

BRIEFING NOTE: COVID Enforcement Fund

1. Purpose of the Report

Nottingham City Council has been allocated £0.236m for the COVID enforcement fund

This fund is aimed at:

- Increased patrols in town centres and ensure that people are complying with the new restrictions
- Increase compliance work and enforcement checks on businesses.
- Ensuring compliance with COVID-19 guidance in their local communities - Enforcement officers such as Environmental Health Officers are responsible for explaining and encouraging businesses and communities to follow the latest guidelines, carrying out inspections, issuing fines and closing premises in the case of non-compliance.

This report is to suggest possible use of the “Covid Marshalls” Grant by Nottingham City Council, including headline budgets.

2. Summary

An overview of the grant criteria is attached in Appendix A. It should be noted that the grant is for a 4 month period only and is wider than the concept of “marshalling” and includes marketing, communications and environmental health activity.

It should also be noted that Nottinghamshire Police have been awarded an additional £500,000 for increasing enforcement of the Covid regulations relating to social distancing and the rule of 6.

Officers are suggesting that the grant be used broadly as follows:

- Additional presence on the tram, public transport and taxi queues
- Additional enforcement and engagement in student areas
- **Additional marketing and communications on public transport, student areas and high footfall areas**
- Deferring current additional activity from marketing, CPOs and EHO
- Additional street signage

A draft budget for this activity is offered (Table 1 below).

TABLE 1	
	£m – 4 Months
Additional SCPO (Operational Liaison Universities) - £10k per annum	3,432
Increase in out of hours call outs, due to COVID (£28 per day x 2 officers)	
An increase in our own existing provision through the use of CPO's CEO's security staff and contracted agency security staff	
EHO hourly support	
Communications and Engagement	
PPE Materials, uniforms, additional radio usage	
TOTAL	

It should be noted that given the short timelines it will not be possible to employ additional highly skilled staff or to begin intensive training programmes in a space that is contested and has some health and safety implications. Covid Marshalls themselves are not suggested to have any regulatory or enforcement powers and if they find none compliance that they should use the 101 non-emergency number to contact the police.

The officer proposals here envisage an increase in our own existing provision through the use of CPO's CEO's security staff and contracted agency security staff. There is not a great appetite for over-time working from front line staff at the moment. Payments at plain time have not proved attractive although there may be some scope for limited overtime and an increase use of on-call activity to respond to spikes in activity or emerging out of hours need

The grant does give the opportunity to extend communication and information to the public, whilst we can defray existing increased activity again this grant it may be possible to extend and intensive messaging in Student areas, public transport and high footfall areas of the city to explain and reinforce the current restrictions.

Business regulation using EHOs and CPOs may also be expanded, given that most of the tickets issued have been to neighbourhood food outlets further engagement with these premises and marketing materials may prove useful. The grant criteria suggests that it may be possible to take on additional EHOs for regulatory activity but given that there is a national shortage of these officers and that CPOs have been assisting EHO's for some time in business regulation, then it may well be judged that we have sufficient provision here.

3. Further Summary Information

Eligible activities could include, but are not limited to:

- **Practical support to aid and encourage compliance, such as dedicated staff in public areas, business support, or support for individuals:**
 - COVID-19 secure marshals, or equivalents such as wardens, stewards or ambassadors (further guidance is set out below).
 - Any staff costs, training or overtime costs associated with this activity, including any staff from the forthcoming Environmental Health Officer register.
 - Associated administrative costs.
- **Measures to aid public and business awareness and understanding of regulations and guidance:**
 - Dissemination of the COVID-19 guidance, including where additional local restrictions are in place.
 - Promotional activity, e.g. sharing of good practice, signage, advertising.
 - Educational campaigns.
 - Engagement or tailored communications to sectors or groups.
- **Any activity associated with enforcement of COVID-19 regulations or guidance:**
 - Any staff costs, training or overtime costs associated with the work of local authority compliance and enforcement functions.
 - Any ancillary or additional costs associated with issuing prohibition notices, fixed penalty notices or taking forward criminal proceedings.

