

## Summary Sheet

### Council Report

Improving Places Select Commission 30<sup>th</sup> November 2016

#### Title

Dignity / Rotherham MBC Contract Performance Update

#### Is this a Key Decision and has it been included on the Forward Plan?

This is not a key decision.

#### Director Approving Submission of the Report

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#### Ward(s) Affected

All wards

#### Executive Summary

On 1st August 2008, the Council entered into a 35 year contractual agreement with Dignity Funerals Ltd for the provision of bereavement services to the people of Rotherham. This unique partnership led to the transfer of significant risks from the Council to Dignity, and saw Dignity take on the responsibility for the capital works and maintenance of the East Herringthorpe Cemetery and Crematorium along with the maintenance of the eight other Municipal Cemeteries located throughout the Borough. The Council retained the risk in relation to cemetery chapels, associated buildings and boundary walls on some cemetery sites. The partnership has resulted in a number of significant improvements in relation to the provision of bereavement services throughout Rotherham.

Dignity has sub-contracted the grounds maintenance elements of the service to Glendale Countryside Management Ltd (but Dignity retain the overall responsibility for the delivery of the service).

At the meeting of the Improving Places Select Commission on 14<sup>th</sup> September 2016, members received a verbal update from the Strategic Director for Regeneration and Environment regarding the background to the contract and the works that have been undertaken. Members of the Commission were informed that Dignity provide an annual report in relation to the delivery of the service over the previous 12 months, and requested a further update from officers once this report has been received.

The annual report was received from Dignity on 9<sup>th</sup> November 2016, and is attached as Appendix 1. Further narrative is provided later in this report which gives detail on key points from Dignity's annual report.

In addition, the report provides further information in relation to the following:

- Complaints received regarding the service (in relation to grounds maintenance, burial times and fees),
- Flexibility of the contract (in terms of the potential for renegotiation on certain aspects),
- Matters related to burials into lined graves (including costs),
- General information relating to the setting of fees (including standard services and memorial benches).

### **Recommendations**

- That the Improving Places Select Commission notes the content of this report.

### **List of Appendices Included**

Appendix 1 Dignity Annual Report 2016  
Appendix 2 Details of complaints recorded by Rotherham MBC

### **Background Papers**

None.

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Not applicable.

### **Council Approval Required**

No.

### **Exempt from the Press and Public**

Not exempt.

## **Title (main report)**

Dignity / Rotherham MBC Contract Performance Update

### **1 Recommendations**

1.1 That the Improving Places Select Commission notes the content of this report.

### **2 Background**

On 1st August 2008, the Council entered into a 35 year contractual agreement with Dignity Funerals Ltd for the provision of bereavement services to the people of Rotherham.

This agreement saw Dignity take on the responsibility for the capital works and maintenance of the East Herringthorpe Cemetery and Crematorium along with the maintenance of the eight other Municipal Cemeteries located throughout the Borough.

The Council retained the risk in relation to cemetery chapels, associated buildings and boundary walls on some cemetery sites.

The partnership has resulted in a number of significant improvements in relation to the provision of bereavement services throughout Rotherham, including:

#### East Herringthorpe Crematorium Facility:

- Upgrade of the existing cremators in the facility to meet the essential requirements of new environmental legislation.
- Improvements to the chapel including access to the waiting room, facilities for funeral directors and a covered canopy to the chapel exit.
- A new state of the art bereavement services administration centre including reception, interview room, records and archive section, location of an electronic Book of Remembrance and visitor parking provision.
- A new 80 space car park, with overspill provision for a further 40 vehicles, including improved arrangements for the disabled and other visitors to the crematorium.
- The development of the crematorium grounds to provide an extensive landscaped memorial garden offering increased memorial choice to the bereaved.
- A new grounds maintenance depot built to modern standards and including staff welfare facilities and secure storage of plant and machinery.

## Municipal Cemeteries:

- A strategic plan identifying future burial requirements and the means by which the requirements are to be addressed based on community consultation.
- The identification of land within or adjacent to existing cemeteries appropriate for development for future burial use to meet the needs of local communities.
- Improved security and management of cemetery grounds to prevent crime, damage to buildings and infrastructure and to address anti-social behaviour.
- A management plan for the maintenance and development of cemetery roadways, pathways and grounds to meet vehicular access needs and the needs of pedestrians visiting the site.
- Development of cemetery grounds to provide areas of contemplation and memorial gardens offering improved memorial choice to the bereaved.

