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Agenda - Public Accounts Committee

Meeting Venue: For further information contact:

Video Conference via Zoom Fay Bowen

Meeting date: 9 November 2020 Committee Clerk

Meeting time: 08.30 0300 200 6565

SeneddPAC@senedd.wales

(Private pre-meeting)

(09.00 - 09.30)

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Paper(s) to note

(09.30)

2a Auditor General for Wales Report: The National Fraud Initiative in Wales 2018-20

PAC(5)-22-20 PTN1 - Auditor General for Wales Report: <u>The National Fraud</u> Initiative in Wales 2018-20

2b A465 Section 2 Road Improvement: Additional information from the Welsh Government

(Pages 1 – 6)

PAC(5)-22-20 PTN2 - Additional information from the Welsh Government

2c Housing Adaptations: Update from the Welsh Government (22 October 2020)

(Pages 7 – 9)



2d Rail Services: Letter from Transport for Wales and KeolisAmey Wales Cymru (22 October 2020)

(Pages 10 – 12)

2e Inquiry into COVID-19 and its impact on matters relating to the Public Accounts Committee's remit: Letter from the Chair of the Legislation, Justice and Constitution Committee (22 October 2020)

(Pages 13 – 15)

Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

(09.45)

Items 4, 5, 6 & 7

4 Inquiry into COVID-19 and its impact on matters relating to the Public Accounts Committee's remit: Evidence session with the Welsh Government on health issues

(09.45 – 11.15) (Pages 16 – 39)

Research Briefing

PAC(5)–22–20 Paper 1 – Letter from the Welsh Government (3 November 2020)

Dr Andrew Goodall - Director General HSS and NHS Chief Executive Alan Brace - Director of Finance, Welsh Government

5 Scrutiny of Accounts 2019–20: Senedd Commission – Consideration of draft report

(11.15 – 12.00) (Pages 40 – 84)

PAC(5)-22-20 Paper 2 - Draft report

PAC(5)-22-20 Paper 3 - Letter from the Chief Executive and Clerk of the Senedd (20 October 2020)

PAC(5)-22-20 Paper 3A - Letter from the Chief Executive and Clerk of the Senedd (4 November 2020)

6 Auditor General for Wales Report: Welsh Community Care Information System (WCCIS)

(12.00 - 12.15)

PAC(5)-22-20 Paper 4 - Auditor General for Wales Report: Welsh Community

Care Information System (WCCIS)

7 Auditor General for Wales Report: Local Government financial management outputs

(12.15 - 12.30)

PAC(5)-22-20 Paper 5 - Auditor General for Wales Report: Financial

Sustainability of Local Government as a Result of the COVID-19 Pandemic

PAC(5)-22-20 Paper 6 - Auditor General for Wales Report: Commercialisation in Local Government

Agenda Item 2b

Public Accounts Committee

A465 Section 2 Road Improvement

Additional information from the Welsh Government

The Committee scrutinised the Welsh Government on the A465 Section 2 Road Improvement on 28 September 2020. The Welsh Government agreed to provide the Committee with the following additional information:

- A table with details of all major road schemes, and associated costs, delivered in the last 12 years.
- Dates of the remaining 6 scheduled road closures between now and the scheduled end of the A465 Stage 2 project.
- Provide a note with details of community projects that will be undertaken as part of the Section 2 project.
- A table showing completed schemes which have used the ECI contract model since 2015, with summary information re. actual against scheduled completion date and cost against budget.

MAJOR TRUNK ROAD PROJECTS

Details of all major road schemes, and associated costs, delivered in the last 12 years 2008-2020

+

Includes completed schemes which have used the ECI contract model since 2015, with summary information: actual against scheduled completion date and cost against budget

Project and current status	Estimated Cost at KSA 3 (£M)	Estimated cost at Construction contract award – KSA6 (£m)	Estimated/final out-turn cost (£m)	Comments
□A465 sec 1 Abergavenny to □ Gilwern □ Completed May 2008		25.2m	56.9	Not ECI Traditional ICE 5 th .
A5 Pont Melin Rhug Completed August 2008			5.1	Not ECI
Cancoed Completed September 2008			16.5	Not ECI
A470 Llanwrst to Hafod May 2009			4.6m	Not ECI
M4 widening Castleton to Coryton Completed Jan 2010	81.5 (Nov 2002)	99.3 (Feb 2007)	95.8 (Mar 2010)	ECI
A40 St Clears to Haverfordwest (a) A40 Penblewin to Slebech Park Completed Mar 2011	27.6 (Ma 2005)	40.5 (Dec 2008)	41.4	ECI Increase in cost from KSA3 as a result of inflation, unexpected 14 month delay caused by the special assembly procedures that were invoked by the County Council's continuing objections and instructed additional work and accepted additional costs resulting from design standard changes.

Project and current status	Estimated Cost at KSA 3 (£M)	Estimated cost at Construction contract award – KSA6 (£m)	Estimated/final out-turn cost (£m)	Comments
A470 Penloyn to Tan Lan, Llanrwst Completed Apr 2011	Not prepared	6.4 (Oct 2008)	5.8	Not ECI
A483 Four Crosses Relief Road Completed Jul 2011	4.1 (at KSA4) (Oct 2006)	6.48 (Jan 2010)	6.67	Not ECI Increase in cost as a result of unforeseen archaeology uncovered during construction.
A487 Porthmadog, Minffordd and Tremadog Completed Oct 2011	26.4 (Mar 1994)	60.1 (Dec 2009) A figure of 53.7 was previously reported but this excluded inflation.	55.5	ECI
A470 Cwmbach to Newbridge Competed Dec 2011	25 (Nov 2005)	50.9 (Feb 2010)	50.7	ECI
A487 Glandyfi OCompleted Jun 2013	Not prepared	14.97	20.14	Not ECI Increase in cost due to unforeseen ground conditions resulting in additional works/delays. Network Rail imposed design changes during construction causing significant disruption to the programme. Delays also associated with Statutory Undertakers.
A4810 Steelworks Access Road Completed Sep 2013	Not prepared	18.75 (Nov 2011)	24.95 (Sep 2013)	Not ECI Increase in cost as a result of inflation, an increase in scope and delays with statutory undertaker diversions.
A470 Maes yr Helmau to Cross Foxes Completed Oct 2013	7.9 (2004)	11.33	12.25	Not ECI Increase in cost as a result of a delayed award of contract (due to statutory procedures) affected construction programme resulting in delays.

