than people like my mother, whose care is privately funded by me and my sister. What additional resource will be considered for those care home residents? It appears that some care homes were so low in capacity even before the pandemic that their viability was already under threat. As we move forward, some of them might close, at a time when the population is continuing to age.

Aileen Campbell: On the more general point, under integration, our package of investment to support care services will exceed £800 million. A lot of resource is being provided, yet we still hear that there are issues with vulnerability in the system, so we must look at the situation in the round.

I mentioned the £50 million that the Cabinet Secretary for Health and Sport has provided, which will help the social care sector to deal with the financial implications of Covid. That additional resource, which was confirmed earlier this week, will be helpful, but as you rightly said, there has been an issue with not just finance but capacity. That is why the health secretary has made available support to help where there are staffing issues and to plug any gaps that care homes might believe exist. As well as financial support,

support in kind is being provided to ensure that the capacity is there to help care homes to cope with the additional pressures that are placed on them to suppress the spread of the virus.

A host of work is being done, in which the Care Inspectorate is involved, and additional support is being provided through local authorities and national health service boards to make sure that we focus on the issue at hand. You are right to point out that that should lead us to think about how, in the future, we will ensure that the system is robust and resilient.

Kenneth Gibson: Many providers are private. The health secretary provided free PPE but, in the future, it looks as though PPE will have to be purchased. On a long-term basis, it is also likely that a higher staff to resident ratio will be required, because staff will have to spend more time cleaning up after caring for each patient and will have to change their PPE and so on. In addition, there is pressure from across the political spectrum to pay carers more.

I am concerned about how we can square that circle. The £50 million is very welcome, but given the size and scale of the problem, we need to reconsider how we fund care homes if they are to survive. Many of us would like older people to be cared for at home, but sometimes that is just not possible, as people live longer and become frailer.

Aileen Campbell: You are right to point out the level of pay for carers. The past few months have shone a spotlight on the need to properly value the work that carers do in society. That is why, last month, the Government reached an agreement with COSLA to ensure that the real living wage is paid to all adult social care workers with immediate effect. That is an attempt to rectify some of the issues that had become apparent. I hope that society starts to understand and recognise the role of carers and caring in our communities and our country. That is one way that we are trying to deal with the pay issue.

You are also right that we possibly need to think about public sector reform. That requires us to scrutinise how we move forward as a country. We need to look at what the past few months have taught us and how we can move forward with resilience and capacity in the system, while rewarding people who deliver care to the more vulnerable and frail members of society in a way that ensures that their dignity is intact.

Kenneth Gibson: My final question is on discretion. The Cabinet Secretary for Finance said in the chamber that local authorities can use discretion when considering grant applications from businesses and that they will not be penalised if they do. However, the local authority for the area that I represent, North Ayrshire

Council, has said that discretion is limited—the council is basically restricted to updating information to correct it and deciding whether a property is broadly similar to those that are listed in the guidance on eligibility. Is there any possibility of loosening the restrictions, so that local authorities can take into account individual businesses that might—for one reason or another—have fallen through the gaps in eligibility for assistance? That would not be about councils reconsidering whole classes of business, but about councils being able to use discretion over one or two specific elements.

Also, is there any possibility of relaxing the £51,000 rateable value limit? Some of the major employers, particularly in the tourism sector, are being adversely affected by the limit, which could impact on their long-term viability and the jobs that they provide.

Aileen Campbell: The Cabinet Secretary for Finance has already indicated that there is a degree of local discretion in how local authorities can interpret the guidance for giving grants. She also, fairly recently, announced the pivotal enterprise resilience fund, which is for companies that have been unable to access other support.

As the weeks and months have progressed, we have been working through the issues that have been flagged up, what the anomalies are and how to rejig what is in place to enable people to access the support that they need, when they need it.

The Cabinet Secretary for Finance has provided a clear steer to local authorities—which know their local areas best—that they can use discretion. However, if there are issues and companies are still finding it difficult to access support, the best thing to do would be to let Kate Forbes know. I will ensure that she is aware of this dialogue, as well.

Kate Forbes has been engaging with local authorities directly to get a sense of how things are going, what more support they might need and how we might shift things as we go. She has been using that intel to refocus how the package of support responds to what the dynamic local economies require.

I will ensure that Kate Forbes understands that she might need to engage with you on those issues. If there are further conversations to be had with North Ayrshire Council, I am sure that she would be happy to have them, should any additional clarity be needed.

The issue of businesses with a rateable value of more than £51,000 has been raised with me through the business improvement districts, with the leisure and hospitality sector in particular being a pinch point. Again, Kate Forbes is considering that matter.

The Convener: A couple of members have supplementary questions. I call Sarah Boyack first, and ask that she clarifies to what entry in the members' register of interests she was referring when she first spoke.

11:15

Sarah Boyack: Yes, of course, convener. I was referring to the entry that relates to my former employment.

I will follow up the questions about local government funding. Can the cabinet secretary clarify whether local authorities that have had to incur additional expenditure for PPE and homelessness will be reimbursed for that expenditure?

