

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Introduction of a new fee for the burial of Non-Viable Foetuses – Bereavement Services
<b>Decision Maker:</b>	Councillor Paul Middleton, Cabinet Member for Digital, Transformation & Customer Services.
<b>Cabinet Member:</b>	Councillor Paul Middleton, Cabinet Member for Digital, Transformation & Customer Services.
<b>ELT Lead:</b>	Paul Fisher, Director of Customer Services
<b>Report Author and contact details:</b>	Louise Roast, Assistant Director Registration & Bereavement Services <b><u><a href="mailto:Louise.roast@havering.gov.uk">Louise.roast@havering.gov.uk</a></u></b>
<b>Policy context:</b>	Charging for Services
<b>Financial summary:</b>	The decision supports income generation for the Council's Bereavement Service.
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non Key Decision

**Non-key Executive Decision**

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

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place. X

**Part A – Report seeking decision**

## Non-key Executive Decision

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

This report seeks approval from the Cabinet Member for Digital, Transformation & Customer Services to:

- Approve the introduction of a new fee for a new service for the burial of Non-Viable Foetuses (NVFs) to be introduced within Bereavement Services, to take effect from 1 June 2024.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Constitution: Part 3 – Responsibility for functions

Corporate Functions of Cabinet

2.5 The following Functions may be delegated to individual Cabinet members by the Leader.

- (x) To approve all in year changes to both fees and charges.

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

The Council's Bereavement Services wishes to introduce a new fee, in order that a new service can be introduced effective from 1 June 2024.

Bereavement Services are responsible for the running of the South Essex Crematorium and 4 Cemeteries based at Upminster, Romford, Hornchurch and Rainham; for the maintenance and upkeep of extensive memorial grounds and visitor facilities and the selling of a wide range of memorial products.

The new fee which Bereavement Services would like to introduce is for a sensitive burial service for what is referred to as 'Non-Viable Foetuses' (NVFs) which are classed as the remains of foetuses delivered early up to 24 weeks. A local Funeral Director, T Cribb and Sons, has the contract for the collection of NVF's from the Queens hospital (which come in a group of 12) and up until now have been taking them to the City of London Cemetery for burial. However, they have approached Bereavement Services because they would like to use Upminster Cemetery instead as it is more local and offers an attractive alternative, given that the service has recently extended and developed the site.

Bereavement Services would like to be able to respond to this sensitive request, and offer a burial service in a dedicated area within the Upminster Cemetery extension site. The intention is that we will lay a simple and fitting memorial in the area too.

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The location being proposed for the NVF burials is along the inner boundary in the new children's section. This section is land that would otherwise be unused because it has piling installed underground to prevent the water table from impacting the full body burials. The NVF burial area would not compromise the piling because the depth would only be at 4ft, the piling is at a deeper depth.

The area that is proposed would not affect the Local Plan and still ensures Havering has capacity for a further 25 years for full body burials.

This, along with the current service we provide in carrying out cremation of NVF remains from Basildon hospital, demonstrates that Bereavement Services can provide a sensitive and delicate service for those who have lost a baby at such an early stage in their pregnancy.

Given the locality and likelihood that some of the parents who have experienced the loss of the pregnancy will be residents of Havering, it is felt fitting to do so and will provide an opportunity for those parents to be able to visit the site if they so wish.

To implement this, a fee is required which we do not have currently. We have reviewed local prices for this service and found that the only current local cemetery offering this service is the City of London and they charge £250 which is for burial of a group of 12 NVF remains. The proposed fee the service would like to introduce is in line with this. They would be brought in by the Funeral Director (T Cribb and Sons) and laid to rest carefully and sensitively by Bereavement Services staff.

There will be approximately one delivery per month of the NVFs, so this new service will also support income generation for the service – estimated at £3,000 per year. Subject to Lead member agreement, we propose to introduce this service and associated charge from 1 June 2024.

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

Doing nothing. This was rejected as it would mean the council does not offer this service to the Queens Hospital and loses the opportunity to increase income for the council. The proposal also makes use of a piece of land at the cemetery that otherwise would not be used.

### **PRE-DECISION CONSULTATION**

**Non-key Executive Decision**

None required.

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

Name: Louise Roast

Designation: Assistant Director, Bereavement & Registration

Signature:



Date: 14.5.24

## Part B - Assessment of implications and risks

### **LEGAL IMPLICATIONS AND RISKS**

Local Authorities have a 'general power of competence' under section 1 of the Localism Act 2011 (the Act), to do anything that individuals generally may do, subject to any restrictions imposed by other statutes. The decision to set fees for bereavement services may be exercised in accordance with this power.

The Council may only charge for a service if (a) it is a discretionary service; (b) the person agrees to the service being provided; and (c) there is no other statutory power (excl s93 of the Local Government Act 2003) enabling the authority to charge (s3 of the Act). The recommendation in this report is in line with these provisions.

### **FINANCIAL IMPLICATIONS AND RISKS**

The Bereavement Service is proposing to introduce new fees and charges for the burial of Non-Viable Foetuses (NVFs) starting from 1st June 2024. The proposed fee is £250 for burial of a group of 12 NVF remains and is aligned with current market practices, while providing sensitive and compassionate services to families during a difficult time.

The proposed fee is expected to generate an additional revenue of £3,000 per year, with a net positive financial impact for the cemetery's operations. The costs associated with providing this service are expected to be containable within existing resources and the additional revenue will support the sustainability of the Bereavement Service.

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

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

### **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.

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

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 proposed or planned activity is likely to affect staff, service users, or other residents.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are no equalities and social inclusion implications and risks associated with this decision and proposal. It is supportive of allowing bereaved parents greater accessibility.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

There are no environmental or climate change implications. The burials of the NVFs will be carried out in accordance with all burial regulations

### **BACKGROUND PAPERS**

### **APPENDICES**

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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

*Paul Middleton*

Name: Councillor Paul Middleton

Cabinet Portfolio held: Cabinet Member for Digital Transformation, IT& Customer Services

CMT Member title:

Head of Service title:

Other manager title:

Date: 14.5.24

**Lodging this notice**

The signed decision notice must be delivered to Committee Services, in the Town Hall.

**For use by Committee Administration**

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

Signed \_\_\_\_\_

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