	Project and current status	Estimated Cost at KSA 3 (£M)	Estimated cost at Construction contract award – KSA6 (£m)	Estimated/final out-turn cost (£m)	Comments
	A470 Gelligemlyn, Ganllwyd Completed April 2014	7.3 (Nov 2007)	8.61	10.7	Not ECI Increase in cost as a result of unforeseen ground conditions resulting in design changes and additional costs/prolonged programme and presence on nesting Barn Owl on the site delayed programme.
てはられてい	A477 St Clears to Red Roses Completed April 2014	41.6 (Nov 2006)	64.4 (Jan 2012)	72.1 (Jul 2014)	ECI Increase in costs from KSA3 to start of KSA6 as a result of land cost increases, inflation and an increase in scope. Increase of final out-turn cost as a result of Unchartered Archaeology of National importance, Extreme weather, Unforeseen costs for high pressure Gas Main crossing works where there was an historic failure of the utility company to protect the line against future works.
19e 4	A465 Abergavenny to Hirwaun - Section 3 Tredegar to Brynmawr Completed September 2015	43.8 (Nov 2000) Historic 148.4 KSA3 (Aug 2009) (167.2 when uplifted using inflation indices to the start of construction date - Nov 12)	167.8 KSA6 (Nov 2012)	163.97 Final out-turn as of Sept 2020	Scheme finished and opened in September 2015. ECI Scheme delivered on-time and within budget. Scheme partially funded by circa £78m of ERDF funding.
	A4232 Eastern Bay Link – completed 2017	£26m Jan 2015	£52 Mar 2016	£54.8 Jul 2017	Not ECI Design and Build (D&B) Contract – completed on time

Project and current status	Estimated Cost at KSA 3 (£M)	Estimated cost at Construction contract award – KSA6 (£m)	Estimated/final out-turn cost (£m)	Comments
M4 Brynglas Tunnels – completed		£40m Dec 2015	£40.3 Dec 2018	Not ECI Design and Build – completed on time
M4 Junction 28 – completed 2018	£19.28m Jun 2014	£20.71m Feb 2017	£19.9 April 2020	ECI- delivered on time and within budget
A483 Newtown bypass – Completed 2019	£101 Jun 2013	£95m Feb 2016	110.2 (Aug 2020)	Scheme finished and opened in February 2019. ECI – delivered 3 months ahead of programme – over budget due to contractor overspending on the design and supervision, preliminaries (site establishment & staff requirements), drainage, structures, earthworks and increased land cost.

The Committee requested the dates of the remaining 6 scheduled road closures between now and the scheduled end of the A465 Stage 2 project.

- Friday 16/10/20 Monday 19/10/20
- Friday 13/11/20 Monday 16/11/20
- Friday 04/12/20 Monday 07/12/20

The dates for closure in 2021 have not be finalised but when they are the Committee will be provided with them.

The Committee requested details of community projects that will be undertaken as part of the Section 2 project.

In recognition of the disruption and in order to maintain good local relationships, Welsh Government are in discussion with local authorities, local elected members and public interest groups to develop a list of potential modest legacy projects for the local communities along the route.

A number of proposals have been received from members of the public and local groups but the process has stalled as a result of COVID-19 (WG comms have prioritised activity elsewhere) but will now re-start.

Once all proposals have been received they will be sifted to establish a package which can be submitted to the Minister for approval.

Example projects received to date for consideration include:

- A community car park to access the active travel routes, and local caving network
- Footway Improvements and Woodland walk through new bat habitat
- A package of enhanced reinstatement works to provide a local amenity area at the old Clydach Picnic Site

It will be difficult to establish a value for money assessment for these. The evaluation will be based on ensuring the projects are spread between the communities along the route and how they meet local objectives

The schemes to be taken forward would be delivered outside the main construction contract by a different contractor either in parallel with remaining construction of the dualling or once construction is finished. The timeline will be established once the package is agreed and the Committee will be provided with the final list.

Tracey Burke

Cyfarwyddwr Cyffredinol / Director General

Y Grŵp Addysg a Gwasanaethau Cyhoeddus Education and Public Services Group



Nick Ramsay MS Chair of the Public Accounts Committee National Assembly for Wales Cardiff Bay CF99 1NA

22 October 2020

Dear Mr Ramsay,

THE PUBLIC ACCOUNTS COMMITTEE – HOUSING ADAPTATIONS UPDATE – OCTOBER 2020

Further to my previous update of 28 May, I am writing with an update on developments in regard to housing adaptations.

I should start by saying that the COVID-19 pandemic has had a considerable impact on the provision of adaptations during this exceptional year. I thought it might be helpful to set out some detail on that impact for you and your Committee.

From the beginning of the restrictions in late March, there was a reduction in activity in all adaptations programmes. This was due to the restrictions on movement and in working in people's homes, especially those who were shielding. Providers responded positively to guidance we issued, which ensured that priority work to facilitate hospital discharges, urgent works to protect individuals' health and independence and support for people needing palliative care, continued safely during the lockdown.

Providers have noted a number of issues during the spring and summer. These include:

- Staff in local authorities being transferred to critical COVID-19 related roles.
 However, in most cases, authorities report that housing improvement teams are returning to normal.
- Issues caused by remote working i.e.:



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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

- some local authorities report that some of their grant management processes relied on paper files which were inaccessible during lockdown;
- clients were unable to access critical documentation from solicitors' offices whose staff were furloughed:
- a number of providers did not have the ICT systems or equipment to support full remote working.
- Constraints on Occupational Therapist (OT) capacity. Demand on OT resources increased considerably due to the rehabilitation needs of COVID-19 patients. OTs were able to conduct far fewer face-to-face assessments for home adaptations, except in urgent circumstances. Use of telephone and digital communication to conduct both OT and technical assessments has, therefore, increased across the board.
- In August and September, many providers reported contractor shortages, due to pent-up demand and furloughed staff. There were also supply chain issues with some materials and specialist equipment, although the situation is much improved.
- All providers reported some anxiety amongst many older residents about permitting contractors into their homes to undertake work. There is some evidence this led to a reduction in applications for adaptations and a reluctance to proceed with works which had already been approved.

