This document is the Policy that will be shared when administrating Public Health Funerals.

Public Health Funeral Policy

Bereavement Services



April 2025 V4

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1. Background

When someone dies it is often a very painful and difficult time, especially if there are concerns about how to a funeral is to be paid for. The term Public Health Funeral (PHF) is used to describe the process that Local Authorities use to discharge statutory duties under the Public Health (Control of Disease) Act 1984 (the Act) when there is no surviving next of kin, next of kin cannot be located, next of kin are unwilling or unable to arrange a funeral or they cannot afford to pay for the funeral.

When there is no surviving next of kin, next of kin cannot be located, the next of kin are unwilling or unable to arrange a funeral or the next of kin cannot afford to pay for a funeral Solihull Council may be able to arrange a PHF in accordance with the Act. The Local Authority, as defined in Section 1 of the Act, are therefore responsible for arranging a burial or cremation where a person has died or who has been found dead in their area (though may not live there), and it is apparent that this will not be carried out otherwise.

Section 46(1) of the Public Health (Control of Disease) Act 1984 (the Act) 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 then by the authority."

The Act also stipulates:

- The deceased should not be cremated where the local authority has reason to believe that would be contrary to the wishes of the deceased.
- A local authority may recover, from the estate of the deceased person, the expenses incurred.

2. Scope

This policy is intended to provide an outline on how we, as a Council, will deal with PHFs and provide a dignified, funeral service under the Act, with proportionate consideration for impact on the public purse. Due to the potentially complex nature of some cases this document should be viewed as an outline to the standards that can be expected. The Act does not define how the authority should carry out the duty meaning there is flexibility of how these services are delivered. Flexibility needs to be maintained to respond to unforeseen circumstances.

3. Receiving a potential PHF Referral

Referrals may come from a variety of sources, including (but not limited to):

- Medical Examiner
- Coroner's Office
- Police
- Hospitals (note that Birmingham City Council deal with deaths that take place within the Birmingham boundary)
- Medical practitioners

- Residential homes care homes and care homes
- Family or Friends
- Funeral Directors
- Executors

A PH4 Referral Form should be completed for each referral received; irrespective of whether a funeral is arranged under the Act. It is important to ascertain as much detail as possible.

Subject to where a referral is issued, it may be necessary for the service to complete the PH4.

Responsibility for PHFs sits, as a minimum, at Team Leader level.

When a family approaches the Council, it is important that they are treated with sympathy and respect and provided with facts.

Option 1

Subtle enquiries as to whether a next of kin is receiving any benefit, in which case they may be entitled to help for the social fund. The family should be advised to visit <u>www.jobcentreplus.gov.uk</u> or telephone 0845 6036967 which gives information about the type of help available and who is eligible.

Option 2

If someone is concerned about how to pay for a funeral because of insufficient funds or low income they may be entitled to a Funeral Expenses Payment from the Department of Work and Pensions.

More information about Department of Works and Pensions Funeral Expenses Payments is available on the following website www.gov.uk/funeral-payments If someone does not have access to a computer they can telephone Telephone: 0800 169 0140 Textphone: 0800 169 0286

Option 3

In recent years there has been increasing recognition and concern at the costs associated with dying. In particular, the impact the cost of funerals has on lowincome families with the rising costs receiving national recognition through several high-profile surveys including the annual Sunlife Cost of Dying Report and the Royal London report. As a result, several organisations are working to alleviate what has become known as 'Funeral Poverty', including the National Funeral poverty Alliance, Church Action on Poverty, the Natural Death centre and Quaker Social Action.

Solihull Metropolitan Borough Council has an option of a low-cost funeral families can select which will provide transport to the crematorium/cemetery from the Funeral Directors, embalming where required, dressing of the deceased, an officiant, flowers and official cars. The details of our contracted partner can be shared if a family would like to select this option. Option 4

Continue with a Public Health Funeral through Solihull Council. Should this be the families wishes, we require a Form PH2 – Relatives Relinquish Responsibility for Funeral to be completed by each family member.

If the deceased had a family who are unable or unwilling to make suitable arrangements, the nearest surviving relative will be required to sign a declaration (Appendix 2 – PH2 Relinquishing Responsibility) stating that they are willing for the Council to make the funeral arrangements on their behalf and understand that costs will be recovered from the deceased's estate.

