

**Committee Name and Date of Committee Meeting**

Cabinet - 23 January 2023

**Report Title**

Bereavement Services Dignity Contract Management Report

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

No, but it has been included on the Forward Plan

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**

Ashleigh Wilford, Superintendent Registrar & Bereavement Services Manager

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

This Report provides an update on the Council's Bereavement Services management of the contract between Rotherham Metropolitan Borough Council and Dignity Funerals Limited.

**Recommendations**

1. That Members note the content of this Report.
2. That a capital sum of £148,000 is set aside for improvements to the Borough's cemeteries that are outside of the Dignity contract subject to approval of the Budget and Council Tax Report at Council in March 2023. Details are presented at 2.2.1.

**List of Appendices Included**

Appendix 1 Equality Screening Analysis

Appendix 2 Carbon Impact Analysis

**Background Papers**

None

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

Improving Places Select Commission – 13 December 2022

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Bereavement Services Dignity Contract Management Report**

### **1. Background**

- 1.1 On 1<sup>st</sup> August 2008, the Council entered into a 35-year contract with Dignity Funerals Ltd (Dignity) for the provision of bereavement services for Rotherham. This partnership saw Dignity take on the responsibility for 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 cemetery chapels, associated buildings and boundary walls on some cemetery sites.
- 1.2 Dignity is required to provide annual assurance to the Council that Key Performance Targets (KPTs) are being met and Service Improvements (SIs) are being made which is documented each year by the production of an Annual Performance Report (APR). This was reported to Scrutiny on 14<sup>th</sup> December 2022 and is subject to annual scrutiny.
- 1.3 The Council has the ability to enforce financial penalties where there are defined contractual performance failures. The Council has been very active in managing this contract and this report updates Cabinet on the financial charges imposed and makes proposals for investing this income into the service to secure further improvements.

### **2. Key Issues**

#### **2.1 Dignity Performance**

- 2.1.1 The Council work actively to monitor delivery of the contractual requirements with Dignity. Where there are any potential performance failures of contractual requirements, Dignity is notified. Where any are not rectified in the period specified within the contract, or within an agreed extension period, then the relevant contractual penalty is enforced.
- 2.1.2 The Council has so far received £395k in payments for performance failures.
- 2.1.3 The Council has liaised with Community Groups and worked with Dignity. As a result of active engagement between the Council and Dignity more than £1m has been invested in the Council's cemeteries this year. These investments include the following.
- 2.1.4 A £400k investment at East Herringthorpe Cemetery to: -
- (a) Refurbish footpaths and roads around the cemetery that have fallen into disrepair over time and disturbed by tree roots.
  - (b) Works have been undertaken to improve the condition of the Muslim burial section adjacent to the main drive.
  - (c) The installation of extensive drainage systems.
  - (d) 39 burial chambers.
  - (e) A gabion wall to retain land further up the site and landscaping improvements.
  - (f) The temporary paths in this section will be made permanent in December 2022 to improve access to the area.

- 2.1.5 A further investment of around £400k has been made at Greasbrough Lane Cemetery in Rawmarsh to install a drainage system following persistent problems at the Cemetery during periods of inclement weather. This work commenced on 5<sup>th</sup> October 2022 and was completed on the 19<sup>th</sup> December 2022. The temporary access path that was installed in 2021 along the coppice in the middle section of the cemetery, where cremated remains plots and the children's section is located, will also be made permanent.
- 2.1.6 An investment of £275k has been made at Maltby Cemetery to improve the footpaths and roadways. This work commenced in September 2022 and was completed on 19<sup>th</sup> December 2022. As part of this work, the boundary wall along the front of the Cemetery on Grange Lane has been repointed and repairs to railings carried out where required. One of the wall pillars, which was noted to be unstable, is to be dismantled and rebuilt.
- 2.1.7 All other cemeteries' footpaths and roadways will be improved as a rolling programme and will take place in order of priority being determined by the existing condition of the paths and roads within each cemetery, this will continue through 2023.