Most local authorities are currently reporting backlogs of work and a small number are forecasting the number of Disabled Facilities Grants completed this year could be around 50 percent fewer than last year. Care & Repair core services are back at 100 percent capacity, and agencies are currently receiving around 415 Rapid Adaptations referrals per week, about 10 percent higher than last year. This is attributed to the backlog.

The Care & Repair Hospital to a Healthier Home scheme is currently receiving around 80 referrals per week, the same as pre-pandemic levels. In the last quarter, the service helped to discharge safely over 850 older people back to their own home. The number of Delayed Transfers of Care (DToCs) caused by people waiting for an aid or adaptation remains low, averaging around 10 on any given day across Wales, less than 1 percent of all DToCs.

The main interest of your Committee, of course, is progress on the recommendations made in your report on adaptations, and in particular the outstanding recommendations 3 and 5. Following a pause during the spring and summer due to COVID-19, the Housing Adaptations Steering Group (HSAG) met again on 30 September 2020.

In relation to Recommendation 3, which concerned guidance to local authorities about the removal of the means test for small and medium DFGs, the HASG supported an action for the Welsh Government to draft guidance for consideration at its next meeting on December 9, with a view to issuing the guidance in this Senedd term. In so doing, we will take into account the research commissioned from the Wales Centre for Public Policy to assess the implications of removing the means test. This work was delayed by the pandemic, but is scheduled to report by the end of November. I am pleased there is now full support for issuing this guidance amongst stakeholders.

In relation to Recommendation 5, I reported previously our intention to undertake a programme of work through the HASG to provide an overarching strategic framework for the planning and provision of housing adaptations by all providers in the seven health and

Pack Page 8

social care areas of Wales. The Framework will implement an integrated multi-agency approach, with a focus on prevention, equity, and clear pathways into services.

The HASG Task and Finish Group to take this work forward was paused during the pandemic. That Group has now been reconvened and will present a draft Framework to the HASG at its meeting in December. The delay due to COVID-19 means that implementation from April 2021 will not be possible, but our intention is that once the framework is agreed, we will make transitional arrangements during 2021/22, with full implementation from April 2022.

I hope this is helpful. I would be pleased to provide the Committee with a further update whenever you would find that most helpful.

Yours sincerely

Janpoole.

Tracey Burke



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Nick Ramsay MS
Chair
Public Accounts Committee
Welsh Parliament
Cardiff Bay
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22 October 2020

Dear Nick

Future of Rail update

We are writing to update you on significant progress regarding the future of the Wales and Borders rail service, and specifically, its future delivery model, which Transport for Wales and KeolisAmey will be implementing that will allow us to adapt our plans for a post-Covid era.

Firstly, despite the enormous challenges presented by Covid-19, and the particular challenges presented to the public transport sector, the partnership remains absolutely committed to delivering the Welsh Government's ambitious vision for public transport in Wales. Throughout the coronavirus pandemic, we have continued to deliver critical passenger services. Whilst rail passenger numbers dropped to as low as 5% of pre-Covid numbers at the peak of the pandemic, our delivery has meant that those dependent on public transport have been able to continue to use these services.

As restrictions were eased, we have seen a gradual increase in passenger numbers, but clearly this will now be impacted by the resurgence of the virus and we are responding accordingly. However, it remains important that we plan for the post pandemic demands on rail services.

The reality is that for the foreseeable future there remains some stark economic challenges for the rail sector across the UK, and it is incumbent on us that we work together as a partnership to ensure we can provide the most stable platform possible from which to build back from this crisis. We all remain committed to the Welsh Government's ambitious vision for the future of rail services in Wales and the borders and so we need to make some key decisions on the way forward now rather than later.

The delivery of key commitments, such as the creation of the Metro, the delivery of brandnew rolling stock for the Wales and Borders rail network and numerous other improvements, remain an absolute focus for Transport for Wales and KeolisAmey. We are continuing to work closely with all partners and our supply chain to ensure we adapt and deliver our plans and services with safety as our top priority.



A stable platform for building back better is dependent on the right delivery model, and we are pleased to inform you that Transport for Wales and KeolisAmey have agreed the principles of a new more public sector led model, evolved from the previous grant agreement, which will allow us to continue to put our customers and communities at the heart of everything we do.

We have agreed the principles of a new partnership model between Transport for Wales, Keolis and Amey, which comprises of three key components:

- From February 2021, the delivery of day to day rail services will be the responsibility of a new publicly-owned subsidiary of Transport for Wales, allowing government to have an even greater role in the delivery of rail services in Wales and the borders, reflective of the new commercial realities of the post Covid-19 environment. With huge uncertainty over passenger revenue, this provides us with the most stable financial base to manage rail services as we emerge from the pandemic.
- Infrastructure management and transformation of the Welsh Government-owned Core Valley Lines will continue to be delivered under the current contract. This will provide stability for the programme to ensure effective delivery of the South Wales Metro transformation work which is already underway.
- A new innovative partnership with Keolis and Amey, led by Transport for Wales, will be developed, which will allow the people of Wales to continue to draw significantly on the international experience and expertise of these partners to help TfW to deliver important commitments such as integrated ticketing, on demand transport systems, cross modal design and delivery, in addition to the ongoing integration of light and heavy rail.

This model will help us to continue driving forward the Welsh Government's vision for a transformed rail service through ensuring effective vertical integration of track and train, building on the work already achieved through the transfer of the Core Valleys Lines earlier this year.

We will now start the detailed discussions and implementation based on the principles outlined in our agreement. We will, of course, provide regular updates to you as the transition to the new delivery model gets underway.

There are some difficult decisions to come due to the economic realities of coronavirus. Whilst the cost of operating public services such as bus and rail have become more expensive as a result of the sudden reduction in patronage, at the same time climate change and our equality priorities mean that these services are now more important than ever.

We are confident that this evolution in the collaboration of Transport for Wales and KeolisAmey will continue to deliver on our ambitious plans for the future, and we hope that you will welcome this significant milestone, which will create a stable platform for the future success of rail services for Wales and the Borders.

If you have any further questions or require more information please visit $\underline{https://news.tfwrail.wales/news/transformation-of-the-welsh-transport-network-continues-}$ despite-covid-19-challenges

Yours sincerely,

James Price

Prif Weithredwr / Chief Executive

Janes Anile.