If the family have already removed any possessions from the deceased's last place of residence, these may need to be returned to the Council to help offset the funeral costs. The Public Health (Control of Disease) Act 1984 states that the first call on the deceased's estate is to cover any funeral expenses.

4. Last Will and Testament

Where a Will is established, the funeral arrangements must be passed to the Executor, and no further action will be taken by the Council in relation to arranging a funeral for the deceased.

An appointment with the executor may need to be arranged so that the council can return any property that has been removed under the Act. The PH1 document must be signed and kept on file to demonstrate all property was returned to the appropriate person.

The executor of the estate will then undertake all funeral arrangements.

If the Executor revokes their duty and refuses to take on the responsibility of the funeral, they must make a formal renunciation of the Will. If property or valuables have been removed from the propertyⁱ by the Executor, they may be required to be handed to the Council if insufficient funds are available to cover the funeral expenses.

5. Timeline for delivery

Once the service is notified of a potential PHF, the service must act in a timely and dignified manner to lay the deceased to rest.

Where a referral has come from the Medical Examiner's (ME) Office, the activities must be completed within five working days so as not to impact on their workload and to ensure a timely funeral is arranged for the deceased.

The activities include, but are not limited to, attending the property of the deceased, contacting the deceased's GP, any organisations the deceased was known to. The objective is to find out as much information as possible to either allow family or friends to make the arrangements or adhere to the wishes of the deceased. The activity should also be focused on obtaining as much information as possible should the service be required to complete the death registration accurately.

The Medical Examiner will then send the Medical Certificate Cause of Death to the Registration Service. If, through our activities, we have established this will be a PHF, the registration of the death must take place within five calendar days by bereavement services.

Bereavement Services should, as good practice, notify the Registration Service if there is likely to be a Public Health Funeral that will require the bereavement team to register the death.

6. Property Searches

Prior to making any funeral arrangements the Council will secure the property of the deceased as soon as possible after a referral has been received and follow this up with officers visiting the property as soon as possible. The purpose of this visit will focus on finding a Will, finding evidence of family and friends and to identify any items of value that may be used to offset the funeral costs. During this visit officers will also search for items such as (for example), passport or driving licence, details of bank accounts and officers may remove valuables. Officers have the authority to enter properties for this purpose under the Carer's Act 2014(Section 48).

Under the Act, we will continue to remove assets to protect the estate of the deceased. Where property is removed, if the estate is insolvent, the property can be sold in line with Financial Regulations. Any residual balance can be returned to any family, if located or donated to the Mayor's charity.

Any official documentation such as passports and/or driving license should be returned to the governing body to be securely disposed of.

If the deceased cohabited, mutual arrangements would need to be made to visit the property. The authority must agree with the deceased's cohabitee to collect any documentation identified as above for the purposes of completing a Public Health Funeral. Where we cannot clearly ascertain ownership of assets within a shared property, we will not remove any valuables. Any documentation indicating any potential links to family will be followed up accordingly.

Where no next of kin can then be reasonably located the Council will carry out the necessary funeral arrangements and any residual estate exceeding £500 will be referred to Bona Vacantia. No external companies should be used without an appropriate contract and tender process followed in line with procurement regulations.

Policies held by SCH and Adult Social Care will be reviewed alongside this policy, allowing Bereavement Services to carry out their job and have access by them only to the deceased property. Any documentation or records that are relevant to registering the death, seeking relatives and obtaining funding for the funeral and administration costs must be shared.

Under the Housing Act 1985, consideration will need to be given should the deceased leave a tenant in occupation. Ahead of succession being formally arranged with the tenant in occupation, SCH colleagues will work collaboratively with

Bereavement Services colleagues to meet with the tenant in occupation for any procedural forms to be signed in tandem.

Landlords must not enter or explore the property or remove any items from the deceased's home until given permission to do so by the Council. The Council is not responsible for clearing or cleaning the property. To safeguard the Council against accusations of theft or misconduct (and for general good practice), a minimum of two officers must conduct the search and always stay together. One of the officers must be of a managerial/supervisor level and at times may also be accompanied by, for example an Environmental Health Officer, Housing Association officer, social worker or Police officer.

