

## Cambridgeshire and Peterborough Coroner Service Mortuary Facilities

To: Communities, Social Mobility and Inclusion Committee

Meeting Date: 10<sup>th</sup> March 2022

From: Coroner Service Business Manager

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2022/014

Outcome: The provision of mortuary facilities in Cambridgeshire and Peterborough.

Recommendation: The Committee is asked to:

- a) Approve the contract between Cambridgeshire County Council (the Commissioner on behalf of HM Coroner) and North West Anglia NHS Foundation Trust (the Provider) which covers the provision of mortuary facilities during the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2023; and
- b) Delegate responsibility for awarding the contract between Cambridgeshire County Council (the Commissioner on behalf of HM Coroner) and Cambridge University Hospital (Addenbrookes Hospital) which covers the provision of mortuary facilities from 1<sup>st</sup> April 2022 to the Executive Director: People and Communities], in consultation with the Chair of the Communities, Social Mobility and Inclusion Committee.

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## 1. Background

- 1.1 HM Coroner conducts investigations into deaths that are unexpected or unexplained, including those where it is suspected that the deceased died a violent or unnatural death, the cause of death is unknown, or the deceased died while in custody or otherwise in state detention. HM Coroner will determine the identity of the deceased together with how, when and where the deceased came by his or her death.
- 1.2 The duties of HM Coroner and the statutory duties of the service and the local authority are set out in the Coroner and Justice Act 2009. Coroners are independent judicial office holders, therefore though appointed by the local authority, they are not employed by it. Appointments require the consent of the Chief Coroner and Lord Chancellor.
- 1.3 The number of deaths registered annually averages 4000 with approximately 14% of cases referred to the Senior Coroner. Post-mortem examinations are conducted at Addenbrookes and Peterborough City Hospital by hospital pathologists.
- 1.4 In order to be able to fulfil the statutory duties of the HM Coroner it is necessary to have arrangements in place for mortuary services including body storage and post-mortem facilities.

## 2. Main Issues

### 2.1 Mortuary services

Cambridge University Hospital (Addenbrookes Hospital) and the North West Anglia NHS Foundation Trust (NWAFT) at Peterborough City Hospital both provide Cambridgeshire and Peterborough Coronial Jurisdiction with full mortuary services including body storage and post-mortem facilities.

### 2.2 Services provided

#### 2.2.1 Body Storage

Addenbrookes and NWAFT will store bodies under the jurisdiction of the Coroner in refrigerated facilities while investigations are ongoing into the cause of death, and until the Coroner releases the bodies to the funeral director or other individual appointed by the deceased person's next-of-kin. They will undertake the reconstruction of bodies as and when necessary for the purposes of viewing and identification.

#### 2.2.2 Post mortem facilities

Addenbrookes and NWAFT will provide the facilities and equipment required to conduct post-mortems. The premises are required to be licensed by the Human Tissue Authority and accredited by Clinical Pathology Accreditation.

#### 2.2.3 Staffing

Staff will be provided to complete post-mortem examinations, and to care for the bodies. NWAFT train Pathologists approved by HM Coroner to conduct all Coroner post-mortems.

#### 2.2.4 Post-Mortem Examination

Examinations will be conducted as soon as possible and always within 3 working days of permission to proceed having been received from the Coroner or Coroners Service.

### 2.3 Finance

Estimated cost of the NAWAFT contract is £350k per year. The contract period is 1<sup>st</sup> April 2018 – 31<sup>st</sup> March 2023. The estimated cost of the Addenbrookes contract is £225k per year, this running from 1<sup>st</sup> April 2022. Both costs are in line with what other Local Authority Coronial Services pay.

### 2.4 Challenges

There have been a number of challenges that have prevented the NAWAFT contract from going to the Committee earlier, these include:

#### 2.4.1 Legacy financial disagreements

In October 2018 NAWAFT retrospectively increased their fees, backdating them to April 2018, without giving the required notice of 6 months. These financial discrepancies had to be resolved before progressing the contract renewal.

#### 2.4.2 Contract format

It was thought that the previous contract format would be used. However, in December 2019, NAWAFT requested that new format be used (which is a standard NHS Contract). Therefore, significant delays were due to the re-writing of the contract.

#### 2.4.3 Staff changes

Staff changes at NAWAFT, LGSS and the Coroners Service has meant there has been a lack of consistency and continuity in progressing the contact, adding to the delays in the finalisation of the contract.

#### 2.4.4 Due diligence

Initial drafts of the contract contained potential risks to the council in that ambiguity and some contract terms could result in escalating costs, it was necessary to challenge and renegotiate these based on best practice elsewhere which has resulted in a more advantageous contract for the council.

#### 2.4.4 COVID-19

Due to the global pandemic, and the competing priorities for all parties during this period, the delays as outlined above have been compounded further.

### 3. Alignment with corporate priorities

#### 3.1 Communities at the heart of everything we do

There are no significant implications for this priority

#### 3.2 A good quality of life for everyone

The findings of an inquest will at times identify sector wide improvements that are needed, and can consequently lead to a better life for others, subsequent changes remedying deficiencies of the past.

#### 3.3 Helping our children learn, develop and live life to the full

There are no significant implications for this priority.

#### 3.4 Cambridgeshire: a well-connected, safe, clean, green environment

There are no significant implications for this priority.

#### 3.5 Protecting and caring for those who need us

The Service plays a role in supporting bereaved family members and friends, helping them through what can be a difficult time during an inquest investigation.

### 4. Significant Implications

#### 4.1 Resource Implications

This cost of this contract is budgeted for within the Coroner's budget.

#### 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

The contracts were negotiated with Addenbrookes and NWAFT as they were the only potential providers within the required vicinity to be able to undertake the work, collectively they provide the required capacity. As agreement over terms with NWAFT had not been reached before the new contract period commencing, retrospective authorisation is being requested to award a contract and authorise the procurement waiver to cover this contract award.

#### 4.3 Statutory, Legal and Risk Implications

The Local Authority has a statutory duty to provide the necessary resources to deliver the Coroners Service. This is also a high-profile service and therefore carries reputational risk implications.

#### 4.4 Equality and Diversity Implications

There are no significant implications within this category.

#### 4.5 Engagement and Communications Implications

There are no significant implications within this category.

#### 4.6 Localism and Local Member Involvement

There are no significant implications within this category.

#### 4.7 Public Health Implications

The Mortuary Service supports the role of the Coroner who has an important public health role in terms of monitoring deaths, identifying any untoward issues and trends.

#### 4.8 Environment and Climate Change Implications on Priority Areas

There are no significant implications within this category.

Have the resource implications been cleared by Finance? Yes

Name of Financial Officer: Martin Wade

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement? Yes

Name of Officer: Clare Ellis

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or LGSS Law? Yes

Name of Legal Officer: Fiona McMillan

Have the equality and diversity implications been cleared by your Service Contact? Yes

Name of Officer: Adrian Chapman

Have any engagement and communication implications been cleared by Communications? Yes

Name of Officer: Amanda Rose

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes

Name of Officer: Adrian Chapman

Have any Public Health implications been cleared by Public Health? Yes

Name of Officer: Val Thomas

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer? Yes

Name of Officer: Emily Bolton

### 5. Source documents

#### 5.1 None