Transport for Wales

Kevin Thomas

Prif Swyddog Gweithredol / Chief Executive Officer

KeolisAmey Wales Cymru (Operator of Transport for Wales Rail Services)

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

Agenda Item 2e

Welsh Parliament

Legislation, Justice and Constitution Committee

Elin Jones MS Y Llywydd and Chair of the Business Committee

22 October 2020

Dear Elin

Scrutiny of Covid-19 regulations

Thank you for your letter of 8 October 2020, which we considered at our meetings on 12 and 19 October 2020.

Your letter sought to ascertain whether it would be appropriate for "the Welsh Government to flag new Regulations where the underlying principle had already been scrutinised, to enable a decision to be taken by the Business Committee about the level of further scrutiny which might be required before the debate." As a consequence, you asked for our views on whether there was a possibility of enabling certain Covid-related Regulations to be prioritised for debate in such circumstances.

We do not believe the option suggested by the Business Committee to be appropriate for several reasons. In our view, approval for any form of legislation should not be on an 'in principle' basis. We do not therefore see ourselves having a role in endorsing (or rejecting) any assessment by the Welsh Government that a particular set of regulations were in principle the same as a previous set. Moreover, the value of such an assessment would in our view be questionable, given that while a new set of regulations may follow a similar policy objective, they could still be subject to reporting points under Standing Orders 21.2 or 21.3.

We believe our scrutiny of all Covid-19 regulations has been efficient and timely. We have reported on most regulations subject to the made affirmative procedure within 14 days of the instrument having been laid. In the majority of cases, this has enabled the Senedd to vote on whether the regulations should remain in force well before the 28 days permitted by the *Public Health (Control of Disease) Act 1984* and the 40 days permitted by the *Coronavirus Act 2020* (which the Senedd consented to in March this year). We



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Pack Pag





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would also wish to highlight that the majority of made affirmative regulations have been laid on a Friday; this coupled with our Monday morning meeting slot means that there has inevitably been a week's gap between laying and committee scrutiny, irrespective of the work needed to prepare reports for committee consideration. We also draw attention to the comments of the Minister for Health and Social Services, Vaughan Gething MS, in Plenary on **6 October 2020**, which we welcome:

"I also welcome the fact that the committee has, from time to time, helped us with consistency in legislative provisions. That's part of the point of the scrutiny. We're making these regulations in a rapid manner because of the fast-changing picture with coronavirus, and I think there's value in having the committee undertaking its scrutiny function before the legislature is then able to exercise its function in determining whether these regulations can continue or not."

Nevertheless, we have considered a range of options to facilitate an even quicker scrutiny process. We discussed whether meeting more than once a week would facilitate the scrutiny of regulations laid by the Welsh Government at different points during the previous working week. Given the Welsh Government's practice of laying the majority of made affirmative regulations on a Friday, we also considered whether it would be feasible to move our Committee's regular meeting slot to a Wednesday morning, in order to consider regulations made on the previous Friday and to lay a report in time for a debate that afternoon. We also discussed whether we could give a formal commitment to report on made affirmative regulations within a 14-day deadline.

However, we concluded that such approaches are very likely to give rise to significant timetabling issues for the Welsh Government and Senedd Members. Furthermore, given the complexity of this legislation, any formalisation of our existing arrangements for the scrutiny of Covid-related legislation needs to be considered alongside the backdrop of an increasing volume of legislation to deal with the UK's exit from the EU, not least because such formalisation could potentially require additional resource or different working patterns. This latter point is particularly relevant given that our remit means that our work programme is currently heavily constrained by the necessary and important scrutiny of subordinate legislation related to EU exit and legislative consent memoranda for UK EU exit related Bills, including the constitutionally significant UK Internal Market Bill.

We recognise that matters related to the pandemic have been prioritised in government time during plenary sessions. We also considered whether the Welsh Government could consider using the draft affirmative procedure if at all possible when making Covid-related legislation under section 45C of the 1984 Act. Although we appreciate that this may not be feasible, we would encourage the Welsh Government to consider whether opportunities do exist for its use.



We will continue to do whatever we can to ensure the scrutiny of Covid-related regulations is conducted in a timely manner. However, we do not believe that our scrutiny function should be compromised in any circumstances.

I am copying this letter to the Chairs of all committees.

Yours sincerely

Mick Antoniw AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg We welcome correspondence in Welsh or English



By virtue of paragraph(s) vi of Standing Order 17.42

Agenda Item 4

Document is Restricted

Cyfarwyddwr Cyffredinol Iechyd a Gwasanaethau Cymdeithasol/ Prif Weithredwr GIG Cymru Grŵp Iechyd a Gwasanaethau Cymdeithasol

Director General Health and Social Services/ NHS Wales Chief Executive Health and Social Services Group



3 November 2020

Dear Mr Ramsay,

NHS Finances

Thank you again for your understanding in standing down the formal evidence meetings during November to allow myself and my team to concentrate on responding to the recent upsurge in coronavirus cases. Prior to the informal briefing I am due to give the Committee on 9th November, I thought it would be helpful to provide an overview of the actions we took to manage the financial impact of the pandemic on the NHS.

I was determined at the beginning of the emergency period to ensure that sound processes of financial governance and management were secured from the outset by NHS organisations, recognising that decision-making had to be undertaken at pace to put in place the necessary interventions. I issued Accountable Officer and financial guidance to Chief Executives on 30th March outlining key considerations in taking urgent decisions in a pandemic environment, in line with the standards of 'Managing Welsh Public Money'.

I ensured that all NHS boards stood up appropriate governance structures to manage the emergency response locally, with Gold command taking major investment decisions within each organisation.

Given the significant rapid expenditure required centrally on PPE, NHS Wales Shared Services (NWSSP) set up a financial governance group to scrutinise major PPE orders prior to their formal sign-off by the Velindre NHS Trust Board. Where these orders exceeded local delegated limits, they came in to me for approval under the normal contract approval processes prior to the contracts being awarded.

Additionally, NWSSP benefited from the significant expertise of the Surgical Materials Testing Laboratory, hosted by NWSSP, to quality assure product from new suppliers before contracts were placed. As a consequence, we were able to maintain our level of PPE supply.

