

CABINET MEMBER SIGNING

Thursday, 13th April, 2023, 3.00 pm

Councillors: Peray Ahmet

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

3. CORONERS BODY REMOVAL CONTRACTS (PAGES 1 - 4)

4. EXCLUSION OF THE PRESS AND PUBLIC

Item 5 is likely to be subject to a motion to exclude the press and public from the meeting as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 3 and 5, namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

5. EXEMPT - CORONERS BODY REMOVAL CONTRACTS (PAGES 5 - 6)

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Monday, 03 April 2023

Report for: Leader for Signing

Title: Coroners body removal contracts

Report authorised by: Fiona Alderman, Head of Legal and Governance

Lead Officer: Giles Adey, Strategic Adviser – Coroners 07927 326030

Ward(s) affected: All

**Report for Key/
Non-Key Decision:** Key decision

1 Describe the issue under consideration

- 1.1 This report seeks Cabinet member approval under Contract Standing Order (CSO) 16.02 to award a contract for the provision of body removal transportation services to Jacksons Hub Ltd.
- 1.2 This contract would be for a period of 3 years with an option to extend for 1 year.

2 Cabinet Member Introduction

- 2.1 Not applicable

3 Recommendations

- 3.1 The Leader is recommended to approve the following:
 - 3.1.1 the award of a contract for the provision of body removal transportation services on behalf HM Senior Coroner for a period of 3 years to Jacksons Hub Ltd at a contract value of £1,004,250 (including price increases), with an option to extend for up to 1 year at a total maximum contract value of £1,339,000.
 - 3.1.2 The inclusion of a contingency sum of up to the value set out in the Part B report (exempt). This takes account that the nature of the service and the number of death referrals to the coroner (and the number requiring transportation) is not constant and is usually subject to some fluctuation.

4 Reasons for decision

- 4.1 The Council's current contracts expire on the 5th April 2023 and a procurement process has been undertaken to ensure new contracts can be placed that meets the council's and the coroners current requirements.

5 Alternative Options Considered.

- 5.1 **Do Nothing**

- 5.1.1 This is not a viable option as the current contract for the body removal transportation services expires on 5th April 2023.

5.2 Renew existing contract

- 5.2.1 This was not an option, the reason is set out in the Part B (exempt) report.

5.3 Undertake a full compliant tender process

- 5.3.1 A compliant tender process in accordance with the Public Contracts Regulations 2015 was undertaken.

6 Background information

- 6.1 Under the provisions of the Coroners and Justice Act 2009 local authorities are responsible for funding all aspects of the local coroner service. Where a coroner area spans more than one local authority area, one of those authorities is known as the 'Relevant Authority' and takes the lead for supporting the coroner on a day-to-day basis, and for meeting all the costs of the service.
- 6.2 The North London coroner area consists of the London boroughs of Barnet, Brent, Enfield, Haringey and Harrow. Haringey is the relevant authority, and the costs of providing the service are apportioned between the boroughs on a per capita basis. The Haringey proportion is 17.30%.
- 6.3 In order to ensure best value in the use of public funds, the council puts contracts in place on behalf of the coroner for all the major areas of activity, one of which is for body transportation.
- 6.4 When a death is referred to the coroner, he/she is required to establish the cause. In the North London coroner area in 2021 63% of all death referrals required a post mortem examination to help establish the cause of death. In such cases it is necessary to transport the deceased from the place of death (community, hospital or care facility) to one of the two designated post mortem facilities for the area; Haringey mortuary and Brent mortuary.
- 6.5 At the point when the referral is made, the body becomes evidence for the purposes of the coroner's investigation. It is therefore critical that the deceased is transported in a controlled way that preserves the evidence. Once the post mortem has been completed, the coroner will release the body to the family funeral director for collection so that the funeral arrangements can proceed. The costs of the collection are met by the family not the council.

