

COSLA NEWSLETTER

BREXIT

and Scottish Local Government

Since the October date was announced earlier in the year, Boris Johnson has stated he is determined that the UK will leave the EU on 31 October deal or no deal. The COSLA Brexit Team has operated on the basis of the worst-case scenario of a no deal EU Exit and has encouraged councils to identify the risks they face in order to be as prepared as they can be in these unprecedented circumstances.



In this newsletter there is information on key risk areas for Local Government, details of the various upcoming Brexit related meetings, who attends these meetings and what they cover.



A WORD FROM THE PRESIDENT

Welcome to this COSLA newsletter which I hope gives a flavour of some of the work that COSLA has been undertaking related to Brexit.

Please get in touch with COSLA staff if there are particular issues which concern you.

As we know, the UK's Exit from the EU affects everyone across all of our communities. These are uncertain and fast-moving times with little certainty other than the knowledge that our councils will be at the sharp end when the expected and unexpected consequences of Brexit impact on people's lives with the potential for unreliable supplies of fresh foods, fuel or medicines to name just a few.

As we are all aware, local authorities are well practised at dealing with challenging situations and circumstances, so I am confident that, irrespective of the final exit agreement, Local Government will cope with Brexit. We continue to seek additional resource to support this.

And above all, I know, that we shall do everything we can to protect the local communities that we serve.



COSLA REPORTING



Items considered at recent Boards, Leaders Meetings and Convention include

- UK Exit Preparedness
- Brexit General Update
- EU Settlement Scheme
- Immigration Policy
- Shared Prosperity Fund
- UK Replacement for CoR
- Devolution of Powers

[Click here for more details.](#)

WHAT IS HAPPENING WITH...

Food supplies and prices

The UK Government considers arrangements to be sufficiently robust to ensure that supplies will continue. Their advice is that there may be reduced choice, but there will be enough food.

COSLA officials liaise with relevant organisations, such as Scotland Excel and Transport Scotland, to ensure the latest position is understood and any concerns councils have are flagged up (e.g. the particular concerns of Island authorities regarding their potential additional barriers to market access).

The Scottish Government worked with COSLA to provide funding to FareShare to work with Third Sector organisations responding to household food insecurity. The funding aims to improve linkages between local authorities, food businesses, FareShare and the Third Sector.



WHAT IS HAPPENING WITH...

EU Settled Status (EUSS) and Migration

EU Citizens (including European Economic Area (EEA) and Swiss citizens) and their family members, including children, will need to apply to the EUSS scheme before 31st December 2020 in order to stay in the UK post Brexit. COSLA are working with UK Government, Scottish Government and local authorities to communicate and ensure EU citizens living in the UK secure settled status. COSLA is also working with the UK Government and We Are Digital to look at coverage of Digital Access service in libraries and community centres for EU citizens and is identifying gaps in provision.

Finally, COSLA is working with Third Sector organisations in receipt of Home Office grant funding to support vulnerable groups applying for EUSS. This will ensure support is coordinated across Scotland.

Please could you should encourage all EU nationals in your area to begin the process as soon as possible.



WHAT IS HAPPENING WITH...

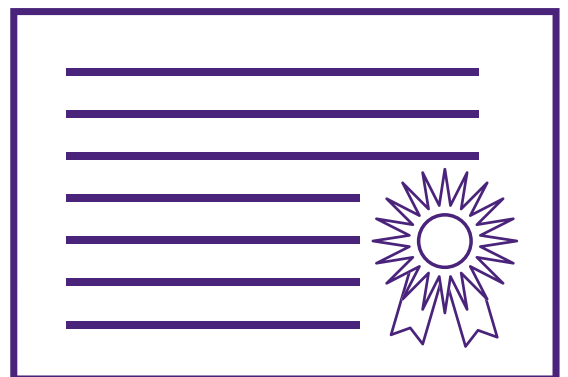
Export Health Certificates (EHCs)

Unless there is some form of agreement between the UK and EU to continue with the current trading system, all food and drink exports to the EU will require an EHC if there is a no deal EU Exit. The drink and seafood portion of these certificates are processed by local authorities, with a potentially huge increase per annum being required (Scottish Local Authorities already currently process around 12,000 per annum, mostly to China and USA, this could increase to 200,000).

Local Government, supported by COSLA, Scottish Government and Food Standards Scotland have developed a proposal to mitigate the potential increase, based on the current Scottish risk-based approach to inspection visits. To date there are positive signs this will be approved by the Animal, Plant & Health Agency (APHA), the governing body for the UK on EHCs. It remains the case that these actions alone will not solve the problem, due to the potential scale of the increase, and the only complete solution is likely to be some form of agreement between the UK and EU to waive the requirements for EHCs in some way.

COSLA have prepared a paper that explores the situation, identifies outstanding issues, and discusses options to resolve. This will be submitted to the

Scottish Government soon. Council Leaders are being kept informed through regular reports to COSLA Leaders meetings.



WHAT IS HAPPENING WITH...

No deal preparatory funding for Local Government

The UK Government has announced additional funding for Brexit preparations. Information is available on the UK Treasury's website:

<https://www.gov.uk/Government/news/chancellor-announces-billions-to-turbo-charge-no-deal-preparations>

The Scottish Government has advised that they have not as yet received any details of further EU Exit no deal preparation funding from the UK Government. If this is spent on devolved areas, Scottish Ministers will take a considered approach to the consequential received. COSLA will be actively engaging with the Scottish Government to understand what funding will be coming to Scotland and we will keep Council Leaders informed of this.

