

Registers of Scotland

RoS Board

6 May 2020

COVID19 status update – board paper

Purpose

1. To update the RoS Board on the overall activities during the first five weeks of the COVID-19 crisis.

Background

2. This paper summarises the key actions, and guiding principles, for the work undertaken during the first weeks of the COVID-19 public health emergency. This paper is accompanied by three supporting papers which provide more detail on the following aspects:

- a. Customer Support
- b. Remote enablement of colleagues
- c. Status of our various registers

3. The EMT identified the emergence of COVID19 as a potential specific risk to ROS business in February 2020. At that time it was not known that lockdown measures would be imposed in the UK and the EMT determined that reviewing our pandemic flu plans and being ready to establish an appropriate incident response if the situation escalated was an appropriate course of action. The Accountable Officer established an incident management response in early March to monitor the situation within RoS, with a focus on managing the impact on business operations from any rise in the number of staff who were needing to quarantine in accordance with government guidance after returning from countries with known outbreaks.

Guiding principles

4. The overall RoS response to the escalating crisis has followed four key principles:

- a. Adhere to the Government Guidance
- b. Protect the health and wellbeing of RoS colleagues
- c. Deliver critical support to RoS customers.
- d. Sustain ongoing customer support.

Adhere to the Government Guidance

5. In the course of two weeks in the middle of March the national situation escalated very rapidly as community transmission in the UK was confirmed. The government guidance around 'work from home if you can' on the 16th March, alongside the advice for those with certain underlying health conditions to self-isolate, was followed within the space of a week with the imposition of the current lockdown. In the intervening week the incident response in RoS ramped up significantly. Measures were taken to deliver additional health and safety measures within buildings (e.g. additional hand sanitising, cleaning regimes, changes to the operation of the canteen) and as much work as possible to remotely enable the maximum number of colleagues was delivered.

Protecting the health and wellbeing of RoS colleagues and delivering critical support to RoS customers

6. On 23rd March, after the lockdown was announced, the decision was taken by the EMT that, to prioritise ensuring the health and safety of RoS colleagues we would close our buildings, and identify remote delivery solutions to sustain critical support to our customers. A small number of registration colleagues were asked to attend MBH on 24th March, to process the post that had been received overnight, to enable us to shut down the application record in an orderly fashion and have the ability to pursue a digital solution for future applications.

7. Urgent action was taken on the day following our closure announcement to put in place an emergency process to ensure no customers, who needed to proceed, would have their transaction compromised by our decision to close our buildings.

8. In parallel discussions continued that week with the Law Society of Scotland and UK Finance to agree a more sustainable interim mechanism for enabling transactions to proceed when required. This was agreed and implemented by the end of the week that lockdown began.

9. The interim solution agreed relied on the existence of advance notices to provide the necessary assurance for solicitors and their clients to be able to complete property transactions, safe in the knowledge that they would have their rights secured until such time as they could submit an application to RoS. There were two potential future problems with the interim solution, namely that advance notices expire after 35 days and there was no remote mechanism for putting new advance notices for first registrations and transfer of part into the system. Therefore to improve the sustainability of this solution further measures were developed over the next 10 working days:

- a. Legislative change through the Coronavirus (Scotland) Act 2020 which removed the 35 day expiry of advance notices by ensuring that all advance notices in the system extended until 10 days after full reopening of the application record.
- b. Legislative change to enable the acceptance of electronic submissions to the property registers
- c. The development, testing and launch of a digital submission system for new advance notices for first registrations and transfers of part.

10. The ability to deliver firstly the emergency customer support measures and then, in greater numbers, process the advance notices that would result from the digital submission portal required significant work to enable a larger number of colleagues to be able to work remotely. Having had no time to complete the build and issuing of RoS laptops before lockdown, new solutions were found to enable remote access for RoS colleagues without needing to access these embargoed laptops.

11. Throughout the lockdown period work to provide pastoral support to colleagues now either working remotely at home or unable to work from home due to caring responsibilities or lack of IT access has been delivered. Further details of the work undertaken to remotely enable, and support colleagues outside the office environment, are provided in the accompanying paper B.

12. Throughout the lockdown period significant activity has taken place to communicate with citizens, customers and other key RoS stakeholders, partner organisations and MSPs. Customer services colleagues have been fielding emails and phone calls, communications colleagues have been monitoring and responding to requests for information and comments on our various social media channels, engagement on a reactive and proactive basis has taken place with members of the media and proactive communication has been issued on a regular basis to keep stakeholders informed of developments. Further details of how

customers have been engaged and supported during this period are provided in the accompanying paper A.

Sustaining ongoing customer support

13. Further to the launch of a digital submission system for advance notices, we have now built, tested and launched a digital submission systems for actual applications. The system launched on the 27th April 2020 and is being rolled out on a date-phased basis to enable the backlog of pending applications to be sent to us and processed onto the application record.

14. Although being able to accept digital applications is a key step on the route to reopening the application record, we recognise that whilst lockdown remains in solicitors may not be able to safely access paperwork to send to us and therefore the interim advance notice solution and other emergency support will remain in place until we agree with the Law Society that the time is right to fully reopen the application record.

15. Work is also in hand to ensure that applications to our other registers can be supported during this time if required. Again, emergency provisions are in place, but a more sustainable approach is being actively investigated and developed. Full details of the current status of all our registers are provided in the accompanying paper C.

Preparing for the next phase

16. The Scottish Government has now published its Framework for Decision Making concerning if, when and how to lift some of the lockdown measures; work in RoS is therefore now underway to plan and prepare for the possible scenarios that will enable us to support some level of reopening our buildings when the Government confirms that this could be possible. The key measures we are putting in place is planning for reorganising our buildings to enable appropriate social distancing in the office and continuing to enable the maximum number of colleagues to work remotely to ensure that it is possible for a large percentage of the workforce to continue to work from home if required (this will also support the expectation that our offices will be able to safely accommodate a smaller number of people than previously with new social distancing requirements in place).

17. Beyond the immediate planning for how we could safely reopen our buildings and sustain a prolonged period of ongoing working from home from many colleagues, we have also initiated the COVID19 transition project to undertake the necessary activities to get RoS back on track to deliver our 2020-2025 Corporate Plan and associated strategic objectives, recognising that we will need to do this whilst building on the progress that has been made in developing digital solutions for customers, embracing new ways of working remotely on an enduring basis, and in the context of the challenging financial circumstances we expect to find ourselves in, due to the impact of COVID19 on the economy.

Conclusion

18. A significant amount of work has been delivered in the last five weeks to ensure we protect the health and wellbeing of ROS colleagues, whilst ensuring that customers are still supported in delivering their essential tasks. We have progressed from an emergency response situation, where only a small number of colleagues were remotely enabled to support us in delivering a very manual set of processes to support customers; to a situation where a much larger number of colleagues are now remotely enabled and considerably more sustainable, automated and digital ways of working have been introduced to support customers. As we start to move forward from the immediate emergency response and transition into a new normal way of working, appropriate lessons learned exercises will be co-

ordinated and delivered to ensure that any learnings from how we responded to this emergency can be identified and taken forward into the management of future incidents.

Recommendation

19. The Board are invited to note the update and provide any reflections they wish to share on how RoS has responded to the immediate COVID19 emergency.

Keeper of the Registers of Scotland
28 April 2020