In order to deliver the objectives described above, Dignity Funerals Ltd have invested over £3 million in Bereavement Services in Rotherham. Without this financial input, it would not have been possible to bring about the necessary improvements.

Unlike a traditional contracting arrangement where a contractor is paid to deliver a service to the contract commissioner, the Council does not make a payment to Dignity for the provision of bereavement services in Rotherham. Whilst the bereavement services function was under the Council's control, the service returned a surplus of around £355k. In order to compensate the Council for this loss of revenue, Dignity guarantee a sum of £375k annually (linked to inflation) to be paid to the Council for the duration of the contract (this is in addition to the capital investment). Dignity increased this figure from £355k on condition that the contract length was extended from 30 to 35 years.

In addition, the Council will benefit from a share of any higher than expected annual profits generated by Dignity in the delivery of the contract – this is known as “exceptional surplus”. The payment made to the Council depends on the Equity Internal Rate of Return or “Equity IRR”, which represents the financial return to Dignity after taking into consideration the initial investment / debts generated as a result of delivering the contract.

The exceptional surplus provisions become relevant if the Equity IRR exceeds 20%. If the figure is between 20% and 25% then Council will receive 40% of the exceptional surplus. If the Equity IRR exceeds 25% then the Council will receive 60% of the exceptional surplus.

Any payments in relation to the exceptional surplus are made to the Council on at the end of each contract year (ending 31<sup>st</sup> March).

Dignity have provided an annual report in relation to the delivery of the contract over the preceding 12 month period (attached as Appendix 1), further narrative in relation to this report is provided at Section 3 below.

In an attempt to address Member's concerns about other elements of the Dignity contract, Section 3 also provides further information in relation to the following:

- Complaints received regarding the service (in relation to grounds maintenance, burial times and fees).
- Flexibility of the contract (in terms of the potential for renegotiation on certain aspects)
- Matters related to burials into lined graves (including costs)
- General information relating to the setting of fees (including standard services and memorial benches).

### **3 Key Issues**

#### **3.1 Annual Report**

The annual report provided by Dignity is attached as Appendix 1.

The report is relatively brief, however there are a number of key themes running throughout the report that are expanded on below:

#### **Refurbishment of crematorium chapel**

Complaints / comments have been received regarding two issues that have presented themselves at the crematorium chapel.

The first relates to the sound system that is used during services. There have been comments made by mourners that they cannot hear the service when they are standing outside of the chapel in the garden of remembrance (usually due to the chapel being full to capacity). In order to mitigate against the effects of this, Dignity are making arrangements for the installation of a temporary public address system that can be used in circumstances such as this.

The second issue relates to the use of the balcony above the chapel seating area. Access to this area is currently prohibited due to health & safety concerns. All chapel attendants have been informed of this, and advise mourners that they cannot access the area. It is the case however that on some occasions, mourners have obtained access to the balcony – as a result, the attendants have been reminded that access has been prohibited and signage has been erected to inform mourners of this.

Dignity are in the final stages of developing plans for the refurbishment of the crematorium chapel. This work will address both of the issues referred to above and whilst the balcony will still not be in use, the capacity of the chapel increase meaning that use of the balcony is less likely to be required.

### Parking at East Herringthorpe

Additional signage / wardens are being considered to ensure that those attending funeral services are aware of the car park location and park appropriately.

In addition, Dignity are investigating whether it is possible to extend the car park (which has a capacity for 120 vehicles) by using waste land at the rear of the current grounds maintenance depot. This proposal is still in the very early stages.

### Extension of burial hours

Dignity have given consideration to extending the hours during which burials can take place. At the present time there is no viable option for extending hours – primarily due to the lack of suitable lighting at the cemetery during the winter months in particular.

The current burial times are as follows:

- Summer (Apr – Sep) 9:00am – 3:00pm
- Winter (Oct – Mar) 9:00am – 2:30pm

The contract document refers to the burial times being as follows:

- Summer (Apr – Sep) 9:00am – 3:10pm
- Winter (Oct – Mar) 9:00am – 3:10pm (2:30pm Dec – Jan)

The latest time of 3:10 was set to avoid conflict with cremation services that may also be taking place at the same time. However, at the commencement of the contract, Dignity increased the cremation service times (from 20 minute slots to 45 minutes slots) which meant that the later time of 3:10 pm was no longer required.