To date, after a significant amount of work by COSLA and SOLACE officers, £1.6m has been provided directly by the Scottish Government to Local Government for Brexit preparation during 2019/20. This funding will be provided to Local Government via a redetermination order in March 2020.

COSLA is currently working with councils to evaluate the financial implication of Brexit for them and their communities to assess whether any additional funding bids need to be made to the UK and Scottish Governments.



WHAT IS HAPPENING WITH...

Medical supplies

The UK Government hasn't yet confirmed any solid plans for 31 October, but the working assumption of the Scottish Government is that they will be on broadly the same lines as those prepared for March and April.

This includes companies undertaking stock piling, the UK Government organising alternative transport channels away from Dover / Calais and supplementary warehousing space if required.



WHAT IS HAPPENING WITH...

Workforce concerns

The Local Government workforce includes many who are from the EU, and councils are doing what they can to ensure all staff are aware of and can access the EUSS, to mitigate the possibility that significant numbers will leave following EU Exit. The medium to longer term challenge is ensuring that service delivery is not negatively impacted by Scottish Local Government no longer having full unrestricted access to the EU labour market. This is linked to future UK migration policy, with the detail of this still to be decided. However initial thinking suggests Scottish specific needs in this area are not covered (e.g. social care staff currently sit below the income threshold).

COSLA has raised concerns with UK Ministers on this issue.

To allow a full understanding of the issues we face, and the possibility of identifying workable solutions, COSLA is progressing a discussion paper on a national strategic workforce plan for Local Government, to identify and help resolve the challenges across Local Government service areas. This work is in its very early stages, and more detail will be shared in due course.

More broadly councils should be ensuring that local employers consider the implications of Brexit for their workforce and similarly encourage EU nationals to sign up to the EUSS as soon as possible.



WHAT IS HAPPENING WITH...

Vulnerable People – COSLA and SOLACE are working with local authorities to identify additional support measures that can be put in place in order to alleviate any financial difficulties our citizens experience post EU Exit. This work is being done in partnership with the Scottish Government and a business case is being prepared that will set out potential actions in this area, and the resources local authorities require to fulfil them.

Health and Social Care – Local Government is working with the Scottish Government to ensure that the needs of the social care sector are understood and addressed. Current work is focusing on ensuring there is appropriate representation on local resilience partnerships, so the needs and preparations of independent providers are understood; and undertaking surveys to gather initial intelligence.

Business Awareness – Local authorities and Business Gateway are working with Scottish Enterprise and other partners to ensure that businesses are as prepared as possible in advance of EU Exit. This work is ongoing and local authorities are encouraged to direct businesses to the Prepare for Brexit website to ensure they are aware in advance of actions they may need to take. <https://www.prepareforbrexit.scot/>

Resilience – Resilience professionals continue to participate in twice weekly national contingency planning teleconferences to deal with; urgent business, share situational awareness, provide updates on information requests and to identify issues for escalation. Local authority resilience specialists are also fully involved in the consideration and submission into their own Local Resilience Partnership's Risk and Mitigation assessments. Beyond the immediate no-deal contingency planning for areas such as essential items and vulnerable groups, the local authority resilience community will be well represented at a national "concurrent risks" workshop on the 16th Oct and work continues to influence the terms of reference and membership of the national no-deal recovery arrangements

COSLA in Brussels

From the day of the referendum the COSLA Brussels Office has been dealing with, and also leading on in some cases, issues such as:

- Intelligence gathering, making representations and assessment of withdrawal negotiation documents including no deal EU legislation



- Closure of ongoing EU funded programmes and scoping replacement of EU funding
- Development of post Brexit negotiation mandates and joint UK-EU bodies with LG participation
- The impact of EU returned powers on Local Government status, Scottish constitutional settlement and intergovernmental relations and Common Frameworks.

COSLA in Westminster

Meetings with Ministry of Housing, Communities & Local Government (MHCLG) in July showed that the proposed UK Shared Prosperity Fund (UKSPF) will be tied to the Comprehensive Spending Review and cover all sources of EU and domestic funding for inclusive growth. Consultation material is ready and is waiting UK ministerial clearance. Scottish Government is setting up a group with Scottish bodies to agree shared views on UKSPF proposals. UK Commons cross party group and Welsh Assembly have written to COSLA to confirm broad agreement with our proposals.

COSLA has spoken directly to Michel Barnier in Brussels, and have our councillor representatives on European bodies, as well as our two officers based in Brussels, who are working to articulate Scotland's position on the European stage and build a broader, international stage for the future.



COSLA in Holyrood

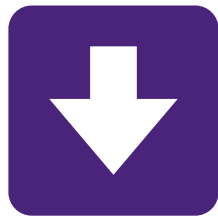
Bi-monthly meetings between the Cabinet Secretary for Communities and Local Government and COSLA continue to have EU Exit related issues on the agenda.

COSLA has secured a commitment to regular conversations with the Cabinet Secretary for Government Business and Constitutional Relations, Mike Russell.

We've also ensured that there are regular officer meetings scheduled to support this agenda.



USEFUL LINKS



www.gov.scot/brexit

www.acas.org.uk

www.gov.uk/prepare-eu-exit

**[https://www.cosla.gov.uk//about/
cosla-europe/brexit/cosla-and-
brexit](https://www.cosla.gov.uk//about/cosla-europe/brexit/cosla-and-brexit)**