

## Notice of Non-key Executive Decision

|  |  |
|--|--|
| <b>Subject Heading:</b>                              | <b>Pan-London Mortality Management – Future Arrangements</b>   |
| <b>Cabinet Member:</b>                               | <b>The Leader</b>  |
| <b>SLT Lead:</b>                                     | <b>Andrew Blake Herbert</b>  |
| <b>Report Author and contact details:</b>            | <b>Jane West, Chief Operating Officer<br/>jane.west@havering.gov.uk</b>  |
| <b>Policy context:</b>                               | <b>There is an urgent need to put in place arrangements to secure pan-London mortuary provision looking ahead to the coming months and planning for a potential second wave of COVID-19 cases and deaths. Westminster and Camden have agreed to oversee these arrangements on behalf of all London boroughs.</b> |
| <b>Financial summary:</b>                            | <b>Westminster and Camden are asking all London Boroughs to contribute to a sinking fund for pan-London mortuary provision. The contribution required from the Council is £467,956. The cost will be met from the Business Risk Reserve.</b>   |
| <b>Relevant OSC:</b>                                 | <b>Overview and Scrutiny Board</b>   |
| <b>Is this decision exempt from being called-in?</b> | <b>Yes, it is a non-key decision by a member of staff</b>  |

## Non-key Executive Decision

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

|                               |     |
|-------------------------------|-----|
| Communities making Havering   | [✓] |
| Places making Havering        | [✓] |
| Opportunities making Havering | [ ] |
| Connections making Havering   | [ ] |

### Part A – Report seeking decision

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

##### RECOMMENDATIONS

1. To agree to the proposed Pan-London arrangements for mortuary provision looking ahead to the coming months and planning for a potential second wave of COVID-19 cases and deaths. Arrangements to be led by the City of Westminster and the London Borough of Camden.
2. To agree to sign the legal agreement that commits the London Borough of Havering to make a contribution of £467,956 to the sinking fund held by the London Borough of Camden on behalf of all London Boroughs funded from the Business Risk Reserve.

##### REPORT DETAIL

All London Boroughs are being asked to sign up to Pan-London arrangements for mortuary provision looking ahead to the coming months and planning for a potential second wave of COVID-19 cases and deaths. These arrangements are being led by Westminster and Camden.

An inter-authority legal agreement (attached) commits London local authorities to fund the temporary mortuary provision through to March 2021.

All London Boroughs are being asked to make a contribution to a sinking fund to be held by the London Borough of Camden to finance these arrangements. The contribution is based on a per capita basis and the contribution for Havering is £467,956.

A letter and background report from Westminster City Council and the London Borough of Camden is attached as Appendix A to this report. It includes a copy of the legal agreement.

#### AUTHORITY UNDER WHICH DECISION IS MADE

Council Constitution, Part3, 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.

## Non-key Executive Decision

### **STATEMENT OF THE REASONS FOR THE DECISION**

As a part of the London Resilience arrangements for the Covid-19 pandemic, there is an urgent need to put in place arrangements to secure pan-London mortuary provision as we look ahead to the coming months and plan for a potential second wave of Covid-19 cases and deaths.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

Without the Pan-London provision of additional mortuary provision, in the event of a second wave of Covid-19, the Council would need to commission its own provision which would be likely to be more expensive and time consuming than contributing to a Pan-London arrangement. Depending on the extent of deaths that might result from a second wave and the likelihood that the key provider(s) will contract with the Pan-London arrangements, there may not be sufficient additional providers that Havering can contract with separately.

### **PRE-DECISION CONSULTATION**

**None**

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

Name: Andrew Blake-Herbert

Designation: Chief Executive

Signature:

Date: 2.09.20

## Part B - Assessment of implications and risks

### **LEGAL IMPLICATIONS AND RISKS**

The agreement put forward to Havering sets out Havering's liability on the basis the likely costs associated with worst realistic case of mortality following a second wave apportioned between London authorities relying on ONS figures for population. The agreement is for an initial period between 4 September 2020 to 31 March 2021.

The agreement makes provision for Westminster as the lead authority to request additional sums if the liability assessment proves insufficient to meet the ongoing liabilities or in the alternative serve notice to terminate early if funds fall below two months of necessary funding. Westminster will endeavour to ensure value for money.

The agreement also makes provision for the agreement to be extended for Pan-London provision beyond 31 March 2021 if required subject to a further investment of funds into the sinking fund.

The agreement also makes provision that in the event mortality management function is no longer required, any funds not used in the sinking fund (plus any interest) will be reimbursed back to London local authorities on the same basis on which payments were made into the sinking fund.

### **FINANCIAL IMPLICATIONS AND RISKS**

All London Boroughs are being asked to make a contribution to a sinking fund to be held by the London Borough of Camden to finance these arrangements. The contribution is based on a per capita basis and the contribution for Havering is £467,956. This will be met from the Business Risk Reserve.

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

There are no HR implications.

### **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:

- (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, sexual orientation.

### **Non-key Executive Decision**

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.

There are no equalities and social inclusion implications or risks arising from this report.

### **BACKGROUND PAPERS**

Letter and report from the City of Westminster and the London Borough of Camden.

**Non-key Executive Decision**

**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

**Details of decision maker**

Signed



Name: Andrew Blake-Herbert

Cabinet Portfolio held:  
CMT Member title: Chief Executive  
Head of Service title  
Other manager title:

Date: 2 September 2020

**Lodging this notice**

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

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_