Enquires have been made of Dignity in relation to the winter burial times, and the apparent anomaly between the times that burials take place and the times stated in the contract. The member of staff that is responsible for the administration of the burial appointments has confirmed that, apart from the amendment referred to above, the winter burial times have not changed since Dignity took over the management of the service and the latest burial has always been 2:30pm in winter.

### Kerb sets at Greasbrough Lane

Greasbrough Lane is a “lawned cemetery”, and as such the installation of kerb set memorials in this cemetery is prohibited.

However, over the years, there has been a proliferation of “DIY kerb sets” within this cemetery in particular.

As a result of a combination of the ground conditions, and the presence of DIY kerb sets, there are significant health & safety risks within the cemetery.

Dignity will be undertaking a number of actions in Greasbrough Lane Cemetery early in the New Year. These actions will include ground works to stabilise the area where burials can place and the provision of an official kerb set area. Once these actions are completed, then consideration will be given to dealing with the problems caused by the DIY kerb sets – this may include the removal of the items. This action will not be taken without the involvement / agreement of the Council, and only after significant consultation and publicity with the families of those buried in Greasbrough Lane Cemetery in addition to other interested parties (including Elected Members). There is no timescale on this activity as yet, however further information will be provided as soon as it is available.

### Chapels (general condition)

The Victorian chapels within a number of cemeteries remain the responsibility of the Council. Current budget constraints have limited expenditure on the chapels to essential maintenance work only.

All chapels are secured using appropriate security measures, including the use of security screening supplied by a specialist contractor.

However, vandals have gained access to the chapels on a number of occasions. Where this has been identified (usually where damage has been observed by cemetery operatives) then the property is secured as a matter of urgency.

Where any general disrepair issues are identified, the extent of the damage is assessed and where necessary (such as in cases where the damage presents a risk to the safety of cemetery users) an urgent repair is undertaken.

### Burial capacity within the Borough

There is no new burial capacity within a number of district cemeteries, and these cemeteries are only accepting burials into existing grave plots.

Land has been identified at Wath and Masbough cemeteries that can be utilised for burials and preparations are underway for this to be developed.

The capacity at Maltby cemetery will only provide for the community for the next 4 – 6 years (depending on burial rates). It is not possible to extend this cemetery due to its location, therefore Dignity and the Council are considering alternative locations within Maltby that could be redeveloped for burial use.

### Condition of roads and pathways

The contract requires Dignity to maintain the main thoroughfares through the cemetery, these may be roadways or footpaths excluding those that are not considered to be the main routes used within the cemetery.

As a result of the extreme weather conditions in recent years, a number of pot holes and other damage have occurred on the paths within some cemeteries.

Dignity have undertaken a review of the footpaths and roadways, and where there are significant risks to health and safety have prioritised repair work in these cemeteries.

Footpaths and roadways that are in a poor condition, but not so poor as to present a safety risk, will be considered as part of the standard maintenance programme.

### 3.2 Summary of complaints that have been received regarding the service that is provided by Dignity.

The service would appear to be generally well received by members of the public, and Dignity have received numerous letters / cards thanking them and their staff for the service that has been received.

Although Dignity strives to deliver an excellent service, it remains the case that complaints are received in relation to the services that are provided. Any complaints that are received are fully investigated by Dignity and attempts made to ensure that the customer is satisfied with the outcome of the investigation. The nature of the service that is provided means that those that make use of it are likely to be emotionally vulnerable, and as such it is not always possible to resolve the matter to the customers satisfaction – on these occasions the Council is occasionally required to act as an intermediary and determine the most appropriate way forward in relation to the complaint. These complaints are recorded by the Council (see Appendix 2) but are very small in number as the vast majority complaints are resolved by Dignity to the satisfaction of the customer.

