

Public Document Pack



Executive Board Sub Committee

Thursday, 13 January 2011 10.00 a.m.
Marketing Suite, Municipal Building

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

ITEMS TO BE DEALT WITH IN THE PRESENCE OF THE PRESS AND PUBLIC

PART 1

Item	Page No
1. MINUTES	
2. DECLARATION OF INTEREST	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
3. NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO	
(A) VARIATION OF THE NON-STATUTORY FEES AND SETTING OF NEW FEES FOR SERVICES OFFERED BY HALTON REGISTRATION SERVICE	1 - 7

*Please contact Gill Ferguson on 0151 471 7395 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Thursday, 27 January 2011*

Item

Page No

4. HEALTH AND ADULTS PORTFOLIO

**(A) AWARD OF THE INDEPENDENT MENTAL
CAPACITY ADVOCATES CONTRACT**

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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive Board Sub Committee

DATE: 13th January 2011

REPORTING OFFICER: Strategic Director, Health and Community

SUBJECT: Variation of the non-statutory fees and setting of new fees for services offered by Halton Registration Service

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek the approval of the Board to vary the non-statutory fees and to approve the fees for new services offered by Halton Registration Service.

2.0 RECOMMENDATION: That

- 2.1 The Board approves the following variations to the Halton Registration Services and approve the fees for new services as set out in Appendix 1.

3.0 SUPPORTING INFORMATION

- 3.1 The majority of the Service's income is comprised of statutory fees; with 35 – 40% coming from locally determine fees. Other local authorities have introduced fees for complementary services over and above standard service levels.
- 3.2 Following discussions with the General Register Office Inspector, who recently conducted a review of the Service, it was suggested that the local authority may wish to review its current services and charges. In determining the proposed fee structure shown in Appendix 1, comparisons have been made with other local authorities both within the North West and with other Registration Services that are providing similar services. At the request of the portfolio holder, these proposals will form part of the Services Business Plan.
- 3.3 Couples can marry or form a civil partnership in any Registration District within England and Wales. Couples often speculatively book dates and timeslots that never go ahead. Introducing a non-returnable reservation fee of £20 for the booking or subsequent change of time or date of ceremonies will help recover the costs of staff time, administration and publicity. Knowsley, Lancashire, and Sheffield charge a similar fee of £20 for making or changing ceremony bookings; Cheshire West and Chester charge £30, while Cheshire East charge £80.

- 3.4 The Service's fees for civil ceremonies taking place in a decommissioned room e.g. the Boston Suite are low in comparison to other Registration Districts. The Service has a complex set of fees applied between Monday to Thursday, Friday morning / afternoon and Saturday morning / afternoon – which range from (£43.50-£118.50). The Service would like to offer a standard weekday fee of £110, this being the same fee charged by Warrington Registration District. For ceremonies held in a decommissioned room the following Registration Districts charge up to Liverpool £125, Knowsley £185, Lancashire £150 and Sefton £150.
- 3.5 Liverpool is the only Registration Service in Merseyside to offer marriages and civil partnerships at the Register Office on a Sunday. It is suggested that the Boston Suite be offered at £230 and the Civic Suite be offered at £275 for our range of ceremonies held on a Sunday.
- 3.6 The Marriage Act 1995 and the Civil Partnership Act 2005 allow local authorities the facility to set fees for the attendance of a Superintendent Registrar and Registrar at a ceremony in an approved premise (hotel etc). The Service's fees for ceremonies taking place at approved premises range from (£243.50-£348.50) which are low in comparison to other Registration Districts, e.g. Liverpool charge £280-£430 and Cheshire East charge £385-£800.
- 3.7 The Service offers a Nationality Checking Service (NCS). However, fees are lower than those of neighbouring Registration Districts such as Liverpool, which also has a greater capacity to offer this service and recover the annual registration fee of £550 payable to the OISC. Furthermore, from November 2010, Knowsley and Sefton Registration Services offer NCS with similar fees to those charged by Liverpool.
- 3.8 The Service wishes to introduce a charge of £25 for issuing 'Fast-track' certified copies of certificates (same day if requested before 1pm). Many neighbouring Registration Districts offer this service (Knowsley charge £29 and Liverpool charge £30, while Warrington Registration Service charges £20).
- 3.9 The Service would like to offer a Change of Name Deed service, as developed by Eastbourne Registration Service and further developed by Rochdale Registration Service. Rochdale has shared its procedures with the Service, which would enable implementation with minimal costs. If approved, Halton would be only the third authority in England & Wales to offer this new service. A Change of Name Deed is a witnessed document, which indicates the person's former name and the name intended to be used from then on, and can be used as evidence that the person has formally changed their name. A Change of Name Deed can only be entered into by an individual over the age of 18. Once the Deed has been properly completed it needs to be executed by the person changing their name, and witnessed by another party. It is then a legal document and is acceptable to all major institutions in the UK including the Identity & Passport Service (formerly the Passport Agency), the

Driver Vehicle Licensing Agency and others. The Service proposes to charge £60.00 per application, £10.00 for additional copies on the day and £30.00 for replacement copies. It is envisaged that the scheme will bring in a small stream of income to the Service.