Full training for any 'Covid Marshalls' MUST be provided:

- Regulations in force to stop the spread of coronavirus
- 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

Appendix A – Conditions of Fund

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<https://www.gov.uk/government/publications/covid-19-local-authority-compliance-and-enforcement-grant/guidance-to-support-local-authority-compliance-and-enforcement-activity-including-covid-19-secure-marshals-or-equivalents>

1. Introduction

On 22 September the Prime Minister announced that £60 million will be made available across the police and local authorities for compliance and enforcement activities.

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.

Local authorities will be provided with an allocation of this funding. This funding is ringfenced for compliance and enforcement.

Funding has been allocated through the COVID-19 Relative Needs Formula, in line with the third tranche of COVID-19 Emergency Funding for Local Government. The details of this formula are outlined in this [technical note](#).

This guidance sets out the types of eligible compliance and enforcement activity which local authorities can choose to use the funding for. This list is illustrative, recognising the wide range of compliance activity local authorities already undertake. There is flexibility over how the funding is used, provided it is for the purposes of compliance and enforcement of measures to control the spread of COVID-19.

Where appropriate, we would encourage local authorities to consider using this funding for the deployment of COVID-19 secure marshals, or their equivalents, to support compliance. The guidance therefore focuses on supporting local authorities who are deploying marshals, wardens, stewards, ambassadors or similar roles to support compliance social distancing in public places.

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 national COVID-19 secure guidance.

2. Eligible compliance and enforcement activities

The funding made available is ringfenced for any activity which will support compliance and enforcement of measures to control the spread of COVID-19 across individuals, businesses and in the community.

Eligible activities could include, but are not limited to:

- **Practical support to aid and encourage compliance, such as dedicated staff in public areas, business support, or support for individuals:**

- COVID-19 secure marshals, or equivalents such as wardens, stewards or ambassadors (further guidance is set out below).
- Any staff costs, training or overtime costs associated with this activity, including any staff from the forthcoming Environmental Health Officer register.
- Associated administrative costs.
- **Measures to aid public and business awareness and understanding of regulations and guidance:**
 - Dissemination of the COVID-19 guidance, including where additional local restrictions are in place.
 - Promotional activity, e.g. sharing of good practice, signage, advertising.
 - Educational campaigns.
 - Engagement or tailored communications to sectors or groups.
- **Any activity associated with enforcement of COVID-19 regulations or guidance:**
 - Any staff costs, training or overtime costs associated with the work of local authority compliance and enforcement functions.
 - Any ancillary or additional costs associated with issuing prohibition notices, fixed penalty notices or taking forward criminal proceedings.

This list is not exhaustive, recognising that local authorities are best placed to determine the compliance and enforcement activity most appropriate for their areas and which would have the biggest impact on limiting the spread of COVID-19 locally.

Local authorities will be required to certify that any expenditure using this grant was used for the purposes of compliance and enforcement activity (See [Reporting and metrics](#)).

3. COVID-19 secure marshals or equivalents

This section sets out further information on the role of COVID-19 secure marshals (or equivalent terms such as wardens, stewards and ambassador), to help support any local authorities considering deployment. Marshal, or equivalent, schemes have been designed in different ways and for varied purposes by local authorities to ensure they meet the needs of the local community.

This section draws on the experience from these local authorities and aims to share examples to aid quick and simple set up.

Local authorities can use their own terminology in describing a COVID-19 secure marshal scheme, such as wardens, stewards and ambassadors. This guidance will refer to these roles as marshals.

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 their equivalents are to:

- promote social distancing and encourage public compliance with COVID-19 public health measures
- educate and explain COVID-19 Secure guidelines in the public realm and for business premises
- identify and support businesses and premises not following guidelines, escalating as appropriate

These objectives will support businesses and the public, increasing understanding of COVID-19 public health measures, such as social distancing, wearing face coverings in appropriate settings and hand washing. This will increase public confidence in visiting high streets and using urban centres.

