

**OFFICER DELEGATION SCHEME  
RECORD OF DECISION**



**TO BE UPLOADED TO THE INTERNET BY DEMOCRATIC SERVICES**

<b>Date:</b> 23 November 2020	<b>Ref No:</b>
<b>Responsible Officer:</b> Angela Lomax, Head of Public Protection	
<b>Type of Decision (please refer to MO Guidance):</b>	
<b>Key</b> <input type="checkbox"/>	<b>Non-Key</b> <input checked="" type="checkbox"/>
<b>Freedom of Information Status:</b> <i>(can the report go in the public domain)</i>	
<b>Title/Subject matter:</b> COVID Marshals	
<b>Budget/Strategy/Policy/Compliance:</b>	
(i) Is the decision within an Approved Budget?	Yes
(ii) Is the decision in conflict with the council's policies, strategies or relevant service plans?	No
(iii) Does the decision amend existing or raise new policy issues?	No
(iv) Is the decision significant and/or does it meet the £100,000 threshold for recording?	Yes; £103,897 has been awarded to Bury from the government through grant funding to support Local Authorities in the current Covid pandemic.
<b>Equality Impact Assessment</b> [Does this decision change policy, procedure or working practice or negatively impact on a group of people? <b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]	No

**Summary:**

The government has made available additional grant funding to Local Authorities to support Covid Marshals in light of the continuing Covid pandemic. For Bury, an allocation of £103,897 has been received. A decision is needed on how the funding will be utilised, so that the service delivery can be implemented.

**Wards affected:** All Wards

**Consultations:** N/A

**Scrutiny & Review Committee Interest:** N/A

**Options considered:** The guidance details eligible activities including supporting additional staffing costs, training and overtime costs and admin costs as to provide staff in public areas business support or support individuals. Additional use of the funding can include awareness raising provision of information educational campaigns and targeted sector information as well as additional staffing costs. In addition, associated with enforcement of COVID-19 regulations or guidance including training and overtime for enforcement activity including issuing of FPN PN and criminal proceedings can be included.

The guidance states that 'COVID-19 secure marshals may be appointed in a variety of ways, for example they may be existing council staff, recruited staff (fixed term) or agency staff. It is anticipated that they will be paid staff. Any planned use of volunteers should consider whether the roles and responsibilities are appropriate for volunteers, and they should do so in collaboration with the local voluntary and community sector (VCS). The government guidance of what should be considered in and out of scope is detailed in Appendix 1.

**Decision**

To approve the utilisation of the Covid Marshal fund of £103,897 on the basis set out in the report.

<b>Decision made by:</b>	<b>Signature:</b>	<b>Date:</b>
Director or Chief/Senior Officer		
<b>Members Consulted [see note 1 below]</b>		
Cabinet Member		
Lead Member		
Opposition Spokesperson		

## **1. Background**

- 1.1 On 22 September the Prime Minister announced that £60 million was to be made available across the police and local authorities for compliance and enforcement activities.
- 1.2 Of this £60 million, £30 million is being allocated to all district and unitary authorities including metropolitan borough and London borough councils in England to spend on COVID-19 related compliance and enforcement activities.
- 1.3 This funding is ring-fenced for compliance and enforcement and Bury has been allocated £103,897. This report sets out the proposals on how the funding is to be utilised.

## **2. Detail**

- 2.1 Guidance published on the 8 October 2020 sets out the types of eligible compliance and enforcement activity which local authorities can choose to use the funding for, with flexibility over how the funding is used, provided it is for the purposes of compliance and enforcement. The guidance encourages consideration of COVID-19 secure Marshals, or equivalents, to support compliance.

### **Role of Covid Marshals**

- 2.2 The role of COVID-19 secure marshals or equivalents is not to enforce COVID-19 regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers. COVID-19 secure marshals or equivalents should instead engage, explain and encourage best practice and government guidance.
- 2.4 COVID-19 secure marshals or equivalents should engage, explain and encourage best practice and national COVID-19 secure guidance by:
  - Promoting social distancing and encouraging public compliance with COVID-19 public health measures
  - Educating and explaining COVID-19 Secure guidelines in the public realm and for business premises
  - Identifying and supporting businesses and premises not following guidelines, escalating as appropriate

### **Other Eligible Activities for use of the Funding**

- 2.5 The guidance details eligible activities including supporting additional staffing costs, training and overtime costs and admin costs as to provide staff in public areas business support or support individuals. Additional use of the funding can include awareness raising provision of information educational campaigns and targeted sector information as well as additional staffing costs. In addition, associated with enforcement of COVID-19 regulations or guidance including training and overtime for enforcement activity including issuing of FPN PN and criminal proceedings can be included.