The council and Dignity have agreed that details of the complaints that are received will be reported through to the council on a quarterly basis. This will allow for an analysis of trends and identification of any deficiencies within the service that is delivered by Dignity, and also any positive comments that are made by customers that have experienced the service provided by Dignity. This will also allow for accurate reporting of detailed information in relation to customer comments and complaints

Greasbrough Lane (Rawmarsh) and Maltby are the two cemeteries that attract the majority of complaints. A summary of the complaint types is provided below:



### Greasbrough Lane (Rawmarsh):

- Complaints have been received regarding the site in general. Parts of the site are in extremely bad condition, areas are water logged and in places are considered dangerous under certain weather conditions. Dignity cordon areas off over the winter and spring period and advise people that they need to be aware of the conditions if they did cross the cordon.
- Dignity have introduced a disclaimer form where the purchaser of the grave / cremation plot signs to say they have been made aware of the conditions. The land is not ideally suitable for burial and we have concerns over the actual digging of graves as well as the re-opening etc.
- This is an issue that Dignity inherited from the Council and there is a general view that the site is unsuitable for use as a cemetery and further discussion is taking place between the Council and Dignity in order to agree the most appropriate action to be taken to resolve the issues with the site at Greasbrough Lane.
- Other complaints include:
  - Grass cutting issues including grass sticking to headstones. This happens when the maintenance operatives use machinery to strim / cut the grass around headstones. This can cause grass cuttings to become deposited on headstones, particularly if the grass or headstones are damp / wet. Operatives have been instructed to use a blower to remove grass from headstones (which is less effective in wet / damp weather).
  - Soil sinking and top ups required. These are considered to be request for service rather than complaints, as top ups are often required following a burial due to natural ground settlement. However, extreme weather has increased the number of requests for top ups as a result of soil being washed away from the top of the graves by the rain.
  - Litter and dog fouling in the cemetery. The Council has identified this cemetery as one that requires attention from the neighbourhood warden's. The warden's will take action in relation to this antisocial behaviour wherever possible.
  - There is anecdotal evidence that youths are congregating within the cemetery. Visits to the site by Council and Dignity personnel have failed to confirm that this is taking place to any significant extent,

however the boundary fence will be repaired / enhanced to make it more difficult for people to gain access to the cemetery once the main gates have been locked.

#### Maltby Cemetery:

- Generally all complaints relate to grounds maintenance issues (grass on headstones, grass not being cut, grass being left and not collected etc.). A cut and collect mower has been purchased and is now being used by the maintenance operatives.
- In addition to the above, the following complaints have been received:
  - There was an allegation that maintenance operatives appearing to sit on kerb sets whilst a burial was taking place. On further investigation it was revealed that they were not sitting on the kerb sets, but were sitting on the grass at the base of a grave while a burial took place in the cemetery. The operatives have been informed about how their behaviour is being perceived and instructed to amend it accordingly.
  - A complaint has been received regarding the prices of a headstone and additional vases and permits required for headstones. The customer was given information regarding the cost and further detail on what is included in the charge.
  - One resident had raised a complaint with the Council regarding the failure to reduce the height of trees on the boundary between the resident's property and the cemetery. The Council's tree service has undertaken a review of the trees in the cemetery and all recommended work has been undertaken. The resident remains dissatisfied however, and has requested that the Council reduce the height of the trees – this would however be against the recommendation of the Tree Service manager and the matter remains unresolved.
  - Maltby Town Council have previously raised a number of issues regarding the condition of the drive way / drains in the cemetery. All major pot holes and the issues with the drain have been rectified, some minor pot holes remain and these will be addressed as part of the rolling maintenance programme for the cemetery.

Complaints in relation to the other municipal cemeteries can be summarised as follows:

- Rawmarsh (Haugh Road) – issues with dog fouling and grave top up requests have been addressed as described above.

- Masbrough Cemetery - ivy growing on headstones, work is currently underway to remove the ivy.
- Wath Cemetery – It has been suggested that there are youths congregating in the cemetery and causing anti-social behaviour. This is predominantly anecdotal information, but the Council has requested additional visits from neighbourhood wardens and Dignity staff to deter youths from congregating in the area. The cemetery is bordered by a low wall which is insufficient to make the site fully secure, significant investment would be required to erect a more substantial fence.

In addition to this complaint, comments have been received regarding litter and graves top up requests – these have been addressed as detailed above.

- East Herringthorpe - grave top up requests, dealt with as referred to above.
- Moorgate Cemetery – dog fouling complaints, these have been addressed as described above.

The Council also records complaints information in relation to Bereavement Services (these would have been complaints referred directly to the Council rather than via Dignity) – in most cases these complaints have been directed to Dignity for action / response. Further details are provided at Appendix 2 to this report, all complaints have been appropriately responded to within required timescales.