7 Procurement Process

- 7.1 This Open Tender was published on the council's procurement portal on the 10th October 2022. At close of tender on the 21st November 2022, 3 responses were submitted. One was rejected as being economically unviable.
- 7.2 Quality criteria of the tenders were evaluated by officers in the Chief Executives department and the commercial element was evaluated by the Strategic Procurement Unit. A consensus score was agreed and the Most Economically Advantageous Tender (MEAT) with combined highest score on Quality and Price

was chosen as the preferred bidder to provide the service requirement. Evaluation of Quality and Price was split 40:60% respectively.

7.3 The following is a summary of the outcome of the tender evaluation and clarification process:

Supplier	Quality 40%	Price 60%	Overall Score	Ranking
A	29.8%	60%	89.80%	1
B	29%	35.80%	64.80%	2

The complete breakdown of the yearly cost for the contract is available in **Part B: Exempt report, Table 1.**

8 Contribution to strategic outcomes

8.1 The Council has a statutory responsibility to provide the Senior Coroner with the resources which he requires to fulfil his legal responsibilities.

9 Statutory Officers comments (Chief Finance Officer (including procurement), Head of Legal and Governance, and Equalities

9.1 Finance:

9.1.1 The maximum cost of this four-year contract award is £1,339,900 which includes the option to extend for one year and there is a contingency as set out in the Part B report to allow for annual fluctuations in body removal volumes. The contract will be funded from the Coroners Service revenue budget. Costs are shared between the five boroughs of the North London jurisdiction on a per capita basis, with Haringey's share estimated to be £63,703 pa.

9.2 Strategic Procurement:

9.2.1 CSO 9.01.1 requires that a contact with an estimated value of greater than £160,000 should be let following publication of an appropriate advert. A suitable advertisement was placed and an open tender process in compliance with CSO 9.01.2a) was undertaken.

9.2.2 CSO 16.02 requires that all contracts valued at £500,000 or more may only be awarded by the Cabinet.

9.2.3 Strategic Procurement supports the recommendations in section 3 to award the contract for the provision of body removal transportation services on behalf of the Senior Coroner.

9.3 Legal

9.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

9.3.2 A compliant procurement process has been undertaken in accordance with the Public Contracts Regulations 2015.

9.3.3 Pursuant to Contract Standing Order 16.02 the Leader has authority to approve the award of the contract which this report relates to.

9.3.4 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Leader from approving the recommendations in the report.

9.4 Equality comments:

9.4.1 This is a contract that will affect the families of all deceased living within the five boroughs that make up the North London Coroner area in all cases where the death has been referred to the coroner.

9.4.2 Coroners are legally obliged to investigate all deaths referred to them. At the point of referral, the deceased body becomes evidence for the purposes of the investigation and must be transported in a controlled environment from the place of death to a designated mortuary pending further enquiries being made, or for a post mortem examination to be held to establish the cause of death.

9.4.3 The council tenders this service out on behalf of the coroner to achieve value for money. As an organisation carrying out a function on behalf of a public body, the contractor will be obliged to have due regard to the three aims of the Public Sector Equality Duty. The contractor is required to treat all deceased, and relatives with whom they come into contact with dignity, respect and compassion, and has must have particular regard to the religious and cultural wishes of those communities where treatment of a body and burial following death are sacrosanct.

9.4.4 Although coroners are under no legal obligations to give automatic priority to deaths from particular religious communities, the Senior Coroner for North London works closely with the local religious communities to ensure their needs are met wherever possible within the confines of the governing legislation.

9.4.5 An EqIA screening has been carried out and the overall impact is neutral. The contractors performance will be monitored to ensure there are no negative impacts on service users.

10 Use of Appendices / background documents:

10.1 N/A

11 Local Government (Access to Information) Act 1985

11.1 This report contains exempt and non-exempt information. The exempt information is contained in the exempt report and is not for publication. The exempt information is under the following category (identified in amended schedule 12A of the Local Government Act 1972 (3)):

11.2 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

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