Weekly communication meetings across the NHS Wales finance function were established with senior Welsh Government finance officials to ensure an effective system-wide response. This included a Finance Cell, chaired by my Director of Finance and including senior finance officials and representatives of the NHS Directors of Finance to ensure system over-sight and influence to all major issues and ensuring alignment of policy and operational delivery from a financial perspective across NHS Wales. The Cell maintained a Situation Report which was submitted up through the Planning and Response structure to ensure financial issues receive appropriate consideration alongside operational and workforce responses. The Cell was stood down during the summer, but has now been reinstated to act as a key touchpoint for the remainder of the financial year.

In addition to the Finance Cell a weekly call takes place with all NHS Directors of Finance and senior officials to explore all emerging operational issues and risks that require a system response, and ensuring clear, consistent, and frequent communication on all issues to ensure clarity and consistency of approach. These meetings have continued throughout the duration of the emergency.

A key focus of these communication channels has been ensuring NHS governance arrangements are fit for purpose, and responsive to the changing needs of the pandemic response. As examples of the issues covered, this has included:

- Review and reprioritisation of internal audit work programmes to support rapid reviews of governance arrangements where required;
- Engagement with Audit Wales on the NHS Wales finance community response; and
- Ensuring clear decision making structures in response to the risk of fraud from the need to significantly increase advance payments to suppliers to source additional PPE amongst global competition within an international supply chain significantly affected by COVID-19

Officials, with support from the Finance Delivery Unit, established financial monitoring arrangements during April to ensure that the impact on baseline NHS financial plans could be captured and carefully monitored. A detailed analysis of direct cost impacts, efficiency delivery impacts and offsetting resource savings was developed. This analysis has been used as the basis for confirming the funding needs for the NHS confirmed in the £800 million stabilisation package announced by Ministers in August. This financial impact return is now submitted monthly to Welsh Government by NHS organisations as a key component of the monthly financial monitoring process.

In addition, bespoke and specific financial reporting exercises were introduced across the system to key interventions, including workforce, PPE, Test, Trace and Protect, and Field Hospitals. This included developing rapid detailed modelling and detailed reporting in key areas such as PPE where systems were not in place prior to the pandemic at the required breadth and scale.

On a system basis, system wide financial monitoring returns have been reset and refined to ensure on a monthly basis all NHS organisations report a detailed financial position and forecast including not only the impact of COVID-19, but also transparent reporting of available funding and resources for repurposing such as under-spends due to reduced activity due to COVID 19 and slippage on previous commitments not progressed due to COVID 19.

Financial monitoring processes have sat alongside the quarterly planning processes, ensuring that they validate the financial planning assumptions underpinning the operational and workforce plans. The Finance Delivery Unit instigated a process of peer review of the Quarter 2 plans submitted earlier in the summer, and this will be repeated with the submission of Quarter 3 and 4 plans that have recently been submitted. This process has proved a useful opportunity to share learning and test underlying assumptions on a consistent basis. In addition, my Finance Director and his team will be meeting the senior finance team from each NHS organisation over the next few days to review their financial plans and year-end forecasts at month 6, to confirm their expected outturn position which they will then be held accountable to deliver.

A key feature of the initial response was the need to move rapidly with the deployment of the field hospital network, anticipating that there would be a need for significant additional capacity to ensure the NHS was not over-whelmed during the first wave of cases. The urgency of the situation meant that there was no opportunity to develop normal business cases in line with the five case model to support these significant temporary infrastructure investments, so officials worked alongside organisations as they developed and implemented plans within a matter of days. To ensure learning from this exceptional approach, officials commissioned due diligence reviews of the field hospital programme for the five health boards, covering three main areas, financial due diligence, contracting and commercials, governance and decision-making. Key findings and themes were shared with organisations to inform lessons learnt and prospective plans going forward.

The response has also required significant repurposing of the capital programme. This has resulted in c.£104m of the programme being directed towards schemes including the early opening of the Grange University Hospital, the additional testing laboratory and equipment for Public Health Wales and digital enabling investments across Wales. The £33m additional 400 bedded surge capacity on the University Hospital of Wales site has been fully supported from a capital perspective through Strategic Budgeting.

Within Welsh Government, my finance team have worked closely with finance and budgeting officials from other portfolios and with Welsh Treasury and central finance staff. Senior health officials have attended weekly internal finance and budgeting meetings which have ensured robust communications across Welsh Government and ensuring consistent advice to ministers. In addition, health officials have worked with Welsh Treasury officials to engage with UK Government departments to

understand the financial implications of policy development within England on Wales, and to secure appropriate consequential funding.

We have also ensured that the NHS Wales approach is in line with other nations, through regular dialogue and sharing of approaches and assumptions with colleagues in NHS Scotland in particular. This will continue to inform a core part of the response going forward.

Despite the need for a significant and rapid operational response to the emergency, we have maintained a focus on financial performance throughout the duration and looking forward to the end of the financial year. The additional funding announced by ministers in August has allowed us to stabilise the financial position, taking account of planned deficits that were being managed through the planning process prior to the pandemic. With the inevitable caveat that we cannot predict with any certainty how the pandemic will continue over the next few months, our current assessment is that the funding that has now been allocated in the First and Second Supplementary Budgets will be sufficient to manage the ongoing NHS response to the year end.

Yours sincerely

Dr Andrew Goodall

An CG.am

By virtue of paragraph(s) vi of Standing Order 17.42

Agenda Item 5

Document is Restricted

Manon Antoniazzi

Prif Weithredwr a Chlerc y Senedd Chief Executive and Clerk of the Senedd

Nick Ramsay MS Chair of Public Accounts Committee Senedd Cymru Tŷ Hywel Cardiff Bay CF99 1SN

20 October 2020

Dear Nick

Scrutiny of annual report and accounts 2019-20

I am writing in response to your letter dated 22 September 2020, where you set out the items agreed upon, during the Commission's evidence session on 21 September 2020, that the Commission would provide the Committee. These five items are addressed in Annex 1.

The Committee also requested further information on four additional matters, these are also included in Annex 1.

I hope this provides the information you require and I would like to thank the Committee again for its scrutiny. As ever, if there is any further information your Committee would like, please let me know.

Yours sincerely

Manon Antoniazzi

Manon Antoniaszi.