- 2.6 The guidance states that 'COVID-19 secure marshals may be appointed in a variety of ways, for example they may be existing council staff, recruited staff (fixed term) or agency staff. It is anticipated that they will be paid staff. Any planned use of volunteers should consider whether the roles and responsibilities are appropriate for volunteers, and they should do so in collaboration with the local voluntary and community sector (VCS). The government guidance of what should be considered in and out of scope is detailed in Appendix 1.

### **Implementation Considerations**

- 2.7 The guidance also states that 'Local Authorities should seek to engage with local businesses to understand how marshals or equivalents could best support them. Businesses and venues will need to follow relevant legislation and guidance on managing the risks from COVID-19, and some may employ staff to ensure guidelines are followed on premises. Marshals should work with businesses, in the first instance, to agree an approach to engaging with the public on their premises'. For Bury, this will mean engaging with Millgate and The Rock in Bury as well as the Market and the town centre recovery boards.
- 2.8 We will be looking to fill the posts outlined in the table in 3.1 using existing security staff if possible, who have a good knowledge of the borough. Their roles would then be backfilled on a temporary basis.

### **Reporting and Metrics**

- 2.9 The local authority Section 151 Officer will be required to certify that any expenditure using this grant was used for the purposes of compliance and enforcement activity. The government has also stated that a light touch qualitative, and where possible quantitative, report to provide detail of the activity funded using this grant and impact on compliance on COVID-19 secure regulations/guidance in Bury will be requested from all local authorities in receipt of funding. This will be issued at the 3-month interval following allocation of funding.

## **3 Proposals**

- 3.1 The proposed approach for utilising the funding is set out in the table:

<b>Description</b>	<b>Period</b>	<b>Anticipated Cost (£)</b>
2 Officer Team Daytime	November – March	31,280
2 officer Team Evenings	November – March	24,480
2 Officer Team Day Time	December	6,800
2 Officer Team Evenings	December	4,840
Honoraria and Overtime	November - March	9,000
Part Time Admin Support Officer		5,000
Body Cameras		10,000
PPE Mobile Phones		2,400
Vehicle Hire and Fuel Costs		2,900
Facemasks for distribution to public		1,600
Promotion and Information Costs		5,000
<b>TOTAL COST</b>		<b>103,300</b>

#### **4. Financial Implications**

- 4.1 The cost of the proposals can be met from the government grant funding being made available.

#### **5. Legal Implications**

- 5.1 The Council is a Category 1 responder under the Civil Contingencies Act and as such is at the core of the response to meet the COVID-19 emergency. It is subject to a full set of civil protection duties including putting in place emergency plans, business continuity and public information arrangements, all in cooperation with other local responders, as well as duties and powers in relation to public service provision and enforcement. The provision of funding for marshals and the Council's proposals for use of that funding, is part of its response.

#### **6. Associated Risks**

- 6.1 The introduction of COVID-19 secure marshals will help address non-compliance with COVID-19 regulations and therefore assist in reducing the spread of COVID-19 and the associated risk this represents.

#### **7. Conclusion**

- 7.1 The government has made funding available and the proposals are compliant with the grant criteria.

### **Suggested scope**

COVID-19 secure marshals may be appointed in a variety of ways, for example they may be existing council staff, recruited staff (fixed term) or agency staff. It is anticipated that they will be paid staff. If local authorities plan to use volunteers, they should consider whether the roles and responsibilities are appropriate for volunteers, and they should do so in collaboration with the local voluntary and community sector (VCS).

A COVID-19 secure marshal or equivalent may be eligible for a DBS check depending on the type of responsibilities and duties they will be expected to carry out. Local authorities should check [eligibility for a DBS check](#), or by contacting the Disclosure and Barring Service directly.