### 3.3 Flexibility of the contract

The contract details a formal protocol under which the agreement between Dignity and the Council can be varied. This may require an amendment to the way that the payments are handled within the contract for example, by amending the amount paid to the Council each year by Dignity, or to the length of the contract agreement.

However, the working relationship with Dignity is generally good, and there exists a degree of flexibility outside of the formal contractual arrangements. This flexibility can be used to address areas of concern in relation to specific aspects of the service, but will rely upon good will rather than a contractual obligation.

The Council may terminate the contract should Dignity be found to be in default of their obligations under the contract provided that the default cannot be addressed by any other remedy, such as the dispute resolution procedure provided by the contract.

The Council may also terminate the contract at any time (referred to as voluntary termination) should it chose to do so – however in this circumstance the Council would be required to compensate Dignity by means of a financial settlement calculated as follows:

- An amount that represents the internal rate of return for a period of five years from the date that the termination takes place, plus
- Any redundancy payments payable to the employees of Dignity as a result of the terminations, plus
- Any unamortised capital expenditure incurred by the service provider.

The actual amount payable will depend on the point in time when the termination occurs (and the period of the contract that has elapsed), however it can be estimated that any termination within the first 10 – 15 years of the contract period would cost in excess of £2m.

### 3.4 Matters related to burials into lined graves (predominantly utilised by members of the Muslim faith)

The contract requires Dignity to provide a burial service that takes into account the different needs and cultural requirements of various faith groups. Therefore, although not specifically referred to in the contract, there is an expectation that graves will be provided that meet the needs of the Muslim community of Rotherham.

Approximately three years ago, there was significant dialogue between Council officers, local Councillors, Dignity representatives and local faith leaders in relation to the provision of lined graves. This resulted in a specification being developed that met the needs of the local community, at a reasonable cost. This specification has not been amended since it was agreed.

The provision of the graves for the Muslim community is not something that it is easy to compare between local authorities. The construction of the grave varies considerably from one local authority to another, as does the period of time that the right of burial is purchased for. The method of construction in Rotherham is to a relatively high standard - this was due in a large part to the specific requests of the community in Rotherham. Lower cost options are available in other Council areas but the construction of the grave / tomb is to a much lower standard (in some areas they are simply a standard grave shored up with plywood).

The current cost of a lined grave (including interment charge) is £3,189. This provides the exclusive right of burial into the grave for a period of 100 years. By way of comparison, the cost of a lined grave in Sheffield is £2,625 (£564 cheaper than Rotherham). However, in Sheffield the exclusive right of burial is only for a 50 year period (meaning that after this time the grave may lawfully be reused for the burial of another person). In order to secure the exclusive right of burial for a period in excess of 50 years, the customer would be required to pay an additional fee. It is not possible to extend the exclusive right of burial in a Sheffield cemetery to a period of exactly 100 years, however burial into a lined grave with a 95 year exclusive right would cost £3,470 (£281 more than a 100 year

exclusive right in Rotherham). This illustrates the difficulty in making direct comparisons between local authorities, and also shows that the prices in Rotherham are not overly excessive when the totality of the service is considered.

Attempts are made to accommodate same day burials wherever this is required for cultural or religious reasons, where a same day burial is not possible then the burial will take place the following morning. This is on condition that the required paperwork is provided by 12 noon on the day that the request is made (this is common practice across the country).

The current times that burials can take place is as follows:

- Winter 9:00am to 2:30pm.
- Summer 9:00am to 3:00pm.

This includes weekends and Bank Holidays (although an additional charge is made for burials at these times), and are applicable to all burials into any grave plot in the Borough.

The rationale for the times being set at the hours they are relate to the length of time that there is useful daylight during the summer and winter months. Sufficient time needs to be allowed for the mourners to leave the cemetery after the interment and for the cemetery attendants to close and backfill the grave once the mourners have left. The cemetery then needs to be locked up at the stated times by the cemetery wardens (the locking of the gates is done according to a rota, and the attendants and mourners must have left the cemetery by this time).

On occasion, members of the Muslim community have made requests for later burial times. Although Dignity attempt to accommodate reasonable requests, they must assess each on a case by case basis. The extension of burial times must be balanced with the availability of staff and the need to service burials in other cemeteries at the same time (some of which may have been booked for several weeks).