- 3.10 The Service would like to offer to couples the opportunity to have a 30-minute pre-ceremony planning meeting. This meeting would enable couples to discuss their ceremony in greater detail than is possible during the notice taking. It is proposed to charge £20 fee to cover officer time in administering and conducting the appointment.
- 3.11 Due to staffing levels, the Service can only offer couples the opportunity to give legal notice of marriage or civil partnerships on Saturday by prior appointment. Such appointments are usually arranged between ceremonies taking place at the Register Office. However, couples regularly request appointments to give legal notice on a Saturday. The Service proposes to initially offer appointments on the first Saturday of every month at the Halton Direct Link (HDL) in Widnes to give their legal notice. Using HDL avoids any lone working issues at the Register Office. If approved, this service is over and above what is normally offered. Therefore, it is suggested that a non-statutory fee of £10 is levied to cover the additional staffing and administration costs.
- 3.12 The Service would like to charge a supplementary fee of 50 pence for Debit Card payments and a 3% charge for Credit Card payments. This would ensure that the full costs of statutory fees are recovered.

4.0 POLICY IMPLICATIONS

The above proposals are in line with the Authority's new governance arrangements for delivery of registration services as outlined in the White Paper "Civil Registration: Vital Change" (2002), which enables the authority to have the freedom to make policy decisions locally without recourse to the General Register Office.

5.0 OTHER IMPLICATIONS

- 5.1 In order to meet the recommendation outlined in 3.13 above, support will be required from Halton Direct Link and ICT Services.

6.0 RISK ANALYSIS

- 6.1 There are no anticipated risks associated with these recommendations.

7.0 FINACIAL IMPLICATIONS

- 7.1 The proposed timeframe for fees will take effect from January 2011 - 31 March 2012 and henceforth be reviewed each September, taking effect the following April for each financial year. Ceremonies booked

before this date will be honoured at the current fees (subject to the usual 3% increase that would normally be applied for ceremonies taking place after 1 April 2011). However, ceremony bookings taken after 13 January 2011 will be charged at the new rates.

- 7.2 Couples can give notice of their intention to marry or form a civil partnership up to 12 months in advance. However, the majority of ceremonies are planned up to two years in advance. This means the Service may be unable to confirm the cost of a ceremony at the time of the notice, for example, a ceremony booked in October 2010 taking place in October 2011. Altering the timeframe for non-statutory fees is necessary in order to advise couples what they will be expected to pay. This will also enable the Service to forward plan more effectively.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 There are no anticipated Equality and Diversity issues associated with these recommendations.

9.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

9.1 Children & Young People in Halton

None identified.

9.2 Employment, Learning & Skills in Halton

None identified.

9.3 A Healthy Halton

None identified.

9.4 A Safer Halton

None identified.

9.5 Halton's Urban Renewal

None identified.

10.0 RISK ANALYSIS

- 10.1 There are no anticipated risks associated with these recommendations.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
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Agenda Item 3a – New governance arrangements for the delivery of the Halton Registration Service, Executive Board Sub Committee (29 March 2007)	Halton Register Office	Registration Service Manager / Superintendent Registrar
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APPENDIX 1

**THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES FEES (ORDER)
1999**

(FEES 1 to 4 MAY BE SUBJECT TO STATUTORY CHANGE)

