

**KENT AND MEDWAY  
JOINT HEALTH AND WELLBEING BOARD**

**17 SEPTEMBER 2020**

**COVID-19 LOCAL OUTBREAK CONTROL PLAN BRIEFING**

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## Summary

This report provides an update on the Local Outbreak Control Plan (LOCP) including the updated Health Protection Board Terms of Reference, the new legislative powers granted to the Directors of Public Health as described within the Contain Framework and the outcomes of and plans for stress testing the LOCP. This report also details the proposed public engagement strategy for the Joint Board fulfilling the role of the Local Outbreak Engagement Board (LOEB).

### 1. Budget and Policy Framework

- 1.1. As part of the Department of Health and Social Care's COVID-19 response and recovery strategy, Upper Tier and Unitary Local Authorities in England were mandated to develop a COVID-19 Local Outbreak Control Plan to reduce the virus' spread.
- 1.2. With provision of £300M in national government funding to support the Plan's delivery, the COVID-19 Local Outbreak Control Plan will follow national outbreak management standards and put in place local measures to prevent, identify, and contain COVID-19 outbreaks. This plan was published online on 30 June 2020.

### 2. Background

- 2.1. Health Protection Board - Terms of Reference
  - 2.1.1. This has been updated to reflect the most recent members list and includes representation from Kent and Medway CCG, the Kent Resilience Forum (KRF) and Ministry of Defence.

2.1.2. This version (2.0) of the Terms of Reference was approved by the COVID-19 Health Protection Board (HPB) at a meeting on the 25 August 2020 and can be found in Appendix 1.

## 2.2. Stress Testing Local COVID-19 Outbreak Control Plan

2.2.1. Local authorities across England were requested by the Ministry of Housing, Communities & Local Government (MHCLG) to test their Local COVID-19 Outbreak Control Plan (LOCP).

2.2.2. An LOCP stress test development group was formed with representation from multiple agency partners and members of the HPB to produce the exercise scenarios for Kent County Council (KCC) and Medway Council (MC) to be tested. These included:

### **Scenario 1**

Outbreaks had occurred in a school and hotel in Medway and on a farm, with onsite residence, in Maidstone, Kent. Members of one household were linked to each of those settings after one family member who worked on the farm tested positive with COVID-19 initially. A series of events occurred that resulted in the 3 settings being required to close. The aim was to clarify the details of the process leading up to the closure, to understand what the next steps were to facilitate this, who and what resources needed to be mobilised, what the resulting actions were. This scenario was discussed at an HPB meeting.

### **Scenario 2a**

Between August and November 2020, a gradual increase in community spread of COVID-19 is seen in both Medway and Kent. An Incident Control Team (ICT) is convened. The ICT puts in place a range of infection control measures over time to try and stem the spread of the virus. By November however, the situation has escalated to the extent that it is decided a full local lock down is required in both Medway and Kent. The aim was to understand what the next steps are at each stage of a rising tide scenario that leads to a local lockdown. Also, to determine who and what resources need to be mobilised, what the resulting actions are and who will be responsible for taking these actions forward. This scenario was discussed at an HPB meeting.

### **Scenario 2b**

Based on the outcomes of the Scenario 2a test, the Directors of Public Health (DPHs) of KCC and MC escalate to the Strategic Command Group (SCG) to ask for their support in implementing this a full local lock down (as defined by the ICT) and communicating to the public. The aim was to review the escalation process of the HPB to the SCG and understand the strategic issues for the SCG in moving forward with the recommendations made by the HPB in the event of a local lockdown. To ensure these are in line with the LOCP. This scenario was discussed at a SCG meeting.

2.2.3. The outcomes and learning from these tests have been incorporated into the LOCP and have also been summarised into a report. This report includes and details of the full scenarios and their outcomes. It was approved by HPB

on the 11 August 2020, the Health and Social Care Cell on the 13 August 2020. This report was then submitted to the MHCLG and SCG. The most recent report can be found in Appendix 2.

- 2.2.4. Further scenario planning and stress testing of the LOCP is expected to take place in the coming weeks. This includes:

**Cross-border Local Resilience Forum Stress Test**

This is being coordinated for the Local Outbreak Plan exercise working group (LOPex WG) which includes representatives from the Kent Resilience Forum. This will be held virtually on the 10 September 2020. Members of the HPB have been invited to participate in this exercise. Outcomes and learnings resulting from this will be included in a subsequent version of this report as well as LOCP.