Prif Weithredwr a Chlerc y Senedd / Chief Executive and Clerk of the Senedd

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



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Annex 1

1. Confirm that you will send to this Committee a copy of the updated financial reports that you intend to send to the Finance Committee setting out the impact of the COVID-19 pandemic on the Senedd Commission's budget;

Agreed.

2. Confirm the end date of the contract for external legal advice services following the departure of the Chief Legal Advisor under the Voluntary Severance Scheme in 2019, and the process by which that arrangement will be reviewed;

The current Chief Legal Advisor position arrangement is in place until dissolution. This is working well and there is an opportunity to extend the arrangement further as necessary. The options for a longer term solution will be reviewed in the new year based on continuing need for the Sixth Senedd, availability of these rare specialist skills and cost.

3. Confirm when you anticipate that the results of the Senedd Commission's annual staff survey will be made available to the public;

We are in early discussions with our new provider and Commission staff to develop and launch a new staff survey in late November. Results are likely to be made available early in the new year.

4. Provide details about the operation of the air conditioning units on the Senedd estate and any maintenance work to windows to allow for natural ventilation within the context of COVID-19:

Tŷ Hywel uses an air cooling system, not air conditioning. The system works a bit like a refrigerator, with warm internal air being circulated around the refrigerant unit to reduce temperature.



As a precaution during the COVID-19 pandemic these comfort cooling units across the estate have been switched off and the use of natural ventilation through opening windows has been encouraged.

Ty Hywel also has a separate ducted ventilation system which brings in fresh air from outside and a separate ducted system which extracts air to the outside. This system does not recirculate this air to other areas of the building. The Senedd open spaces are naturally ventilated and the system is maintained as part of our planned maintenance arrangements.

During the lockdown period, our maintenance team undertook an audit of all the windows in Ty Hywel to check which windows could be opened and to ensure that within office areas there were sufficient windows that could be opened to provide natural ventilation.

Due to the age and condition of the windows, there are a number of windows that cannot be opened or repaired. The Commission will be considering the feasibility of a future window replacement project for Ty Hywel which will include maximising natural ventilation in support of our carbon neutral strategy to 2030 as well as providing a more comfortable office working environment.

The Pierhead Building has been closed during the pandemic but the windows are maintained and are able to open to provide natural ventilation.

5. Details about the impact of COVID-19 on water use on the Senedd estate, and whether cleaning services use grey or mains water.

The closure of the estate in March and the limited reopening at the start of the current term has significantly reduced the water usage on the estate and, with very low number of staff on the estate and no visitors, the demands for water usage across the estate reduced by 77% between April and August in comparison with the same period last year.

The closure of the catering facilities during this period has also reduced the demand for water in terms of food preparation and dishwashing.

The rainwater harvesting system in the Senedd (grey water) is used for toilet flushing within the Senedd. Cleaning services for the estate use mains water.



6. What steps is the Senedd Commission taking to ensure that a higher proportion of goods and services are procured from Welsh suppliers? In particular, what are the key dates and processes associated with the tendering process for new catering services?

We are committed to taking a proactive approach to engaging with Welsh suppliers and have engaged with organisations such as the South Wales Chamber of Commerce and attended supplier events to raise the profile of the Senedd.

In recognising the importance of this element of work, the Governance and Assurance service (of which the Procurement team is a part) is currently looking to recruit a new member of staff and this added resilience within the service will allow greater capacity within the team to further increase our engagement with Welsh suppliers and to better understand the services that they can provide.

We continue to examine our use of national frameworks as Welsh suppliers aren't always well represented on UK wide frameworks, therefore these are used by exception only.

Our contract opportunities over £25K are advertised on Sell2Wales. Our main contractors, notably, our Facilities Management contractor and our Catering provider, also provide opportunities for Welsh suppliers as part of their supply chains.

Where practicable we break down our contracts into lots to provide greater opportunity for smaller suppliers to bid. The recent retender of the print room equipment is an example of this, one of the lots was awarded to a Welsh based supplier. This is a significant five-year contract with an annual spend of circa £66,000.

In respect of the re-tendering of the Catering contract, specifically, there is considerable uncertainty around the timing of the renewal of this contract due to the pandemic. We need time to consider the future working patterns on the estate and are therefore reviewing the timetable and plans for retendering. At this time, we do not know what the future demand will be for the service and this makes it challenging for us to develop our requirements.

The current contract is due to expire in September 2021. We will need to examine all our options including the possibility of having to extend the existing contract for at least one year.



We will keep this under review as the pandemic progresses because:

- the service has largely been closed since March and the contract catering industry is likely to continue to be affected.
- an important part of the tender specification and data relates to sales information for the previous year and we will not be able to provide meaningful information to assist tenderers to bid.
- it is likely that future flexible working will affect the daily numbers in attendance in the building and therefore the volume and type of services we require in the future.

The process associated with tendering the Catering contract will also change when the Brexit transition period ends on 31 December 2020. At that point we will no longer be required to advertise our high value contracts in the Official Journal of the European Union (OJEU).

We will of course continue to advertise our contracts on Sell2Wales. We will run a formal tender process, which will be in line with the Public Contract Regulations, which set out the rules for awarding Public contracts. We issue our tenders electronically using an etendering system, which logs a full audit trail of all actions and correspondence.

7. What specifically is the Senedd Commission doing to improve the socio-economic diversity of its staff?

The Commission has a number of diversity targets in place and recognises that as well as focussing on inclusion of those with protected characteristics, particularly BAME and disability, we are committed to ensuring the socio-economic diversity of our workforce.

In line with the Welsh Government commitment to 'Commencing the Socio-economic Duty', we are seeking new opportunities to diversity and capture information which supports this aim. We have recently agreed a corporate social responsibility framework to support our efforts in this area. In the first instance it will support our efforts as follows:

Our most recent apprenticeship scheme focussed on this area, together with BAME, specifically. This involved targeting our outreach, marketing and partnership opportunities to schools and areas in our target demographic to good effect. This will continue to the next scheme.



A revamped programme of work experience in three parts:

- a. Senedd Service It comprises a fully-structured offering available to anyone above the age of 16 where each service area hosts two weeks of work experience throughout the year.
- b. Senedd Commitment A project-based week that is hosted and facilitated by volunteer/nominated members of staff in the spring, summer, and autumn term for 10-15 pupils.
- c. Senedd Partnerships Working with our Workplace Equality Networks (WEN) to partner with third-sector organisations to provide one week of experience to one person, per partner, per year.

