

HUNTINGDONSHIRE DISTRICT COUNCIL

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| Title/Subject Matter: | Adoption of the Public Health Funerals Policy |
| Meeting/Date: | Overview and Scrutiny (Communities and Environment) – 13th June 2017 Cabinet – 22nd June 2017 |
| Executive Portfolio: | Executive Councillor for Housing and Regulatory Services, Cllr Ryan Fuller |
| Report by: | Head of Community, Chris Stopford |
| Wards affected: | All |

Executive Summary:

The purpose of this report is to obtain approval for the adoption of a new Public Health Funeral Policy.

The Council has a duty to arrange a public health funeral, under Section 46(1) of the Public Health (Control of Diseases) Act 1984, where the deceased has died within the Council's administrative boundary and it is apparent that there is no-one able or willing to arrange a funeral.

The new policy (attached as Appendix 1 to this report) outlines the Council's response to the statutory duty imposed by the Act, covering issues including registering the death, searching for a will, locating next of kin, organising the funeral, and the management of the residual estate, including disposing of personal possessions and recovering the Council's costs in dealing with the death.

Recommendation(s):

The Overview and Scrutiny Panel is invited to comment on the policy and endorse its submission for approval by the Cabinet.

The Cabinet is recommended to

- i) Approve the scheme Public Health Funeral Policy
- ii) Approve that the Head of Community be authorised to make minor editorial changes which by definition make no change to the policy,
- iii) that the Head of Community, in consultation with the Executive Councillor for Housing and Regulatory Services, be authorised to make changes as a result of revocations, amendments, or enactment of relevant statutory provisions

1. PURPOSE OF THE REPORT

- 1.1 This report proposes the adoption of a new policy in allowing the Council to meet its statutory responsibilities in dealing with funerals of individuals who die or are found dead in the district and do not have anyone able or willing to organise their funeral.

2. BACKGROUND

- 2.1 Under the Public Health (Control of Diseases) Act 1984, the Council has a duty to arrange a funeral for individuals who die within the Council's administrative boundary and it is apparent that there is nobody able or willing to arrange a funeral.
- 2.2 This duty does not include individuals who die in hospital as these are the responsibility of the local hospital trust.

3. POLICY

- 3.1 The new policy, attached as Appendix 1 to this report, outlines the issues to be considered and the process which the Council will follow in organising funerals under this legislation.
- 3.2 The policy covers the situations under which the Council will organise a funeral and procedures for:- locating next of kin or others willing to fund the funeral; locating the last will and testament; identifying an executor; locating relatives and heirs; registering the death; organising the funeral; dealing with the estate; disposing of personal possessions and retaining appropriate documentation.
- 3.3 Under the policy, the Council's costs will be recovered wherever practicable. These costs will be recovered prior to any remaining balance being passed to the estate.
- 3.4 The principles of this policy and associated guidance will be put in place immediately upon approval by the Cabinet.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The comments of the relevant Overview and Scrutiny Panel will be included in this section prior to its consideration by the Cabinet.

5. RISK MANAGEMENT

- 5.1 The most significant risk in this area is that, without an appropriate policy and procedure, officers dealing with this type of death inadvertently act in a manner which is inconsistent with the legislation. The development of this policy mitigates that risk.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES

- 6.1 The approval of this policy will contribute to the Council's objective of "becoming a more efficient and effective Council" by providing an appropriate framework for providing the relevant services.

7. LEGAL IMPLICATIONS

- 7.1 Section 46(1) of the Public Health (Control of Diseases) Act 1984 states: - "It shall be 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.”

- 7.2 The adoption of this policy will ensure that the Council continues to meet this statutory duty in the most appropriate manner.

8. RESOURCE IMPLICATIONS

- 8.1 The resource implications of this function are, by their nature, unpredictable. In the past 18 months (1st October 2015 – 31st March 2017), officers were called upon to deal with a total of 8 deaths, 5 of which required the provision of funerals under this legislation. These funerals cost a total of £5,274, including the Council's costs. A total of £2113 was recovered, leaving a net cost of £3,161 to the Council. The other 3 funerals involved some initial investigatory work by officers but were subsequently found to be outside the scope of the legislation.

- 8.2 Budgetary provision of £3,000 has been made for the 2017-18 financial year. As noted previously, the Council is committed to recovering its costs wherever practicable.

9. REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 The approval of this new policy is recommended as it helps ensure that the Council meets its statutory responsibilities in a consistent manner, balancing sensitivity of service delivery with the need to deliver efficient and effective services.

10. LIST OF APPENDICES INCLUDED

Appendix 1 – Public Health Funerals Policy.

BACKGROUND PAPERS

Not applicable

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