

Notice of KEY Executive Decision (Special Urgency)

Subject Heading:	Implementation of Business Continuity Measures – Bereavement & Registration Service
Cabinet Member:	Councillor Viddy Persaud, Cabinet Member Public Protection & Safety
SLT Lead:	Barry Francis, Director of Neighbourhoods
Report Author and contact details:	<i>Louise Roast</i> <u><i>Louise.roast@havering.gov.uk</i></u> 01708 433498
Policy context:	This decision seeks permission to implement service change measures arising from the impact of the current pandemic.
Financial summary:	There will be some minor financial implications in that income for witness committal ceremonies will reduce while the restriction is in place and there could be a delay in receiving memorial renewal income.
Reason decision is Key	Significant effect on two or more Wards
Date notice given of intended decision:	<i>This is a decision pursuant to para 11 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, made under “special urgency” with the consent of the Chair of the Overview and Scrutiny Board.</i>

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Relevant OSC:	Towns and Communities
Is it an urgent decision?	Yes
Is this decision exempt from being called-in?	<i>Yes, due to Special Urgency</i>

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks permission to enable significant changes and cancellation measures, when required, in the Business Continuity Planning across the Bereavement & Registration Service, in light of the impact of the current COVID Pandemic.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 [Responsibility for Functions] of the Council's Constitution:

Section 3.2 – Powers of the Chief Executive

- (c) To carry out the functions of the Council for civil aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or a disaster in the borough.

Section 3.3 – Powers of Members of the Senior Leadership Team

Members of the Senior Leadership Team (SLT) have delegated authority to act as follows within the assigned service service/portfolio of responsibilities, subject to the general provisions and limitations set out in section 3.1 above.

General Powers

- (a) To take any steps necessary for proper management and administration of allocated portfolios.
- (c) To make arrangements to secure continuous improvement in the way the Council's functions are exercised having regard to a combination of economy, efficiency and effectiveness etc as required by external regulatory agencies.

STATEMENT OF THE REASONS FOR THE DECISION

This decision is required under “Special Urgency” to allow the Council to plan and undertake effective strategies for working and service delivery during the current Covid 19 outbreak.

Arising from the impact of the spread of the Coronavirus and the pandemic situation the Authority is now in, the Bereavement & Registration Service has reviewed its Business Continuity Planning and recommends that the following emergency actions be authorised, to be taken as such time as the service deems appropriate, to best manage and minimise service disruption, minimise the possible risk and spread of infection, and uphold the reputation of the Council during this period.

The Immediate actions the service wishes to be authorised are proposed to keep in line with Government guidelines to minimise social interaction and reduce social gatherings:

1) Funeral Attendance – South Essex Crematorium/Cemeteries

1. It is recommended that with immediate effect, funeral parties at the South Essex Crematorium/Upminster Cemetery and Romford Cemetery are reduced from 20, to no more than 10 guests only. This is in accordance with the guidelines that state the funeral party should consist of immediate family only, in line with other local crematoria, and supports the social distancing guidelines. This is also recommended on the basis that the South Essex Crematorium has severely reduced public car parking space due to the temporary body storage unit which has been constructed in the main public car park.
2. It is recommended with that with effect from Wednesday 8 April 2020, in accordance with the relevant part of the Health Protection (Coronavirus, Restrictions) Regulations 2020, that the grounds to the South Essex Crematorium are closed to the public:

“(8) A person who is responsible for a crematorium or burial ground must ensure that, during the emergency period, **the crematorium** is closed to members of the public, except for funerals or burials. “

As the grounds to the South Essex Crematorium are linked to the grounds of the Upminster Cemetery, it is further recommended that the closure is extended to Upminster Cemetery, and in the same vein, the other Cemeteries located at Romford, Hornchurch & Rainham, to support the social distancing measures and to avoid cemeteries being used as public meeting places,

3. It is recommended that witness committal (laying to rest of cremated remains in the presence of mourners) ceremonies be ceased so as to avoid coming into close contact with members of the public
4. It is recommended that Bereavement Service cease provision of a grave selection service so as to avoid coming into close contact with members of the public.
5. In light of the pandemic situation and financial difficulties now being experienced within our community, it is recommended that Bereavement Service extend the period for customers to renew the ten year lease on their memorial item within our grounds. These memorials are situated within the grounds of the South Essex Crematorium and Cemeteries. Usually, a renewal payment should normally be received before the expiry of the current lease, however, given the current climate the service recommends that customers are provided with a 12 week period in which to renew, during which time the memorial itself to stay in situ and not be removed from our grounds.

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6. In response to the requirement to implement social distancing measures, and reduction of the numbers of mourners permitted at funerals, the service is experiencing a high demand for webcasts of the funeral service. As a sympathetic response and due to the sensitivities around funeral restrictions, particularly given that a number of the funerals held have already been for COVID victims and that is going to increase substantially, the service recommends to reduce the fee for a webcast from £55 to £30 as a goodwill gesture. This is in line with other local Crematoria who have implemented the same measure.
7. In response to the pandemic situation, it is recommended that within the Registration service, the provision of an on-call Service for emergency death registration (for faith deaths) is extended to 3 hours each Sunday (from 2 currently) and that the hours of operation are 9am -12pm, so that we may provide an enhanced service to those who require it during this time. This to be re-visited and extended if the need arises. To commence Sunday 12 April 2020.