Dignity have recently reported a number of issues to the Council that relate to the provision of Muslim burials, these include:

- Additional services being requested by the family at short notice, and then a failure to make payment for the service that has been provided,
- Families attempting to make arrangements directly, in addition to using a funeral director (which can lead to confusion regarding the required arrangements),
- Traffic management issues during the times that burials are taking place (mourners tend to park on the access road to the crematorium rather than in the car park, this can block access to the crematorium by other service users),

- Ground conditions leading to safety issues for mourners and others when attending the burial,
- Unavailability of graves for pre-purchase.

In order to address these issues, it would be appropriate to make arrangements for a meeting between representatives of the Council (officers and Council members), Dignity and local representatives of the Muslim faith. Clarity on the specific requirements regarding grave construction can also be revisited.

### 3.5 General information relating to the setting of fees (including standard services and memorial benches)

An Internal Audit report dated 7/4/2009 stated that “management should consider the adequacy of the bench marking exercise carried out and the price increases proposed by Dignity Funerals Limited. Consideration should also be given as to whether the current price setting regime is appropriate and if not, the possibility of amending the project agreement should be investigated.”

Following this report, service management reviewed the benchmarking process and confirmed that it could not be amended without further contract negotiation, which was not considered appropriate at the time (due to the fact that the contract had only been signed 7 months prior to the audit report). They did however recognise that the difficulties in obtaining benchmarking data around some non-core services, and agreed that the benchmarking would be restricted to the principal services that are delivered by Dignity – i.e. burials and cremations. There was an agreement that the situation would be monitored and further action taken at a future date if required.

The contract requires Dignity to develop a pricing structure for the services it provides, and recognises that such a pricing structure should permit Dignity to recover the investment referred to above. That said, the contract also makes it clear that in setting fees for services, Dignity must have regard to customer’s budgets.

In order to ensure that the fees charged for services are reasonable, Dignity are under a contractual obligation to undertake benchmarking of the fees that are charged for the services provided. However, there is an acceptance that effective benchmarking can only be undertaken if external data is available – and it is often difficult to obtain such data as services differ so significantly from one local authority area to another. In general terms, the services in relation to a basic cremation or burial are similar throughout the country. As a result, it is relatively straightforward to benchmark costs in relation to cremations and burials. However, the situation is significantly more complex when it comes to the provision of optional services such as memorials, as is explained further below.

As a minimum, the Council expects Dignity to benchmark the fees against the national average and those charged by Sheffield, Doncaster and Barnsley Councils. Once the benchmarking has been completed, the Council may suggest changes to the proposed fees using the benchmarking data as a guide. The contract requires Dignity to consider these suggested changes, however it does not require them to amend their pricing structure as a result. The contract explicitly states that Dignity are ultimately responsible for determining the fee structure, and that the Council cannot raise a dispute in relation to these fees (provided that the benchmarking process has been undertaken correctly).

The local 2016/17 fees in relation to burials and cremations were as follows:

Sheffield:	Burial £2510	Adult cremation £690
Barnsley:	Burial £2504	Adult cremation £720
Doncaster:	Burial £2125	Adult cremation £730
UK average*:	Burial £1950	Adult cremation £733
<b>Rotherham:</b>	<b>Burial £2119</b>	<b>Adult cremation £881</b>

\* source: SunLife "Cost of Dying Report 2016"

Although it is true to say that fees have increased during the eight years that Dignity have operated the service in Rotherham, the fees charged for basic funeral services are not so disproportionate to those charged in other areas – especially when the capital investment and revenue payments made to the Council are taken into consideration. In addition, some services in Rotherham are offered free of charge, whereas in other areas there is a charge made for that same service (for example, in relation to child burial and cremation services).

During the negotiations prior to the signing of the contract, it was made clear by Dignity that they would significantly improve the provision and promotion of memorials to the general public. This has been achieved through the development of a new memorial garden at East Herringthorpe Cemetery and an increased range of memorials to the general public. It was also made clear that the income received will enable Dignity to receive payback on capital investment and a rate of return commensurate with this investment and the taking on of risk associated with the delivery of the service.

In previous years, wooden benches were made available to residents of Rotherham at a relatively low price. However, a great many of these benches have fallen into disrepair due to both the constant exposure of the bench to the elements and also from a lack of maintenance on the part of the bench owner.

