

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Clair Bell, Cabinet Member for Community and Regulatory Services

**DECISION NO:**

24/00032

For publication

Key decision: YES

**Subject Matter / Title of Decision:** New contracts for the provision of Post-Mortem Facilities for the Mid Kent & Medway, North West Kent, North East Kent, Central and South East Kent coroner areas

**Decision:**

As Cabinet Member for Community and Regulatory Services, I agree to:

- (i) ISSUE new contracts, via direct awards, for the provision of Post-Mortem Facilities in Mid-Kent and Medway, North West Kent, North East Kent and Central and South East Kent coroner areas to commence from 1 April 2024 for a period of 3 years (36 months) with the option of extending for up to a further 2 years (24 months)
- (ii) DELEGATE authority to the Director for Growth and Communities, in consultation with the Cabinet Member for Community and Regulatory Services to take relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision
- (iii) DELEGATE authority to the Director for Growth and Communities, in consultation with the Cabinet member for Regulatory Services to award extensions of contracts for commissioned services in accordance with the extension clauses within the contract (3 years + 2 year extension)

**Reason(s) for decision:**

The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;
- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention.

in some cases, the Coroner will order a Post-Mortem (PM) to establish the cause of death, and in such cases, the deceased is taken to one of five NHS mortuaries across Kent and Medway. On behalf of the Kent Senior Coroners, KCC ensures access to body storage and PM facilities across the Kent coroner areas.

**Cabinet Committee recommendations and other consultation:**

The proposed decision was considered and endorsed by members of the Growth, Economic Development and Communities Cabinet Committee at their meeting on 14 May.

**Any alternatives considered and rejected:**

**Option 1: Do nothing** - This is a statutory service, and unless contracts are put in place the system of coronial death investigation and certification in the Mid Kent & Medway, North West Kent, North East Kent, Central and South East Kent coroner areas will fail. The Council will also be at risk of receiving an inconsistent provision and quality of service, a lack of control over costs, and subsequent reputational ramifications.

**Option 2: Go out to tender - Competitive Tender Process** - There are no private sector organisations within this marketplace locally, and previous experience of mortuary use outside of

Kent has not delivered a suitable service.

**Option 3: Use a framework or other viable contract mechanism** - There are no known frameworks or other viable mechanisms for the provision of mortuary facilities in England and Wales.

**Option 4: One NHS Trust delivers all PMs** - No single facility can accommodate the number of PMs required.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

None.

Clair Bell

3 June 2024

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signed

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date