

## Notice of KEY Executive Decision (Special Urgency)

<b>Subject Heading:</b>	Special Urgency Key Decision Bereavement Services – Re-opening of Services
<b>Cabinet Member:</b>	Councillor Viddy Persaud, Cabinet Member Public Protection & Safety
<b>SLT Lead:</b>	Barry Francis, Director of Neighbourhoods
<b>Report Author and contact details:</b>	<b><i>Louise Roast</i></b> <b><u><i>Louise.roast@havering.gov.uk</i></u></b> <b>01708 433498</b>
<b>Policy context:</b>	This decision seeks permission to implement service change measures arising from the impact of the current pandemic.
<b>Financial summary:</b>	Overall increase in income
<b>Reason decision is Key</b>	Significant effect on two or more Wards
<b>Date notice given of intended decision:</b>	<b><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></b>

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<b>Relevant OSC:</b>	Towns and Communities
<b>Is it an urgent decision?</b>	Yes
<b>Is this decision exempt from being called-in?</b>	<i>Yes, due to Special Urgency in light of the current CV19 emergency and the need to implement quickly</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 recovery measures, namely, the re-opening of services within Bereavement Services, these services had been previously suspended in light of the impact of the Covid pandemic.

### AUTHORITY UNDER WHICH DECISION IS MADE

Part 3.7.6: Responsibility for Functions

#### **3.7.6 REGISTRARS AND BEREAVEMENT SERVICES MANAGER**

To exercise the Council's powers and duties under the Registration Service Act 1953 and any regulations made under it.

(a) To exercise the Council's powers and duties under the Marriage Act 1984 and the Marriages (Approved Premises) Regulations 1995.

(b) To exercise the powers of the Council to operate and maintain the Council's cemeteries and crematorium.

(c) To set fees for occasional and special items at the cemeteries and crematorium and to vary fees when it has not been possible to meet the agreed service standard.

### 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, ensure that the deceased can be cremated or buried without a significant delay 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:**

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### 1. **Bereavement Services – resuming of face to face appointment/grave selection and witness committals.**

Bereavement Services seeks permission to resume the following services that have been suspended due to the Covid 19 pandemic:

2. Re-opening of the front facing reception at the South Essex Crematorium. This facility provides advice for the recently bereaved and offers a facility for memorial sales. Following a Risk Assessment process, it has been determined that the reception can be opened safely with the relevant control measures in place, on an appointment basis so as to control the number of people at anyone time for the safety of staff and customers. This report seeks permission to re-open the service as soon as possible once protective screens are installed.
3. The service wishes to resume face to face appointments with families for grave selection in our Cemeteries from Monday 6 July. . This service was suspended in line with a previous ED but now wishes to resume and can be carried out safely in line with the Risk Assessment. This is a valuable service for the recently bereaved who would like that personal service in selecting a suitable position for a resting place for a loved one.
4. The service wish to resume witness commital services from Monday 6 July. This service was suspended in line with a previous ED but now wishes to resume and can be carried out safely in line with the Risk Assessment. This is a valuable and popular service for bereaved families whereby remains are laid to rest in our grounds of the South Essex Crematorium & Cemeteries by way of a short service conducted by one of our staff and attended by the family/friends of the deceased.
5. The service wish to resume collecting payment for cremated remains retention services from Monday 6 July. This service was suspended in line with a previous ED but now wishes to resume once the office opens and families have the option to collect cremated remains safely in line with the Risk Assessment. This is a valuable service for bereaved families whereby remains are cared for on site at the South Essex Crematorium whilst families decide on their next steps.

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**OTHER OPTIONS CONSIDERED AND REJECTED**

It was considered to continue with closure of these services but this was rejected due to the need to re-open these essential front facing services as soon as possible

**PRE-DECISION CONSULTATION**

Councillor Viddy Persaud has been briefed and is supportive of the plans to re-open services

**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.
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 exercising its functions, have due regard to the need to eliminate discrimination,

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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 25.6.20

## **FINANCIAL IMPLICATIONS AND RISKS**

Resuming the services specified in this report will have financial benefits to the Council in that services which generate income will be available again to the community.

There will be costs incurred to ensure that the locations and offices are safe for staff and customers alike in reopening.

Julie Oldale. 29.6.20

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

Given the Coronavirus outbreak, the paramount consideration of the Council remains the health and wellbeing of Members and officers. Staff will continue to be managed in accordance with the Council's published COVID-19 Managers Guidance which includes ensuring all workplaces are risk assessed and compliant with the Governments guidance and are safe for employees and members of the public.

Geraldine Minchin. 25.6.20

## **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.

Jerry Haley 26.6.20



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### **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.

Following the cessation of council services in line with Government guidance, we are now in the recovery phase and re-opening services in line with the easing of lockdown measures.

For all services re-opening there is a Risk Assessment in place to demonstrate how we will provide the service in a covid secure way in line with government guidance for the protection of staff and customers which have been carried out in conjunction with advice from colleagues in Environmental Health & Public Health, which includes ensuring staff undertake relevant training.

Kate Ezeoke-Griffiths. 29.6.20

### **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 \_\_\_\_\_