**Cross-border Greenwich University Stress Test**

In preparation for the upcoming academic year, further stress testing of the LOCP was undertaken based on a university scenario. Following conversations with the University of Greenwich and given their campuses and residential halls are located in both Medway and the Royal Borough of Greenwich local authorities, it was decided that a joint exercise should be conducted. This took place virtually on the 3 September 2020. Members of the HPB were invited to attend this exercise to allow for shared learning as well as their respective counterparts from Royal Borough of Greenwich local authorities and Greenwich University.

**Kent & Medway Universities Stress Test**

In addition to the Cross-border Greenwich University Stress Test detailed above, in preparation for the upcoming academic year, further stress testing of the LOCP will be undertaken based on a university scenario. This test will be specific to universities in Kent and Medway and representatives from those universities will be invited to participate. This event will take place at an HPB meeting. Any outcomes requiring a tactical response will then be escalated to the SCG via the emergency planning route outlined in the LOCP.

**Food Processing Industry Stress Test**

This test is aimed at illustrating and clarifying the role of environmental health officers in the outbreak response and is expected involve representatives from industry as well.

- 2.3. Contain Framework

- 2.3.1. The Contain Framework published on the 17 July 2020 by central government sets out the plan for how local and national partners will work with the public at a local level to prevent, contain and manage outbreaks.
- 2.3.2. Additional powers newly granted to the DPHs under the Coronavirus Act 2020, the Health Protection (Coronavirus Restriction) (England) Regulations 2020 as amended allow them to take additional measures to contain the spread of COVID-19 (see section 6.8).

- 2.3.3. DPHs will need to continually assess local and regional testing, contact tracing and infection control capability. This may either be supplemented through local mutual aid or additional national government support. If an area in Kent or Medway goes on to be identified as an Area of Enhanced Support on the Contain Framework Local Authority Watchlist. This will allow for testing and contact tracing to be scaled up in complex settings and within the community if necessary.
- 2.3.4. If all previous measures taken are unable to stop the spread of the virus within the community or the scale/type of outbreak calls for the use of wider or more intrusive powers, then decision-making will be escalated to the national level. Local areas could be identified as being of concern and requiring enhanced support or intervention. Should any area fall into these 3 criteria they would be formally placed on the Contain Framework Local Authority Watchlist. In this instance more severe lockdown restrictions may be put in place. Depending on the nature of the outbreak, this may include the closure of all non-essential services and businesses across local areas. Travel in and out of the area may be restricted. Bespoke measures would be implemented to support people who are shielding and encourage people to stay home. Examples of local restrictions can be seen in a number of local authority areas in the Midlands and North of England.
- 2.3.5. Additional multi-agency national incident resources may also be deployed to bolster local resources to respond to the incident.

## 2.4. LOEB Public Engagement Strategy

- 2.4.1. In accordance with the recommendations made by Joint Board on 28 July 2020, on 1 September 2020, Medway's Health and Wellbeing agreed that the Joint Board fulfils the role of the LOEB (i.e. to provide political ownership and public-facing engagement and communication for outbreak response). In due course Kent County Council's Health and Wellbeing Board will consider the matter.
- 2.4.2. Part of the responsibilities of the COVID-19 Local Outbreak Engagement Board, and thus the Joint Board, is to facilitate engagement with the public in both Kent and Medway regarding topics related to the LOCP.
- 2.4.3. There are currently well-established structures in place to communicate to the public, including the *Protect Kent & Medway* campaign. However, it is essential that engagement is a two-way process.
- 2.4.4. It is therefore proposed that a system is set up by which persons within their respective local authority can submit questions regarding the LOCP to the JWHB.
- 2.4.5. It is proposed that residents will be able to submit their questions via a feedback form. This form will be set up to link through to a suitable Public Health email address. The form will include details of the criteria that the public will be able to ask questions on (see section 2.4.9) as well details of the feedback requirements and process as detailed below. No identifiable information will be collected, however respondents will be asked to provide

their local authority of residence so that all questions can be passed on to the appropriate council's public health representative (see section 2.4.7). The link to the form will be displayed on the councils' websites and advertised via multiple channels including various social media platforms.