It is recommended COVID-19 secure marshals or equivalents are deployed over the next few months [recognising the 4 months for which funding has been provided]. This will address any increased transmission as a result of likely social activity and alleviate any additional winter pressures.

Suggested scope

In line with the objectives set out earlier in this guidance, the activity below outlines the roles that might be undertaken by COVID-19 secure marshals or equivalents such as wardens, stewards and ambassadors.

This has been split into two types to demonstrate potential employment types, skill requirements and activity COVID-19 secure marshals or equivalents may undertake.

COVID-19 secure marshals or equivalents 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

Links to guidance to support with this training are provided at the end of this document. 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

Implementation considerations

Local authorities are expected to lead in designing the local approach to COVID-19 secure marshals or equivalents such as wardens, stewards and ambassadors.

When deploying COVID-19 secure marshals or equivalents, local authorities should consider engaging with:

- the Office of the Police and Crime Commissioner
- emergency services – police, fire and ambulance

- local town and parish councils
- local resilience forums
- local business forums and business improvement districts
- local transport authorities / operators

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.

All COVID-19 secure marshals or equivalents should be visible to the public and to businesses. You may wish to issue verifiable identification cards for COVID-19 secure marshals to display when undertaking this role.

Local authorities should make clear to the public what the role of COVID-19 secure marshals or equivalents are, and how they interact with schemes that already exist, such as Journey Makers.

Risk and equalities assessments

Local authorities are subject to the Equality Act and the Public Sector Equality Duty will apply to all decisions taken on measures relating to encouraging social distancing in the public realm.

Local authorities should undertake appropriate risk assessments before deploying COVID-19 secure marshals or equivalent schemes such as wardens, stewards or ambassadors to ensure staff are safe in performing their duties, recognising they will be engaging with the public and the associated health and safety risks with regards COVID-19 transmission or otherwise.

This should include consideration of responsibilities and the best COVID-19 secure marshal suited to carry out this work (type 1 or type 2). This should also consider pre-existing health conditions of staff and other characteristics that may mean the individual is at greater risk than others.

If bringing in agency or contracted staff, local authorities should consider whether contractors have appropriate risk assessments and operational/supervisory protocols in place.

Case studies

Charnwood Borough Council

Charnwood Borough Council has deployed two types of marshals: a team of 'High Street helpers' that were drawn from other council roles and a team of SIA-accredited stewards contracted via a local security firm. Each team took 2-3 weeks to deploy. The High Street Helpers chiefly served as a friendly and reassuring face in public places, providing advice and guidance to the public.

Charnwood's stewards were deployed on weekend evenings when footfall to hospitality venues were at their busiest. They were tasked with visiting pubs and other hospitality

establishments to check that COVID-19 Secure measures were in place. Each steward team was deployed with a checklist of measures to look out for in each establishment.

Actions included checking whether pubs had door staff to manage entry and exit, checking whether social distancing measures were in place in businesses, ensuring that track and trace customer information collection was taking place, and noting any large gatherings. This role was strictly one of observation and advice, and stewards were not authorized to intervene in issues of enforcement.

In the case of any severe breaches, the stewards informed the police directly or the council's designated officer on duty to collate the findings. Any concerns that were not related to anti-social behaviour were then passed onto the council's environment health function so that an Environmental Health Officer could follow up as appropriate.

At the beginning of their contract a total of 12 operatives were deployed, with this dropping to 4 the following week. Most operatives patrolled on foot in teams of 2. On the first weekend 2 mobile teams were also in operation. These stewards had body cameras and one of the stewards teamed up with a member of the police and travelled from pub to pub in a police car.

The observations of the stewards both mobile and on foot were shared with a council officer on duty at the end of the evening. Anything of a serious nature such as anti-social behaviour was reported in real time to the police.

Blackpool

In Blackpool, the council have deployed a team of stewards to visit hospitality venues on busy weekends to ensure that businesses are abiding by COVID-19 secure measures. The council redeployed events staff, in light of restrictions on large events, as stewards. By using existing event staff, the council was also able to draw on individuals with professional experience in managing groups of people and crowds, ensuring the stewards had the right skills for the role.