## 2.2 *Bereavement Services*

- 2.2.1 It is proposed to re-invest the monies received in financial penalties into the Bereavement Service. This will include: -

<b>Project</b>	<b>Works to be undertaken</b>	<b>Estimated Costs</b>
Maltby Lych Gate	Restoration and repair of the historic lychgate at the entrance to the cemetery. Specialist contractors required.	£20,000
Maltby Perimeter Fence	Perimeter fence to be installed along the three internal boundaries of the cemetery to improve security and prevent unauthorised access from neighbouring properties.	£18,000
Greasbrough Lane Perimeter Fence	Along the top perimeter of the cemetery that abuts the site of the old swimming baths, a perimeter fence is to be installed to improve security and restrict unauthorised access into the cemetery.	£25,000
All Cemeteries	Benches will be installed in each cemetery across the Borough – subject to consultation with the Friends Groups. Granite benches procured from Dignity are to be used to be in keeping with the rest of the cemetery furniture.	£10,000
East Herringthorpe	Installation of a Qibla stone in the Muslim section – this will be a compass design pointing to the Qibla	£10,000
Independent Expert Report	Bereavement Services will commission an independent expert report on the bereavement facilities available in Rotherham. Plus, associated community work.	£20,000

Project	Works to be undertaken	Estimated Costs
High Street	Extensive repair and restoration work of the boundary wall along the bottom of the cemetery to improve safety and access from the 'A' frame gate which is currently inadequate.	£45,000

### **3. Options considered and recommended proposal**

- 3.1 Cabinet could choose not to approve the proposed projects. This is not recommended as there would be further decline of existing Council assets within the cemeteries and these projects could not proceed.
- 3.2 Cabinet may also decide to approve some rather than all the projects listed in the Report. This option again is not recommended as the projects proposed will assist in the maintenance of Council assets and deliver improvement in the Council's cemeteries that will benefit Rotherham's communities.

### **4. Consultation on proposal**

- 4.1 As the report deals with the contractual charges these have not been subject to consultation. Dignity is required through the Contract to engage with both the Friends' Groups and the communities of Rotherham in delivering these services.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The funds proposed will be subject to the Budget and Council Tax Report in March 2023.

### **6. Financial and Procurement Advice and Implications**

- 6.1 The Report recommends the addition of £148k to the Capital Programme, to be approved as part of the Budget and Council Tax report in March 2023. This will fund the works identified in 2.2 above.

### **7. Legal Advice and Implications**

- 7.1 The monies in the Report result from the contractual arrangements put in place in the original contract and enforcement of those terms.

### **8. Human Resources Advice and Implications**

- 8.1 There are no human resources implications arising from this Report.

### **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 This Report has no specific implications in relation to Children and Young People and Vulnerable Adults.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 The Equality Screening Analysis is attached as Appendix 1 to this Report.
- 10.2 Equalities issues have been addressed as part of the works included in the report.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 A Carbon Impact Assessment (CIA) has been completed setting out the potential impacts on emissions and how these can be addressed, refer to Appendix 2 of this Report.
- 11.2 The gaps identified within the CIA will be progressed via the Project Liaison Group.

## **12. Implications for Partners**

- 12.1 This Report introduces no additional implications for partners or other Directorates.

## **13. Risks and Mitigation**

- 13.1 Risks relating to the Dignity Funerals Contractual Agreement are monitored via a performance management framework and Annual Performance Report which includes an annual report to Scrutiny.
- 13.2 Financial risks relating to the Dignity Funerals Contractual Agreement are monitored via the Council's annual review of the financial model.

## **14. Accountable Officers**

Ashleigh Wilford, Superintendent Registrar & Bereavement Services Manager  
Bal Nahal, Head of Legal, Registrars and Bereavement Services

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	09/01/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	04/01/23
Assistant Director, Legal Services (Monitoring Officer)	Phillip Horsfield	04/01/23

*Report Author: Ashleigh Wilford, Superintendent Registrar & Bereavement Services Manager*

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