- 2.4.6. Questions may only be submitted no earlier than 4 weeks but no later than 2 weeks prior to each meeting to allow for sufficient response time.
- 2.4.7. Once questions have been submitted, they will be collated and passed on to the appropriate local authority public health representative (either KCC or MC) to draft suitable responses. If a question is cross-cutting, then the KCC and MC representatives will work together on a joint response.
- 2.4.8. If clarification of a question is required or if it needs to be re-worded to secure reasonable brevity, the respective public health representative(s) will revert to the original questioner and ensure the question is suitably worded.
- 2.4.9. Only questions directly relating to planning for outbreaks in Kent and Medway and within the context of the LOCP will be considered. Questions will not be considered if they (i) do not relate directly to the LOCP (ii) are frivolous, defamatory, offensive, racist, sexist, homophobic or otherwise improper (iii) are substantially the same as a question which has previously been put before the Joint Board (iv) require the disclosure of confidential or exempt information, (v) relate to the personal circumstances of any individual or any matter that should be dealt with via a formal complaints process (vi) may be deemed more appropriately handled via a different process (e.g. Freedom Of Information request, formal complaints process, general enquiry).
- 2.4.10. Final decisions as to which questions meet the criteria and are appropriate for consideration by the Joint Board will be decided by the respective DPHs for KCC and MC. Any question that is deemed not suitable for consideration by the Joint Board will be included alongside with reasons given as to why it has been excluded.
- 2.4.11. The final set of questions and their answers will then be presented to the Joint Board for discussion and final approval.
- 2.4.12. All questions and their answers will be published alongside the minutes of the meeting on the Joint Board's committee page of both KCC and MC's websites. These will also be published on the COVID-19 section of each Council's website but will only contain the questions and answers specific to their respective council as well as any that were jointly answered.

### 3. Risk Management

- 3.1. By running stress test exercises on a variety of scenarios related to the LOCP, as outlined in Section 2.2, we aim to minimise the risks associated with similar events occurring by (i) identifying any gaps within the LOCP (ii) creating awareness of the communication channels that exist between the agencies (iii) creating awareness of the roles of different agencies (iv) clarifying the escalation triggers and process (v) identifying areas where

additional support may be required (vi) identifying any potential challenges and their solutions (vii) identifying actions that need to be taken and when.

#### 4. Consultation

- 4.1. Stress Testing the LOCP as described in section 2.2, has and continues to be undertaken in consultation with partner agencies across Kent and Medway as well as stakeholders from other local authority areas where relevant.

#### 5. Financial Implications

- 5.1. Financial resources have been allocated to Medway Council and Kent County Council through the Local Authority test and trace service support grant, allocations for which have used the 2020/21 Public Health Grant allocations as a basis for distributing the funding. Medway Council received £1,592,918 and Kent County Council received £6,311,401. This non-recurrent funding covers an 18-month period and will be earmarked for health protection and recovery activities outlined in the COVID-19 Local Outbreak Control Plan.

#### 6. Legal Implications

- 6.1. Kent County Council (KCC) and Medway Council, under the leadership of the Directors of Public Health, have a statutory duty to protect the population's health by responding to and managing communicable disease outbreaks which requires urgent investigation and presents a public health risk.
- 6.2. The legal context for the councils' response to COVID-19 sits within the following Acts:
- The Coronavirus Act 2020
  - Health and Social Care Act 2012
  - Public Health (Control of Disease) Act 1984
- 6.3. The Kent and Medway Joint Health and Wellbeing Board has been established as an advisory joint sub-committee of the Kent Health and Wellbeing Board and the Medway Health and Wellbeing Board under Section 198(c) of the Health and Social Care Act 2012 for a time limited period of four years from 1 April 2020.
- 6.4. The Joint Board seeks to encourage persons who arrange for the provision of any health or social care services in the area to work in an integrated manner and ensure collective leadership to improve health and well-being outcomes across both local authority areas.
- 6.5. The Joint Board is advisory and may make recommendations to the respective Kent and Medway Health and Wellbeing Boards.
- 6.6. Subject to the agreement of KCC's Health and Wellbeing Board, the Kent and Medway Joint Health and Wellbeing Board will take on the function of

the Local Outbreak Engagement Board (LOEB) for KCC and Medway Council. The role of the LOEB is advisory.

- 6.7. As part of the Department of Health and Social Care's COVID-19 response and recovery strategy, Upper Tier and Unitary Local Authorities in England were mandated to develop a COVID-19 Local Outbreak Control Plan to reduce the viruses' spread.
- 6.8. The Coronavirus Act 2020, Health Protection (Coronavirus Restriction) (England) Regulations 2020 now gives DPHs the authority to close individual premises and public outdoor places as well as restrict events with immediate effect if they conclude it is necessary and proportionate to do so without making representations to a magistrate. DPHs are required to notify the Secretary of State as soon as reasonably practicable after the direction is given and review to ensure that the basis for the direction continues to be met, at least once every 7 days.

## 7. Recommendation

- 7.1. The Kent and Medway Joint Health and Wellbeing Board is asked to agree the LOEB public engagement strategy as outlined in section 2.4 of the report, subject to the agreement of KCC's Health and Wellbeing Board that the Joint Board fulfill the role of the LOEB.

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## Appendices

Appendix 1 – Health Protection Committee Terms of Reference

Appendix 2 – Local Outbreak Control Plan Stress Test Report

## Background Papers

None