Blackpool's steward team are integrated into the council's environmental health function. The stewards patrol from noon until around 11pm. They are briefed by the local authority enforcement team on what to be looking for whilst on patrol and have been provided with a checklist of what businesses are expected to be adhering to.

If the stewards discover businesses not adhering to the items on their checklist, they escalate to Environmental Health Officers to follow up. The council operate a 'yellow card' system where businesses are given 2 warnings before appropriate and proportionate enforcement action was taken.

Northamptonshire Local Resilience Forum

Northamptonshire Local Resilience Forum initially deployed marshals labelled as 'Community Officers' as a response to the reopening of the hospitality and night time economy on 4 July 2020. The marshals are employed via an event management company and uses staff who are used to engaging with the public, and if necessary dealing with conflict resolution. They are deployed in locations across the county with a main focus on town centres in Northampton, Kettering, Corby and Wellingborough.

The responsibilities include gathering information on compliance with COVID-19 regulations and guidance, engaging, explaining and encouraging businesses and individuals to adhere with COVID-19 requirements and, where appropriate, providing written reports of non-compliance to escalate to Environmental Health or police to investigate further.

The marshals receive training via a detailed briefing which is updated regularly to reflect the latest government COVID-19 secure guidance. Marshals are deployed in pairs and wear body cameras to provide evidential images where relevant. In addition, the marshals have contact with relevant district/ borough council CCTV and Environmental Health teams and police colleagues, in some cases via radio, to enable spontaneous deployment and access to support from enforcement officers in the area.

The marshals scheme is integrated into the wider local response to COVID-19, working closely with environmental health organisations, the police and other local partners. Information sharing and working relationships are maintained through weekly partnership tasking meetings. These meetings enable emerging risks and specific areas of concern to be identified across the county, enabling the response to flex to areas where it is most required.

Northampton Borough Council

In addition to the marshals deployed as part of Northamptonshire Local Resilience Forum COVID-19 response, Northampton Borough Council has re-deployed some of its existing neighbourhood wardens into marshal type roles. During the early stages of the pandemic, the wardens worked directly with Environmental Health Officers to carry out ground checks on businesses which were required to be closed under COVID-19 secure regulations.

Subsequently, the neighbourhood wardens have carried out observational patrols, reporting on levels of adherence to COVID-19 secure regulations and guidance by businesses and individuals, collating and reporting information back to Environmental Health Officers as required. Their daily role involves frequent engagement with residents and businesses to support everyone to adhere to COVID-19 secure regulations and guidance.

4. Reporting and metrics

To understand how this funding is supporting local authorities with compliance and enforcement costs as the situation evolves, we ask local authorities to ensure that spend under this grant is recorded under “Other – lockdown compliance and reopening costs” in MHCLG’s Local authority COVID-19 financial management information survey.

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.

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 your area will be requested from all local authorities in receipt of funding. This will be issued at the 3-month interval following allocation of funding. We will write to local authorities with further detail of reporting requirements.

5. Other relevant Information

The government has published guidance to inform the public of how to stay safe during the COVID-19 pandemic. Public health is devolved in Scotland, Wales and Northern Ireland.

This guidance is provided for England and should be considered alongside local public health and safety requirements.

- [Staying alert and staying safe – social distancing guidance](#)
- [COVID-19: reducing transmission – what you can do to help](#)
- [Working safely guidance](#) – this page includes 14 pieces of guidance for different workplaces
- [Safer public places: urban centres and green spaces](#)
- [Safer travel guidance for passengers](#)
- [COVID-19: cleaning in non-healthcare settings outside the home](#)
- [Handwashing](#)

If you have any questions on applying for funding or the process, please contact saferplaces@communities.gov.uk.

Local authorities requiring guidance on the enforcement of COVID-19 regulations against businesses can contact OPSS.enquiries@beis.gov.uk.

For advice for local councils in other parts of the UK please see guidance prepared by the Northern Ireland Executive, the Scottish Government and the Welsh Government.