We are currently reviewing opportunities to partner with a Welsh University scheme designed to support eligible students who are less able to fund their university fees through an internship scheme.

We have carried out extensive work to ensure our recruitment processes are inclusive, through our branding, outreach and application and assessment processes. We will shortly launch an online recruitment portal which we believe will support improved data and reporting and guide us further in this area.

8. What specifically is the Senedd Commission doing to engage with, and promote its work to, hard-to-reach members of the public?

Over the past years we have found it difficult to connect with many of those who do not receive their news from Wales-based news organisations. To overcome this, we have invested in improving our social media output, enabling us to communicate and engage directly with the public.

The Coronavirus pandemic, has changed the ways in which we are able to engage people, and changed the nature of who might be hard-to-reach. For example, at our Summer Shows our virtual sessions were accessed (and continue to be accessed) by more people than we would expect to attend the same session in person during an event. However, geography and access times suggest these are not necessarily the same people.



We are seeing similar things in focus groups held on behalf of Senedd Committees. Virtual focus groups remove barriers like distance and travel time that make it easier for some people to take part, but make it more difficult for people who aren't comfortable holding online discussions, or who don't have effective home broadband. As a result of this, one of the focus groups we are arranging as part of a series of events in November will be done by telephone to reach out to people (particularly in deep rural areas) who may not be able to contribute to a virtual session.

Schools have become much harder to reach. But feedback from teachers has meant rather than visiting schools, or hosting classes at the Senedd, we are putting more emphasis on creating materials and lessons that they can use remotely.

The Welsh Youth Parliament team is considering how to offer more support to those WYPMs who might struggle with online sessions, for example, moving sessions from the weekend to a Friday afternoon, might make it easier for schools or partner organisations to support WYPMs.

In developing plans for engagement events around Black History Month in October, and the November events looking at Wales' post-COVID future we are specifically targeting new audiences.

In delivering our social media strategy we have considered how to reach those who don't 'do politics'. Over the summer term we have developed a new "Today at the Senedd" graphic which summarises each plenary session in jargon-free everyday language. This is proving popular on Facebook and Instagram – platforms where many people are not expecting to engage with the work of the Senedd.

9. What challenges has the Senedd Commission faced when considering the widely reported cyber-security risks associated with the Zoom platform whilst acknowledging that, for many members of the public and other stakeholders, Zoom is now a familiar and accessible way to engage with the Senedd's work?

The Coronavirus pandemic has changed the way we work as an organisation, placing a more reliance on technology to deliver essential business. This has been particularly noticeable in the use of video conferencing platforms.



As outlined in our letter sent to the Chair of the Public Accounts Committee on 9 September 2020, while Microsoft Teams continues to be used extensively within the Commission to facilitate most video conferencing it does not currently provide for simultaneous translation and the only application to do so alongside all our other required functionality is Zoom.

There are two broad areas of concern relating to Zoom security. Firstly, if the Zoom meeting does not have the appropriate security controls applied, there is a risk that it could be accessed by unauthorised individuals. Secondly, the data associated with a Zoom meeting is not transmitted or stored in a way that complies with UK data security regulations. The Commission has taken steps to address both of these concerns.

The Commission uses licenced versions of the Zoom platform and corporate licences are strictly controlled. All Commission Zoom meetings either require pre-registration, where delegates must pre-register for the meeting, or the meeting is password protected. Both controls rely on an email sent to the delegates email address which itself will be password protected. This greatly reduces the risk of the meeting credentials being intercepted by unauthorised individuals. In addition to these controls, meetings should also use the Zoom lobby facility, where delegates are held until approved and admitted by the host.

Although data security within the Zoom platform has improved in recent months, it still does not fully comply with UK data security standards. As such, the Commission generally only uses Zoom for meetings where the content will be in the public domain, such as Plenary and public Committee meetings, where simultaneous translation is a requirement. There is some limited use of Zoom for private meetings where simultaneous translation is unavoidable. In such cases the meeting organiser is required to undertake a risk assessment to ensure that the information governance issues have been fully considered.

We have developed a good relationship with Zoom UK and continue to work with them to understand if and when further improvements to the systems data security will be delivered.



Manon Antoniazzi

Prif Weithredwr a Chlerc y Senedd Chief Executive and Clerk of the Senedd

Nick Ramsay MS Chair of Public Accounts Committee Senedd Cymru Tŷ Hywel Cardiff Bay CF99 1SN

4 November 2020

Dear Nick

Financial implications of the COVID-19 pandemic – update as at 30 September 2020.

I am writing to you, following our evidence session on 21 September 2020, where we noted that we would provide your Committee with a copy of the letter updating the Finance Committee on the financial implications of the COVID-19 pandemic as at 30 September 2020.

This follows our previous letter, dated 7 July 2020 which responded to your letter dated 4 June 2020 and your consideration of the impact that COVID-19 has had on the bodies directly funded from the Welsh Consolidated Fund.

This letter provides an update for the Committee, detailing the following:

- the impact that COVID-19 has had on this year's finances, including any savings and extra costs, including a full break-down; and
- information on the impact on the funding provided to the Commission for its own activities and to fund the Remuneration Board's Determination.

I have provided this information in the attached annex.

I hope it provides the information you require.

As ever, if there is any further information your Committee would like, please let me know.

Yours sincerely

cc Assembly Commissioners, Nia Morgan

Manon Antoniaszi.

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Welsh Parliament

Annex 1

Impact on the Project Fund

The 2020-21 Budget highlighted £1.515m of expenditure to be funded from the Commission's Project Fund. The current working forecast shows expenditure of £1.647m, as shown in the following table. As usual, proposals are adjusted to manage areas where possible spend is higher or lower than estimated.