In the cabinet secretary's letter of 11 May, she referred to the postponement of work on the transient visitor levy and short-term lets. Is there a timetable for the resumption of that work? Will legislation be in place for local authorities to use from the next financial year?

Aileen Campbell: I will keep the committee updated on that paused work, and we will ensure that you are given adequate notice of when we might resume some of it.

We might need to come back to the committee on PPE. I know that Kevin Stewart has been working hard with third sector organisations on homelessness and the guidance that is in place for the use of PPE when supporting those who have been homeless. However, I will double check on financial reimbursement, if that is okay with Sarah Boyack. I know that there has been a lot of ongoing work to support third sector organisations that have been involved with the response to homelessness, and on the PPE requirements that have presented themselves.

Graham Simpson: I have a couple of questions about recycling centres and construction. As Jeremy Balfour said, and as the *Daily Record* reported today, councils have said that they could be ready to start reopening recycling centres on 1 June, if they get the go-ahead to do so from the Government. The cabinet secretary said earlier that guidance is being worked through. That sounds a little vague. Basically, councils are simply waiting for the cabinet secretary, or one of her fellow ministers, to say, "Yes—you can start reopening from that date." Perhaps she could address that point.

More than 300 construction sites in Scotland are, in effect, mothballed. I have just seen that the industry and the UK Government have drawn up the "Charter for Safe Working Practice—Covid-19". What is to stop us from having something similar in place in Scotland straight away so that

companies can plan to reopen? It would probably take a couple of weeks before they could reopen if something similar was in place here. I fail to understand why there has been a delay.

Aileen Campbell: On waste, I said that the guidance is being finalised—it is not being "worked through"; it is being finalised—and I was reluctant to give a firm date for that, because I would not want to misinform the committee. I expect that it will be finalised soon, and we will begin to engage with local authorities about how waste and recycling centres can start to open.

As I said in my response to Annabelle Ewing, it is not as straightforward as simply opening up sites—the matter has to be considered alongside the interconnected issues that must also be thought through. We will ensure that the committee is kept updated as the work progresses. The work is in its final stages, so I expect to be able to provide an update quite soon.

Much of the difference in our approach to construction in Scotland is because we want to take a precautionary approach in order to keep people safe. We understand the need to work with the construction sector to get businesses back to doing what they want to do—that is, working on their sites and completing the houses that they had started. We want them to do that safely, and Kevin Stewart has been working closely with the construction sector to ensure that there is robust guidance that has been checked through and has had all the required medical and clinical input.

We have also provided the loan fund to support the construction sector while it is not able to come back on stream fully. That will require staging and staggering, and it is important that we work with the sector to enable that to happen as quickly as possible. However, work should restart only when it is safe to do so, so that workers are kept safe.

Andy Wightman: Colleagues and I have had quite a bit of correspondence from across Scotland about planning authorities—for example, local review bodies—meeting and making decisions. Those meetings are not open to the public, for obvious reasons. Is there any way we can make it a statutory requirement that such meetings, which would normally be held in public and made publicly available, must be broadcast?

Aileen Campbell: Under normal circumstances, the public could, of course, attend such meetings, but the meetings are not held for the purpose of hearing objections, and there are strict restrictions on introduction of new material. For transparency and accountability, local review bodies are required to publish a report that sets out their considerations and reasons for reaching each decision. I understand that the bodies are encouraged to hold their meetings online, if they

can. I do not know whether that provides reassurance, but if Andy Wightman has any other thoughts, please let us know. Those measures have been taken to ensure safety and to ensure that there is the required transparency.

Andy Wightman: You said that local review bodies are being “encouraged” to hold their meetings online, but there is an important wider principle at stake. The important decisions that elected members take about the local environment should be fully transparent, which means there being the ability to observe the meeting. That is why I asked whether it could be made mandatory to broadcast such meetings. It is not difficult to broadcast proceedings—many councils do that and have been pioneers in that regard. It is perhaps not justified in some cases, but there is a concern that, because of the inability to attend meetings, an important part of transparency—in this case, I am referring to listening and observing, not participating necessarily—is being missed.

Aileen Campbell: We can take on board that point. If some bodies are broadcasting their meetings, it shows that there is no need for others not to be doing so. In among all the emergency and temporary procedures that have been put in place, improvements can be looked at and considered again. I will endeavour to do that, because we all want everything to be as transparent and open as possible.

Sometimes, it takes a while for the right response to be put in place. The Parliament has gone through the journey of figuring out a dynamic and rhythm that work, and of ensuring that the appropriate checks and balances on the actions of Government are put in place. That is right, because it keeps us all in the right space.

I will look into the matter for Andy Wightman, to see whether the requirements can be strengthened in any way, or whether we can at least ensure that the right guidance is in place that shows where good practice is happening.

The Convener: I understand that Jeremy Balfour wants to make a declaration.

Jeremy Balfour: Yes, thank you, convener. I should have declared that I am a non-executive director of Bethany Christian Trust, which is a homelessness charity in Edinburgh.

The Convener: Thank you. That brings us to the end of the questioning. I thank the cabinet secretary and her officials for taking part in the meeting.

11:25

Meeting continued in private until 12:25.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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