

Housing, Communities and Local Government Committee

House of Commons, London SW1A 0AA

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The Rt Hon Robert Jenrick MP
Secretary of State
Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
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20 March 2020

Dear Robert,

Coronavirus: local authority responsibilities and challenges

The coronavirus pandemic is the most serious public health emergency this country has faced in generations and it is right that the Government does whatever is necessary to keep people safe. I know that the Ministry for Housing, Communities and Local Government will have a central role in managing this situation and I want to extend our best wishes to you and your officials as you make difficult but necessary decisions. I am grateful for your letter to colleagues of 20 March and welcome your commitment to transparency, including the regular updates on local response for Members from Local Resilience Forums. It would be helpful if the Committee could receive a regular update on the national picture to support our understanding.

In this period of change and uncertainty, select committees will have an especially important role in scrutinising the work of Government and holding it to account. While it will be more difficult to hold public evidence sessions at Westminster, we will continue to fulfil our responsibilities through regular correspondence.

I am writing, therefore, to outline the areas of concern that the Housing, Communities and Local Government Committee has decided to focus on in the coming weeks. I hope you will answer our questions with a view to your responses being published to ensure as much transparency as possible.

The Government has now published the Coronavirus Bill. It is right that Parliament now scrutinises that legislation. The Committee will consider the areas relevant to its remit, including considering how the Government uses the wide-ranging powers in the coming months. We specifically ask at this stage for responses on the following points:

- For local authorities, it removes the duty to assess needs for care and support of adults or carers, children, their carers or children who are carers (paras 2(1) and 2). Given that local authorities will retain the duty to meet a need for care or support if “necessary” to avoid a breach of adult or carer’s right under the ECHR (paras 4 and 6), how will these potential breaches be picked up if authorities are under no duty to assess needs? Authorities may simply choose not to conduct them.
- The new emergency volunteers policy, while welcomed, will require local authorities to identify volunteer social care opportunities and then match these volunteer opportunities to appropriate volunteers coming forward. This will add additional

burdens to local authorities in the midst of their response to the pandemic. We suggest it is imperative that additional funding to support this new burden is provided. Can you inform us of the process to allow this to happen?

The Committee is also interested in the following areas:

Social care

We appreciate that the Coronavirus Bill makes provisions to ease the burden on frontline adult social care staff, for example by making proposals to increase the available social care workforce and reducing administrative tasks, but we are concerned about a number of other issues.

There are wider financial risks to the sector, especially as the Government seeks to reform the funding of the adult social care system to ensure its long-term viability. This pandemic will only exacerbate those financial pressures. The Local Government Association estimates a funding gap for 2020/21 of £810 million, and the UK Home Care Association has warned that social care companies will not only need urgent extra financial support by central Government but also alterations to the way they are paid by local authorities. Councils and the NHS only pay for care delivered, so careworkers who are unable to work due to illness or isolation may not be paid.

Furthermore, with a funding gap already in place, demand will likely increase. Home care companies will see demand go up as more people need care, and the announcement by NHS England that hospitals should free up around 15,000 beds may simply transfer the burden onto the social care sector. We are also concerned that without good access to personal protective equipment, careworkers will be exposed to the virus in homes.

With schools closed, there are also important questions around the arrangements for children in care, including those in children's homes, in foster care and older teenage children in semi-independent accommodation. We therefore ask for information on the following:

- Will the Government provide the same guarantee to the social care sector that it provided to the NHS, promising it will get whatever extra resources it needs to cope with coronavirus, including a guarantee that no care provider will be allowed to go insolvent;
- The allocation of the additional £5 billion in the budget between adult and children social care;
- What consideration has been given on providing PPE to frontline careworkers;
- What consideration has been given on the impact of 15,000 individuals transferring to care in the community on the demand for social care;
- What consideration has been given on the way social care providers are paid by local authorities, and whether this may need to change in the pandemic;
- Which Local Authority workers are considered 'keyworkers'.

Renters

There are over 4.5 million households in the private rented sector, of which an estimated 1.7 million have dependent children. With eviction from a private rented property the leading cause of homelessness, we welcome the Government's announcement that landlords will not be able to start proceedings to evict tenants for at least a three-month period during this crisis. However, there have been calls for the Government to go further, so we ask for information on the following:

- How does the Government intend to help those struggling to pay their rent due to coronavirus;

- How will renters be protected from retaliatory rent increases during this period;
- The Government has said that, at the end of the period, *“landlords and tenants will be expected to work together to establish an affordable repayment plan, taking into account tenants’ individual circumstances”*. How will the Government protect tenants from retaliatory eviction at the end of this period;
- What safeguards will remain for those landlords with a legitimate reason for seeking the repossession of their property (e.g. anti-social behaviour);
- Does the Government intend to reimburse Local Authorities and Housing Associations where rent arrears become uncollectable as a result of government policy changes;
- What is the legislative vehicle for achieving further protections for renters;
- When will the Government introduce legislation to repeal Section 21, to give tenants a permanent right to open-ended tenancies.

Rough sleeping

Government statistics suggested that there were 4,266 people sleeping rough on a single night in Autumn 2019, although the total number of people sleeping rough across the year is estimated to be substantially higher. The Government has recognised the particular vulnerability of rough sleepers to the coronavirus pandemic and it is welcome that the Government has announced £3.2 million of emergency funding to help rough sleepers to self-isolate during this period. However, we are concerned that this funding will prove to be insufficient, particularly in the context of an ongoing shortage of temporary accommodation. We ask, therefore, for further information on:

- How does the Government anticipate the £3.2 million will be allocated between local authorities and how will it be spent;
- What consideration has been given to providing funding to allow councils to block-book hotel rooms to provide accommodation for rough sleepers who need to self-isolate.

Refuse collection

The collection of household waste is one of the most important and visible services provided by local authorities. In a crisis likely to last several months, it is vital that existing service levels are maintained as far as reasonably possible. However, even in these early stages, it is clear that many local authorities are already struggling to maintain service levels, with Derby City Council, for example, recently announcing the suspension of garden and food waste collections. With these pressures only likely to grow, please could you provide further information on:

- Government advice to local authorities on minimum service levels for waste collection during this period;
- What financial support the Government will provide to local authorities to ensure waste collection services are maintained;
- Those working in the waste disposal sector are included in the list of keyworkers but it is not clear whether those working in waste collection are also included.

Departmental priorities

Tackling coronavirus will clearly involve a reorientation of the Ministry’s priorities and potentially impact the working of the Ministry. We therefore ask for further information on:

- What plans do the Ministry have to reallocate staff to directly focus on specific issues arising from the coronavirus pandemic;
- How will the Ministry ensure other urgent work continues to receive the resources and focus they require.

The Committee would be grateful for regular, at least monthly, progress updates on each of these policy areas until further notice.

A handwritten signature in black ink, appearing to read 'Clive Betts', written in a cursive style.

Clive Betts MP
Chair, Communities and Local Government Committee