The role of COVID-19 Secure Marshals or equivalents is not to enforce COVID-19 regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers.

### **Type 1 COVID-19 secure marshals or equivalents**

Type 1 COVID-19 secure marshals or equivalents may be considered suitable for the following types of activity:

- signposting members of the public and businesses to government guidance
- cleaning touch points
- directing pedestrians and managing pedestrian one-way systems
- guiding pedestrians through exit and entry points
- checking and promoting visibility of COVID-19 Secure messaging
- handing out face coverings and hand sanitiser

It is anticipated that staff deployed to undertake these activities will be more suited to support the day-time economy on high streets, urban centres and other high footfall areas such as tourist hotspots.

### **Type 2 COVID-19 secure marshals or equivalents**

In addition to the activity considered suitable for type 1 staff, responsibilities for type 2 staff may also include:

- working with local businesses on queue management in the public realm, for example, advising on one-way systems and social distancing in queues
- facilitating to help prevent mixing between groups in night-time economy areas
- encouraging social distancing in busy night-life areas
- reminding members of the public to wear a face covering where required in relation to business premises
- supporting councils' compliance and enforcement function through visiting businesses to check compliance with COVID-19 secure measures through observation, escalating to local authority compliance and enforcement officers as appropriate

Local authorities who have deployed COVID-19 secure marshals or equivalents for these types of role have used, amongst others, private security operatives given their experience and training, such as individuals licensed by the SIA (Security Industry Authority).

When designing their schemes, local authorities may wish to consider whether individuals previously engaged in SIA-licensed roles may be suitable/ available for COVID-19 secure marshal (or equivalent) roles. However, an active SIA licence should not be considered a condition of undertaking COVID-19 secure marshal roles and responsibilities, as outlined above. In framing roles and responsibilities, local authorities should consider the Private Security Industry Act 2001.

It is also important to note that the role of COVID-19 secure marshals or equivalents is not to enforce COVID-19 Secure regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers.

## **Training**

To ensure COVID-19 secure marshals or equivalents are able to carry out their roles and responsibilities safely and successfully, they should undergo a training programme provided by the local authority. Whilst COVID-19 secure marshals are likely to carry out differing duties across local authorities and authorities are encouraged to scope roles in collaboration with local stakeholders, all local authorities should consider providing COVID-19 secure marshals with training on:

- regulations in force to stop the spread of coronavirus – this may include local restrictions for some areas
- COVID-19 secure guidance: Safer public places
- COVID-19 secure guidance: Working safely during coronavirus
  - restaurants, pubs, bars and takeaway services
  - shops and branches
  - the visitor economy
  - close contact services
  - wedding receptions and celebrations
- cleaning in non-healthcare settings outside the home
- travelling safely
- de-escalation techniques

COVID-19 secure marshals or equivalents should be aware of both COVID-19 secure regulations, but also COVID-19 secure guidelines.

Local authorities may choose to provide COVID-19 secure marshals or equivalents with additional training, such as first aid and fire safety, and also consider the need to update training as COVID-19 secure regulations and guidance evolve.

Both type 1 and type 2 COVID-19 secure marshals or equivalents should understand protocols for escalating situations including which matters are to be escalated to the police and local authority compliance and enforcement officers.

Local authorities should ensure COVID-19 secure marshals or equivalents are covered by any insurance, as appropriate.

## **Administrative support**

To support COVID-19 secure marshal or equivalent schemes, there may be some administrative overheads. Examples of overheads from existing COVID-19 secure marshal or equivalent schemes include:

- training – as set out above
- communications and engagement – to the public and local community (including local businesses and emergency services such as the police) on the role of COVID-19 secure marshals
- materials - such as personal protective equipment (PPE), hi-vis jackets and radio systems

## **Activity out of scope**

The role of COVID-19 secure marshals or equivalents such as wardens, stewards and ambassadors is not to enforce COVID-19 regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers. COVID-19 secure marshals or equivalents should engage, explain and encourage best practice and national COVID-19 secure guidance.

COVID-19 secure marshals or equivalents should not:

- enforce social distancing regulations
- issue fixed penalty notices to those breaking COVID-19 regulations
- engage physically with members of the public or attempt to restrain anybody
- take decisions about allowing entry to a venue/ premises/ site