	<u>PRESENT</u> 2010/11	<u>PROPOSED</u> 2011/2012
1. GENERAL SEARCH		
Superintendent Registrar	£	
– For general search in indexes in his office not exceeding 6 successive hours	18.00	20.00
2. CERTIFICATES		
Superintendent Registrar		
– Standard Certificate of Birth, Death or Marriage	9.00	9.00
– Photographic copy of an Entry of Birth, Death or Marriage	9.00	9.00
– Certificate of Birth, Death or Marriage for certain statutory purposes	9.00	9.00
– Short Certificate of Birth	9.00	9.00
Registrar		
– Standard Certificate of Birth, Death, Marriage - at time of registration	3.50	3.50
– after the time of registration	7.00	7.00
– Photographic copy of an Entry of Birth, Death or Marriage - at time of registration	3.50	3.50
– after the time of registration	7.00	7.00
– Certificate of Birth, Death or Marriage for certain statutory purposes - at time of registration	3.50	3.50
– after the time of registration	7.00	7.00
– Short Certificate of Birth (other than the first issued at the time of registration of birth)	7.00	7.00
– Certificate of Death issued to certain professional bodies after time of registration	7.00	7.00
Registration Authority		
- Certified copy of Civil Partnership entry - at time of registration	3.50	3.50
– after the time of registration	9.00	9.00
- Extract of Civil Partnership entry – at time of registration	3.50	3.50
– after the time of registration	9.00	9.00
3. MARRIAGES / CIVIL PARTNERSHIPS		
Superintendent Registrar		
– For attending at the residence of house-bound or detained person to attest Notice of Marriage / Civil Partnership	49.00	49.00
– For entering a Notice in Marriage Notice Book / giving notice of Civil Partnership	33.50	33.50
– For attending a marriage at the residence of a house-bound or detained person	85.00	85.00
Registrar		
– For attending a marriage / CP solemnised in the Register Office	40.00	40.00
– For attending a marriage in a registered building	80.00	80.00
– For attending a marriage / CP at the residence of a house-bound or detained person	80.00	80.00
Registration Authority		
- Signing the Civil Partnership schedule at the Register Office	40.00	40.00
4. CERTIFICATION FOR WORSHIP AND REGISTRATION FOR MARRIAGE		
Superintendent Registrar		
– Certificate of a place of meeting for religious worship	28.00	28.00
– Registration of a building for the solemnisation of marriages	120.00	120.00
In addition to the above fees which are statutory, there are three further charges which apply in respect of premises approved under the Marriage Act 1994 and Civil Partnership Act 2004 as venues for conducting civil marriages and civil partnerships		
– Registration of a building under the 1994 and 2004 Acts	710.00	750.00

– Attendance by Senior Registrar/Registrar at the Boston Suite, Runcorn Town Hall (a venue approved under the 1994 / 2004 Acts)		
- Monday to Thursday	40.00*	110.00
- Friday, commencing prior to 12 noon	40.00*	110.00
- Friday, commencing at or after 12 noon	86.00	110.00
- Saturday, commencing prior to 12 noon	80.00	130.00
- Saturday, commencing at or after 12 noon	115.00	150.00
Attendance by Senior Registrar/Registrar at the Civic Building, Runcorn Town Hall (a venue approved under the 1994 and 2004 Acts)		
- Monday to Friday	155.00	175.00
- Saturday	210.00	235.00
– Attendance by Senior Registrar/Registrar at all other buildings in Halton, approved under the 1994 /2004 Acts		
- Monday to Friday	240.00	260.00
- Saturday	295.00	325.00
- Sunday	345.00	375.00
- Bank Holidays	460.00	490.00

* Note, these fees must remain equivalent to the equivalent statutory "Register Office" fee

5. INDIVIDUAL CITIZENSHIP CEREMONIES

– Attendance by Superintendent Registrar/Senior Registrar		
- Monday to Thursday in the Boston Suite, Runcorn Town Hall	36.00	100.00
- Monday to Friday in a hotel	162.00	170.00
- Saturday in a hotel	216.00	250.00
- Sunday in a hotel	270.00	300.00
- Bank Holiday in a hotel	385.00	400.00

6. REAFFIRMATION of MARRIAGE VOWS CEREMONIES, NAMING CEREMONIES, and CIVIL FUNERALS

– Attendance by Registration Officer		
- Monday to Friday in the Boston Suite, Runcorn Town Hall	130.00	140.00
- Saturday in the Boston Suite, Runcorn Town Hall	165.00	175.00
- Other approved premises – including Civic Suite (Monday to Friday)	155.00	165.00
- Other approved premises – including Civic Suite (Saturday)	185.00	200.00
- Other approved premises (Sunday)	210.00	250.00
- Other approved premises (Bank Holiday)	255.00	300.00
- Each extra child when the naming ceremony covers more than one child	48.50	50.00
- Commemorative certificate	4.00	5.00
- Attendance of Civil Celebrant at Civil Funeral	173.00	175.00

7. NATIONALITY CHECKING SERVICE

- Adult – single application	47.00	60.00
- Husband and Wife / Civil partners applying at same time.	68.50	90.00
- Family (husband and wife / civil partners and up to 2 children)	81.00	120.00
- Additional children on parents application (per child)	16.00	20.00
- One or more children under age 18, applying separately from their parents (per child)	26.50	26.50

NOTE

The charges in Sections 6 and 7 are subject to VAT, and the amounts shown in the above table include VAT at the standard rate. None of the other charges in the schedule above are subject to VAT.

REPORT TO: Executive Board Sub Committee

DATE: 13th January 2011

REPORTING OFFICER: Strategic Director, Adults & Community

SUBJECT: Award of the Independent Mental Capacity Advocates Contract

WARD(S) Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 To request that approval is given for the award of contract for the Independent Mental Capacity Advocate (IMCA).

