



**Prosperous Communities
Committee**

Tuesday 3rd May 2022

Subject: Public Health Funerals Policy

Report by:	Assistant Director – Change Management & Regulatory Services
Contact Officer:	Andy Gray Housing and Enforcement Manager andy.gray@west-lindsey.gov.uk
Purpose / Summary:	To provide Committee with information relating to Public Health Funerals and seek approval on the proposed policy for this work area.

RECOMMENDATION(S):

Committee are asked to:

- a) Approve the proposed Public Health Funerals Policy
- b) Approve that any future minor policy amendments be delegated to the Chief Executive in consultation with the Chair of Prosperous Communities Committee

IMPLICATIONS

Legal:

Under section 46(1) of the Public Health (Control of Disease) Act 1984 it is the duty of a local authority to cause to be buried or cremated the body of any person who has died or been found dead in their area, in any case where it appears to the authority that no suitable arrangements for the disposal of the body have been or are being made otherwise than by the authority.

Financial : FIN/4/23/MT/SL

This function is delivered by officers within the Licensing work area and any costs recovered contribute to reducing the overall costs incurred by carrying out the work.

Since 2000, there have been 66 Public Health Funerals carried out by the Council (3 per year on average) The cost of these has been £82k (£1.2k per funeral on average). £29.3k of these costs have been recovered (35.7%).

This function is not currently budgeted for within the MTFP, and those costs which are not recovered are reported as an in year pressure through budget monitoring.

The net impact over the past 4 years has been:

	Costs £	Costs Recovered £	Net Pressure £	% Recovered
2021/22	11,200	(3,100)	8,100	27.7%
2020/21	8,783	(2,962)	5,821	33.7%
2019/20	18,014	(6,278)	11,736	34.8%
2018/19	6,209	(496)	5,713	8.0%

The policy sets out how the Council seeks to recover costs relating to any funerals. It is clear that the costs do not cover the overall costs incurred by the Council for the function. It is not possible to recover additional costs within this process under the Act.

Staffing :

Given the average of 3 funerals per year it does not have a significant impact on the Council's ability to fulfil its duties. This work is carried out alongside other staffing functions within the work area and over the last 12 months steps have been taken to build resilience in regards to the service moving forward.

Equality and Diversity including Human Rights :

The Public Health (Control of Disease) Act 1984 makes provision for this obligation in order to ensure that the public health implications that come with this process are minimised. Alongside this the Council seeks to ensure through the policy that any of the deceased who we are required to deal with are treated with the utmost respect and dignity.

Data Protection Implications :

None noted

Climate Related Risks and Opportunities :

None noted

Section 17 Crime and Disorder Considerations :

None noted

Health Implications:

The Public Health (Control of Disease) Act 1984 makes provision for this obligation in order to ensure that the public health implications that come with this process are minimised.

Title and Location of any Background Papers used in the preparation of this report:

Information on the Council's website sets out the approach that is taken in regards to Public Health Funerals <https://www.west-lindsey.gov.uk/my-services/funerals-and-cemeteries/public-health-funerals/>

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Introduction

- 1.1. Under section 46(1) of the Public Health (Control of Disease) Act 1984 it is the duty of a local authority to cause to be buried or cremated the body of any person who has died or been found dead in their area, in any case where it appears to the authority that no suitable arrangements for the disposal of the body have been or are being made otherwise than by the authority.
- 1.2. The Council has not previously had a policy to set out its position in regards to this and this report seeks to implement a policy to influence future decisions made by the Council and its delegated officers.

2. Scope

- 2.1. The Council must meet this obligation as set out in the aforementioned Act and therefore is limited in its ability to greatly amend the way in which this duty is discharged.
- 2.2. The main aspect of the aforementioned Act is to ensure that the public health implications in regards to the deceased are met.
- 2.3. The focus of the proposed policy is on ensuring that the obligations are met and that the costs to the Council are kept to a minimum, whilst at the same time seeking to respect the deceased and those next of kin that may be impacted by it.

3. Background Information

- 3.1. The Council's website contains information that the public can access on this subject. It also includes a record of the funerals arranged by the Council.
- 3.2. The following statistics are provided to give context in regards to the work that has been undertaken and to outline the service provided. Since 2000 there have been:
 - 66 Public Health Funerals carried out by the Council. (3 per year average)
 - The average age of the deceased is 69 years old.
 - The cost of these has been £82,074 (£1,244 average).
 - £29,296 in costs has been recovered (35.7%)

4. Financial Information

- 4.1. Since 2000, there have been 66 Public Health Funerals carried out by the Council (3 per year on average) The cost of these has been £82k (£1.2k per funeral on average). £29.3k of these costs have been recovered (35.7%).

4.2. This function is not currently budgeted for within the MTFP, and those costs which are not recovered are reported as an in year pressure through budget monitoring.

4.3. The net impact over the past 4 years has been:

	Costs £	Costs Recovered £	Net Pressure £	% Recovered
2021/22	11,200	(3,100)	8,100	27.7%
2020/21	8,783	(2,962)	5,821	33.7%
2019/20	18,014	(6,278)	11,736	34.8%
2018/19	6,209	(496)	5,713	8.0%

4.4. The policy sets out how the Council seeks to recover costs relating to any funerals. It is clear that the costs do not cover the overall costs incurred by the Council for the function. It is not possible to recover additional costs within this process under the Act.

5. Main Policy Considerations

5.1. The majority of the process that the Council follows in regards to this matter is set out in guidance and legislation.

5.2. The matter which the policy seeks to confirm is that the Council will always opt for a direct cremation (i.e. a cremation with no service), unless it is established that the deceased would have chosen a burial for religious or cultural reasons or if the deceased had purchased a burial plot where there is room for them to be buried within it.

5.3. The council is not legally obliged to comply with the requests of any will, however, where the deceased has made a will requesting a burial, this will be considered where reasonable and in line with any funds available within the deceased persons estate.

5.4. A direct cremation still allows any family or next of kin to undertake their own memorial or remembrance as required as they are able to receive the ashes following on from this.

END