



# Public Health Funerals Policy

## **1.0 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.

## **2.0 Approach**

- 2.1 The Council will always consider whether the funeral can be funded by the next of kin or other known individuals in the first instance.
- 2.2 When the council is asked to undertake the funeral by a next of kin, the council will ask if the next of kin is in receipt of benefits. Where the next of kin is in receipt of benefits they may be entitled to help from the Social Fund administered by the Department for Work and Pensions. Any person enquiring about help with funeral costs will first be directed to the Social Fund.
- 2.3 If a person dies in hospital it is traditionally the responsibility of the hospital to make the funeral arrangements. Further guidance produced in 2005 the hospital may choose to have the local authority involved to take care of the funeral arrangements.

## **3.0 Search of the deceased's home**

- 3.1 A visit to the property will be carried out as soon possible after notification of the deceased has been received. The purpose of this visit is to search the property to:
  - Locate a will
  - Find information about possible relatives, who may take on the funeral.
  - Find anything of value within the property
  - Find information about bank accounts and savings
- 3.2 The search will be conducted by two officers of the council, and a written or photographic record will be made of each item removed from the property.
- 3.3 The council will make reasonable efforts to contact family members. dependant upon the circumstances this may include contacting the deceased's previous employer, contacts in an address book or mobile phone contacts and talking to neighbours. It may also be possible to trace relatives/friends through telephone bills or correspondence found in the deceased's property. Genealogy companies may be contacted or contact the council to help with searches for relatives.

- 3.4 Where any family members cannot be immediately found, a box of personal effects (non-monetary value e.g. photographs) from the deceased's property will be retained by the council for a period of **5** years from the date of the funeral, after this period the contents of the box will be disposed of.
- 3.5 Where the next of kin wish to be present at the search of the property, they must be accompanied by officers from the council at all times. Under no circumstances can relatives be left alone in the property.
- 3.6 Where the deceased lived in rented accommodation, the landlord must not enter the property or remove any items from the property until officers from the council have completed their enquiries. In most circumstances this will be undertaken without delay and the keys subsequently returned to the property owner who is responsible for clearing the premises.

#### **4.0 Funeral Arrangements**

- 4.1 Where previous arrangements have been made before the council takes responsibility for the funeral, these will need to be paid for by the person making these arrangements. Anyone giving instruction to a firm of funeral directors is responsible for any costs incurred. The council will take on financial responsibility from when the council moves the deceased. The council is only able to do this before the final paperwork has been signed at the funeral directors confirming responsibility for the funeral.
- 4.2 Once the Council has accepted a case they will deal with all aspects of the organisation of the funeral, including registering the death, dealing with the funeral director to make the arrangements and paying for the funeral.
- 4.3 A direct cremation service will normally take place at a date and time decided by the Council and funeral director, 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.
- 4.4 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 estate. Where there is no will the council will not consider any verbal wishes from friends/family members.
- 4.5 The council will not part fund a funeral nor will it cover other funeral related costs for next of kin or relatives. The Council will also not fund or contribute towards any form of memorial arrangements or other service

## **5.0 Reclamation of costs**

- 5.1 If the deceased lived alone the council is the first creditor to the estate and will use the estate to cover the costs of the funeral.
- 5.2 Any money belonging to the deceased, such as savings, money from insurance policies and pensions will be used to reimburse the council for all incurred costs and expenses. Items removed of value from a property can also be sold to recover costs.
- 5.3 The time spent trying to contact family members, dealing with the person's effects and arranging the funeral will be recorded and this will be claimed from the estate.

## **6.0 Public Information**

- 6.1 The Council receive a large number of requests under the Freedom of Information Act 2000 for details of cases where it has undertaken arrangements for a funeral. These can be found here <https://www.west-lindsey.gov.uk/my-services/funerals-and-cemeteries/public-health-funerals-and-cremations-freedom-of-information-requests/>
- 6.2 The Council also publishes alongside this a record of the funerals arranged and the associated costs.