2.0 **RECOMMENDATION**

It is recommended:

- i) **to award the contract for IMCA to the contractor Together: Working for Wellbeing in the sum of £30,968 (Halton contribution for two years).**

3.0 **SUPPORTING INFORMATION**

3.1 All local authorities have a Statutory duty under the Mental Health Act 2007 to provide Independent Mental Capacity Advocates to support decision making on behalf of individuals who lack the mental capacity to make particular decisions for themselves.

3.2 A partnership agreement between Halton, Knowsley, St Helens and Warrington Local Authorities was entered into two years ago. This agreement has been extended as all four boroughs recognise the cost effectiveness of commissioning jointly. Halton is the lead commissioner on this contract for the next two years with monitoring support offered through each of the other Authorities.

3.3 The Council undertook a comprehensive Tender process to ensure that we are able to demonstrate value for money, competitiveness, and high quality services being delivered.

3.4 The Contract is expected to commence on 1st April 2011 for a period of 2 years and an option for a three year extension. This would create stability for the service users and demonstrates Halton's commitment to providing effective Advocacy services.

3.5 Expressions were invited through Due North, an integrated

e-sourcing and contract management resource used to promote and manage the process.

- 3.6 A total of 7 provider organisations expressed an interest and were sent a pre-qualification questionnaire, and an Invitation to Tender document to complete.
- 3.7 Following evaluation, by a panel representing each of the four commissioning boroughs, 6 Tender packs were submitted by provider organisations. Each provider organisation had to pass stage 1 – PQQ before proceeding to stage 2 – The Invitation to Tender stage.
- 3.8 Of the 6 Tender submissions, one was disqualified due to failure of one or more of the Gateway questions.
- 3.9 As a result of this comprehensive evaluation, five organisations were invited to Halton to give a presentation on 10th December 2010. One organisation withdrew from the process at this stage so four organisations remained.
- 3.10 Of the four organisations invited for interview, Together: Working for Wellbeing scored highest in three of the four published criteria of Presentation & questions and there overall score was considerably better than any of the other three providers. This report therefore seeks permission to award the contract to Together: Working for Wellbeing on the basis that this organisation offers value for money in terms of both cost and quality.

4.0 POLICY IMPLICATIONS

- 4.1 Failure to make an award of contract to Together: Working for Wellbeing could cause significant disruption to the statutory IMCA service within Halton, Knowsley, St Helens and Warrington. Continuity of this service is essential, and the timely award of this contract would ensure that Advocacy services are fully operational on the specified date of April 1st 2011.

5.0 SAFEGUARDING IMPLICATIONS

- 5.1 The IMCA contract plays a pivotal role in ensuring that safeguarding cases relating to people with no capacity are supported and able to access the service. All people who meet the criteria should be automatically referred.

6.0 FINANCIAL IMPLICATIONS

6.1

	Current cost	–	Current provider	Costs for 2011/12	Costs for 2012/13

	2010/11			
4 Boroughs total	£96,393*	SHAP Ltd	£85,343*	£77,648*
HBC Cost	£18,314	SHAP Ltd	£16,215	£14,753

* costs indicated are for all four boroughs commissioning the service, Halton contribution is 19%.

The costs for 2011/12 are higher than 2012/13 as there will be some additional start-up costs and one-off staffing costs for the new provider.

Halton's total expenditure for the two years will be £30,968 a saving of £5,660 over the two years.

7.0 **OTHER IMPLICATIONS**

7.1 TUPE arrangements will apply with the existing providers, however this has been accounted for in the tender process and should not delay or hinder the process.

8.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

8.1 **Children & Young People in Halton**

None

8.2 **Employment, Learning & Skills in Halton**

None

8.3 **A Healthy Halton**

The IMCA service is expected to clearly demonstrate a positive impact on the health and well-being of service users in Halton who have either capacity or support. This includes performance in relation to Change of Residence, Safeguarding, Care Review and Deprivation of Liberties all aimed towards healthier lifestyles, better access, improved accommodation, dignity and improved mental health outcomes.

8.4 **A Safer Halton**

By delivering the service against it's key aims and objectives the service will ensure that it helps to support some of the most vulnerable people to have a voice and remain safe in their own residence and community.

8.5 **Halton's Urban Renewal**

None

9.0 **RISK ANALYSIS**

9.1 The financial risk has been minimised by awarding the contract within confirmed budgets.

9.2 Halton Borough Council's Internal Audit section have carried out a financial assessment on Together: Working for Wellbeing and confirmed that they are a financially viable organisation. In addition three satisfactory references from other local authority commissioning departments have been received.

9.3 By following a comprehensive evaluation of the tenders, risks to the Council have been minimised by recommending the tender be awarded to the Provider with the highest quality standards.

10.0 **EQUALITY AND DIVERSITY ISSUES**

10.1 The proposed service will ensure Equality & Diversity is applied to all those who wish to access it. The service Provider has substantial Equality & Diversity Policies & Procedures in place.

11.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.