As a result of this, Dignity no longer offer wooden memorial benches in any of the cemeteries for which they are responsible. Instead, Dignity offer a custom made granite bench that is installed on a plinth with an inscribed plaque fixed to the bench. Although these benches are expensive (currently in the region of £3500 depending on location), they

retain their condition almost indefinitely, are significantly resistant to damage / vandalism and are provided to the owner in perpetuity (which is taken to mean at least 100 years and can therefore be considered to be a permanent memorial to the deceased). There is no other local cemetery that provides a memorial of this type, but Sheffield City Council will allow a lease on a wooden bench in one of their cemeteries (the lease is for a period of 10 years). After the lease has expired, the bench could be leased to another person, or the lease extended (which will attract whatever fee is in place at that time).

At the current time, the cost of a leasing a wooden bench in a Sheffield cemetery for a 10 year period is £1,026 – approximately a third of the cost of a bench in Rotherham, but for a tenth of the period of time. This illustrates that the services provided between Councils differ significantly, and that the cost of the memorial bench in Rotherham is, over time, a far more cost effective and lasting memorial than that offered in Sheffield.

The cost of a funeral in Rotherham is typically between £3,500 and £4,000 (including funeral director fees). In order to lessen the impact of additional financial expenditure at the time of bereavement, Dignity offer interest free credit on all memorials over £1200. This facility has allowed many people to access a wide range of high quality memorials when they would otherwise have been unable to do so.

That said, the council recognises the need to provide memorial options that fit all budgets, and as such will be discussing options for the provision of lower cost memorials – in particular memorial benches.

#### **4 Options considered and recommended proposal**

- 4.1 The report is for information only, and therefore no options / proposals are recommended.

#### **5 Consultation**

- 5.1 During the development of the proposal Extensive consultation took place during the development of the contract, this included:

- local faith groups
- elected representatives (Councillors, MPs)
- staff affected by the proposal (including Trade Unions)
- service user representatives (such as Friend's Groups etc.)
- funeral directors
- members of the public

- 5.2 All responses were considered and informed the ultimate development of the proposals and subsequent contract documentation.

#### **6 Timetable and Accountability for Implementing this Decision**



6.1 This report is for information only, no decision is requested.

## **7 Financial and Procurement Implications**

7.1 This report introduces no additional financial or procurement implications.

## **8 Legal Implications**

8.1 There are no specific legal implications that are introduced by this report.

## **9 Human Resources Implications**

9.1 This report introduces no additional human resources implications.

## **10 Implications for Children and Young People and Vulnerable Adults**

10.1 There are no specific implications in relation to Children and Young People and / or Vulnerable Adults that are introduced by this report.

## **11 Equalities and Human Rights Implications**

11.1 Dignity are required to undertake their obligations under the contract in a way that ensures that there is no discrimination on the grounds of culture, ethnic or national origins, gender, disability, age, sexual orientation, political or religious beliefs, socio-economic status, or any other matter.

11.2 Adherence to these requirements is assured by means of monitoring of complaints and other information that may indicate whether the service is being provided

## **12 Implications for Partners and Other Directorates**

12.1 This report introduces no additional implications for partners or other directorates.

## **13 Risks and Mitigation**

### **13.1 Contract Management**

The member of staff that project managed the introduction of the Dignity contract left the authority shortly after the contract was signed. No specific provision was made for continued management of the contract, and so this function was allocated to the Business Regulation Manager.

Since the commencement of the contract, numerous options have been considered to ensure that effective oversight is given to the delivery of the contract. None of these options were successful however, and the function remains with the Business Regulation Manager.

As a result of this, the Council's capacity for the management of the contract is limited and relies upon the Business Regulation Manager being available to undertake the management of the contract. This puts the Council in a vulnerable position should this staff member be absent from work for a protracted period. In this event, there would also be a significant loss of knowledge around the contract and the operation of it.

### 13.2 Commercial Failure of Dignity Ltd

As a commercial organisation, Dignity are susceptible to commercial / financial pressures that may result in the failure of the company.

Such a failure would have an extremely detrimental impact on the delivery of the service within Rotherham.

In order to mitigate this risk, the Council undertake regular financial monitoring of Dignity Funerals Ltd and Glendale Countryside Ltd in order to allow for the early identification of any financial instability in either company that may mean that the survival of the company is at risk.

## **14 Accountable Officer(s)**

- 14.1 Alan Pogorzelec – Business Regulation Manager  
Community Safety and Street Scene  
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