Table 1 – Impact on the Project Fund

	Budget	30-Jun-20	30-Sep-20
Project Fund 2020-21	Amount £'000	Amount £'000	Amount £'000
Legislative Workbench Software	£600	£600	£514
Assembly Commission Senedd and Elections (Wales) Bill - Name Change	£45	£45	£45
Archiving	£65	£65	-
Plenary system	£50	£50	£11
Website	£80	£80	£80
Engagement and Outreach Activities	£250	£200	£51
Window replacement - feasibility review	£50	£50	£45
Fire door replacements	£80	£80	£80
Physical Security - delay project - Senedd	£225	£233	£233
Physical Security - delay project - Tŷ Hywel	£70	£270	£270
Fire Door installation		£92	£92
Tech Development for Hybrid Plenary		£30	£56
Pierhead Ventilation Works			£30
ICT Loan kit for Members			£40
Network security			£100
Total	£1,515	£1,795	£1,647

In summary, the main areas likely to be impacted by COVID-19 are:

- Engagement and Outreach activities reduction of £199k
- Physical security (delay project) increase of £208k, with expenditure brought forward from 2021-22
- Delay to 2019-20 activity (fire door installation/ventilation) increase of £122k in 2021-22
- Additional COVID-19 requirements for Plenary increase £56k
- Additional ICT and Network Security investment, £40k and £100k

This is an overall increase of £132k.



These are currently provisional figures and are likely to change as the financial year progresses and further demands and savings are identified. The Commission continues to regularly review the project fund forecast to identify changing priorities and to adjust accordingly.

This early identification of an underspend relating to engagement activity led the Commission to consider whether the available funds (once additional costs were covered) could be prioritised elsewhere or whether they could be returned to the WCF. It was agreed that the work to complete the physical security remodelling of Tŷ Hywel (intended for completion in 2021-22) should be brought forward into the 20-21 financial year. This would not only significantly improve physical security from attack, but the associated screening would help to reduce the spread of the virus, thus protecting those working in and passing through the reception area. The ICT projects identified were agreed as they are a direct response to the pandemic situation – providing equipment for MS and staff to be able to work remotely and to increase our resilience and cyber security at a time when virtual working is critical to Senedd business.

These changes have also slightly reduced pressure on the 21-22 project fund, which we reduced to £0.46 million from £1.055 million, as one of our actions to minimise the increase in the Commission's operational budget. Using resources wisely in this way remains one of the Commission's strategic goals.

Impact on the Annual Leave Provision

As highlighted in our previous letter, International Accounting Standard (IAS) 19 - Employee Benefits requires the Commission to accrue for the cost of any unused leave entitlement accrued by Commission staff at 31 March in each financial year.

The provision as at 31 March 2020 was £777,000. This represents an average of 6.9 days of annual leave and 2 days of flexible leave accrued by each member of Commission staff. The provision has been calculated as at 30 September 2020 and is five days higher than it usually is at this point in the year. If this trend continues, this would result in an additional £424k of provision required during 2019-20. Each year, the increase is budgeted to be around £25k, to reflect any increase in pay levels.

Work is now being concentrated on estimating the total provision required at 31 March 2021. As highlighted in our evidence session on 5 October 2020, Commission staff will accrue an additional 15 days of leave between 1 October 2020 and 31 March 2021, with limited opportunities to take annual leave. This could result in a significant impact on the Commission's outturn. Once an estimate has been calculated, it is anticipated that the Commission will submit a second supplementary budget for 2020-21. This will not increase the cash requirement.



This highlights that COVID-19 has meant that certain Commission staff have had to adjust their working patterns significantly to respond to the demands on the Commission. This has resulted in certain staff not being able to take leave, this is being addressed to ensure the wellbeing of staff.

Impact on Service Area Budgets – general expenditure

The impact of the COVID-19 pandemic on the general day-to-day expenditure of the Commission is varied and the information provided below is an indication, based on six months of actual data, where additional expenditure and savings have been experienced.

Table 2 – Additional Commission expenditure

Expenditure, from April 2020 to	June 2020	September 2020
	£	£
Estates and Facilities – Screens, Signs, Sanitizer etc.	17,000	39,000
ICT – Zoom licences, Laptops, screens, keyboards etc.	51,000	78,000
Security - PPE	2,000	3,000
Homeworking allowance/Discretionary payments	TBA	0
Home DSE Assessments	TBA	0
Additional desks, chairs etc. following home DSE	TBA	9,000
assessments		
Reduction in catering income – additional contribution	TBA	105,000
made by the Commission		
Reduction in Tŷ Hywel car parking income (offset by	TBA	6,000
reduced costs)		
Reduction in Shop income	-	7,000
Total	70,000	247,000

In addition, £16,000 was also spent during the prior financial year (2019-20) on additional ICT equipment.



Table 3 – Reduced costs or savings for Service Budgets

Additional savings (estimate) April 2020 to	June 2020	September 2020
	£	£
Reduced Utility costs	TBA	85,000
Travel Costs	TBA	77,000
Committee expenditure		12,000
Reactive maintenance/furniture		37,000
External translation costs		53,000
Cancellation of Youth Parliament and Votes@16 events etc	13,000	71,000
Printing, postage and courier charges		13,000
Total	TBA	348,000

Impact on the funding provided to the Commission to fulfil the obligations of the Remuneration Board's Determination on Members Pay and Expenses.

The impact of the COVID-19 pandemic on the Remuneration Board's Determination Budget is again varied and the information provided below is an indication of where additional expenditure has been required during the past six months.

Also provided is an indication of the types of expenditure where savings have been realised. As the Finance Committee is aware, this element of the over-all budget is outside the Commission's control.

Expenditure, April to June 2020	June 2020	September 2020
	£	£
ICT – Printers, Laptops etc.	13,000	13,000
Office equipment and set-up and PPE	2,000	7,000
Adverts and leaflets	5,000	4,000
Mail Redirection	1,000	1,000
Research	1,000*	_*
Working from Home Allowance	5,000*	_*
Total	27,000	25,000

^{*}Estimate. Actual to September 2020 is less than £1,000.



Additional expenditure/losses (estimate) April 2020 to March	£
2021*	
Homeworking allowance/Discretionary payments	TBA
Home DSE Assessments	TBA
Additional desks, chairs etc. following home DSE assessments	TBA
Redirection of post	TBA
Perspex screens for constituency offices	TBA
Additional deep clean for offices	TBA
New signage	TBA
Total	TBA

^{*}No significant expenditure to date – these are potential areas of expenditure

Additional savings April 2020 to September 2020	£
Reduced travelling expenses	63,000
Total	63,000

