

## Notice of KEY Executive Decision (Special Urgency)

<b>Subject Heading:</b>	Special Urgency Key Decision Registration Service – Resuming of face to face appointments & Ceremony Update
<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
- Places making Havering
- Opportunities making Havering
- Connections making Havering

***Place an X in the [] as appropriate***

## Key Executive Decision

### Part A – Report seeking decision

#### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

This report seeks permission to enable changes and cancellation measures, in the Business Continuity Planning across the Bereavement & Registration Service, in light of the impact of the current COVID Pandemic. It also seeks permission to implement recovery plans to services.

#### **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) **Face to face services - Birth Registration/ emergency notice of marriage/private citizenship appointments.**

The Registration Service has received an official notification from the General Register Office that birth registration can now resume. The service therefore seeks permission to resume this service from Monday 22 June 2020, on the following basis:

Phase 1 – all customers with appointments that had to be cancelled will be contacted first.

Phase 2 – appointments will be opened for all other customers.

The service will resume normal office opening hours which includes Saturdays.

The service is also seeking permission to resume other face to face appointments from the same date (22 June 2020) which could be for example for emergency notice of marriage and for emergency private citizenship appointments.

Langtons House is currently undergoing some modifications including the installation of protective screens to make it safe for customers and staff. Staff have undertaken relevant training and there is a risk assessment in place for this activity appended to this report (public health and health & safety colleagues have been consulted).

### 2) **Weddings/Ceremonies**

**Currently all those with a wedding or ceremony booked with the Registration Service have been offered postponement or cancellation until the end of June 2020, in line with a previous Executive Decision.**

The purpose of this Executive Decision is to provide an update that the service awaits further advice from the Government/General Register Office on how ceremonies can be held safely. As at the time of writing this paper, no further official update has been received and ceremonies are not allowed to go ahead. It is however, anticipated that guidance on allowing small weddings/ceremonies will be received soon.

It is therefore requested that the service be allowed to re-introduce weddings and other ceremonies when advised by the Government/General Register Office, and in accordance with their guidelines. Cabinet will be advised when this is received.

In the meantime it is recommended that all those with a ceremony booked, on a month by month basis, are offered either postponement (until after 1 October ) or cancellation and refund

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**OTHER OPTIONS CONSIDERED AND REJECTED**

The other options considered is to not put measures in place – this has been rejected as it will severe consequences for the Authority, lead to complaints and likelihood of financial compensatory claims

**PRE-DECISION CONSULTATION**

Councillor Viddy Persaud has been briefed

**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 15.6.20

## **FINANCIAL IMPLICATIONS AND RISKS**

There are 26 weddings booked in July 2020. If customers choose to cancel their weddings and opt for a full refund, the loss to the Council is £5,756.

Should this need to be extended further, there are 45 weddings booked in August at a value of £12,156 and 29 booked in September at a value of £7,273.

Rita Bacheta . 11.6.20

## **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 be managed in accordance with the Council's published COVID-19 Managers Guidance.

Geraldine Minchin. 11.6.20

## **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. 11.6.20



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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. 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. This decision to enable changes and cancellation in the Business Continuity Planning across the Bereavement & Registration Service is in line with national guidance. As face to face birth registrations resumes risk assessment has been undertaken and measures including installation of Perspex screens, staff training and 2 metre markers are being put in place to ensure safety and reduce risk of infection to both staff and public, working in conjunction with advice from colleagues in Environmental Health & Public Health

Kate Ezeoke-Griffiths. 11.6.20

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