OTHER OPTIONS CONSIDERED AND REJECTED

None

PRE-DECISION CONSULTATION

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Louise Roast

Designation: Head of Bereavement & Registration

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. This report seeks approval to implement emergency business continuity arrangements in connection with the COVID-19 outbreak. The background is as set out within the body of this report and any appendices to it.
 2. The Council has a general power under section 1 of the Localism Act 2011 to do anything that individuals generally may do, including to implement the arrangements proposed in this report. The Council also has a general power under section 111 of the Local Government Act 1972 to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of its function.
 3. The Council is a local authority and a best value authority with duties and powers to make arrangements to secure continuous improvement in the way it exercises its functions, pursuant to Part I of the Local Government Act 1999.
 4. Section 2 of the Civil Contingencies Act 2004 requires the Council, as a category one responder, to maintain emergency plans and business continuity arrangements; for the purpose of ensuring that if an emergency occurs or is likely to occur the person or body is able to perform his or its functions so far as necessary or desirable for the purpose of (i) preventing the emergency, (ii) reducing, controlling or mitigating its effects, or (iii) taking other action in connection with it.
 5. As a local authority, the Council has a duty under section 13 of the Registration Service Act 1953, to operate a local registration scheme in respect of births, deaths and marriages occurring within the borough. The detailed procedures to be followed by registrars in relation to the registration of births, deaths and marriages are as set out in the Marriage Act 1949, the Births and Deaths Registration Act 1953 and associated duties under the Registration of Births, Deaths and Marriages Regulations 1963.
 6. Under section 3.2 [Powers of Chief Executive] of Part 3 [Responsibility for Functions] of the Council's constitution (the "Constitution") the Chief Executive has the power, *"to carry out the functions of the Council for civil aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or a disaster in the borough"*. Similarly, under section 3.3 [Powers of Members of the Senior Leadership Team (SLT)], members of the SLT have delegated authority, *"to take any steps necessary for proper management and administration of allocated portfolios"*; and *"to make arrangements to secure continuous improvement in the way the Council's functions are exercised having regard to a combination of economy, efficiency and effectiveness etc as required by external regulatory agencies"* subject always to the general provisions and limitations set out in section 3.1 of Part 3.
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1. In the exercise of the executive function, officers must comply with the principles of Part 2 [Articles of the Constitution], Article 9 - Decision Making, under which all decisions must be made: proportionately; after due consultation and the taking of professional advice; with respect for human rights as set out in the Human Rights Act 1998 and having regard to the Council's public sector equality duty; with the presumption in favour of openness; with clarity of aims and desired outcomes; after due consideration for the interests of residents and other stakeholders, and in accordance with the Policy Framework.
 2. Under Section 149 of the Equality Act 2010 (the 2010 Act) the Council must, when

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exercising its functions, have due regard to the need to eliminate discrimination, harassment and victimisation and other prohibited conduct and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' under the 2010 Act and those who do not share a protected characteristic. A 'protected characteristic' is defined to mean age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are also protected characteristics for the purposes of the duty to eliminate discrimination.

John William Jones. Legal.6.4.20

FINANCIAL IMPLICATIONS AND RISKS

There will be some minor financial implications in that income for witness committal ceremonies will reduce while the restriction is in place and there could be a delay in receiving memorial renewal income.

Rita Batcheta. 6.4.20

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

Given the Coronavirus outbreak, the paramount consideration of the Council is the health and wellbeing of Members and officers.

The human resources can be managed – there is additional workload in administering the service changes but this can be managed by the services

All employees directly affected by the proposals contained in this report will be managed in accordance with the Council's published COVID-19 Managers Guidance.

Geraldine Minchin. HR business partner. 6.4.20

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

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- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out when a current or planned service/policy/activity is likely to affect staff, service users, or other residents. It is acknowledged that in emergency or urgent situations it will not always be possible to carry out an EqHIA in advance of a relevant activity, however, managers will undertake the required EqHIAs at the earliest opportunity. Where managers are already clear that protected groups/users will be impacted negatively by the intended activity, then this will be noted in the next paragraph and/or put into EqHIAs. Where the negative impact of the intended activity can be mitigated, this too should be set out in this report and/or the EqHIA.

In all situations, urgent or not, the Council will seek to ensure equality, inclusion, and dignity for all.

Vernal Scott. Equalities & Diversity. 6.4.20

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

The COVID 19 pandemic is a global and national emergency with serious impact on lives and socio economic activities. National guidance recommends social distancing measures, working from home and only essential travels to reduce further risk to lives. Given the threat to lives posed by the ongoing pandemic, the overriding consideration is to follow national guidance to protect lives.

Kate Ezeoke-Griffiths. Public Health. 6.4.20

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____