Where the next of kin would like to be present at the search or wish to look through the property they will be always accompanied by an officer. A written inventory of assets (Appendix 2 Form PH2) will be recorded, and property removed will be stored in secure conditions by the Council. If cash is found in the property this will be counted on the premises and then removed to secure conditions by the Council before it is banked. Any items removed from the property and not sold to recover the costs of the funeral will be held under secure conditions by the Council for a minimum of 12 months following the funeral and may be disposed of, passed to next of kin or be passed to the Bona Vacantia Division of the Government's Legal Departmentⁱⁱ. Following the completion of the search the property will be secured and the keys returned to the landlord.

If the property was owned by the deceased, the case will be referred to Bona Vacantia (the Government's Legal Department) and their instructions regarding the property will be followed.

7. Public Health Funerals

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. Unless it is established 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, a cremation service will normally be held at Robin Hood or Woodlands Crematorium. The location will be selected based on the Solihull owned crematorium closest to where the deceased lived. If a burial is required and the deceased did not own a grave, a burial will take place in an unmarked grave at a Solihull Council Cemetery, unless estate funds are available to cover additional costs.

The Council will consider any wishes that the deceased may have had, in accordance with the Act. If the cost of this is deemed to be unreasonable, officers will produce a report as to the reasons why these cannot be provided.

Where no specific religious or cultural beliefs have been identified, Solihull Council will provide a cremation service at Robin Hood or Woodlands Crematorium on a date and time decided at the discretion of the Council and/or the funeral director.

If the deceased would have chosen a burial for religious or cultural reasons and did not own a grave, the burial will be in a grave chosen at the discretion of the Council at a Solihull Council Cemetery on a date and time decided at the discretion of the Council and the funeral director. A memorial headstone will not be provided unless indication of a requirement for one and funds would cover this.

If family members or friends wish to attend the service an officiant will be appointed according to the deceased's religious beliefs and the next of kin will be invited to speak directly with the officiator prior to the service to contribute to the eulogy and to choose three pieces of suitable music to be played at entrance to the chapel, committal and exit from the chapel. The Council will not provide an organist, all music will be supplied by the Council's audio provider. The Funeral Directors will establish family wishes for this.

The Council will not provide flowers, orders of service, transport for mourners, a wake or memorials and will not accept contributions for these.

If no mourners will be attending the Council will provide a Direct Cremation and no service will be held.

Following the cremation service, the ashes will be scattered in the Garden of Remembrance at the Crematorium without witness, unless a request is made by the next of kin for the ashes to be returned to them. The person taking responsibility for the ashes will be required to sign a declaration (Appendix 3 – Form PH3) stating that the ashes will be dealt with respectfully considering any known final wishes of the deceased. If there is any conflict between family members about the arrangements for the ashes, then the Council will scatter the ashes in the Garden of Remembrance at the Crematorium without witness.

If a PH3 is completed but the ashes are not collected within 30 days, the service will arrange a scattering in our Gardens of Remembrance without witness to ensure a dignified resting place for the deceased.

If, for religious or cultural reasons, another type of funeral is required, the Council will endeavour to provide this. Different religious beliefs have specific protocols and procedures that will be adhered to where possible. If the cost of this is deemed to be unreasonable, officers will produce a report as to the reasons why these cannot be provided.

8. Appointment of Funeral Directors

The Council will appoint a funeral director who is a member of the National Association of Funeral Directors, National Federation of Funeral Directors or Society of Allied and Independent Funeral Directors. These services are tendered for every 2 years. The tendering process is carried out in compliance with the Corporate Procurement Guidelines.

9. Estate Administration

The Act allows the local authority to recover all costs incurred from the estate of the deceased; that is, from any effects, for example, cash found within the property, banks and/or the sale of property and possessions.

The Council will seek to recover the full cost of the funeral and associated admin charges. The Council will need to make a judgment on the appropriate level of activity required to seek to recoup any costs based on the circumstances of each individual case. The Council is not empowered to administer the estate.

Once all council costs have been re-imbursed under the Act, and where there is a surplus of over £500 and no known next of kin, the Council will refer the case to the Government's Legal Department under Bona Vacantia.

Where there is known family, the case cannot be referred to the Bona Vacantia Division. Under these circumstances the Council will hold all monies until a legally entitled person demonstrates their suitability to administer the estate through holding Letters of Administration from the Courts. Under no circumstances will money or property from the estate be given out to anyone without proper lawful authority. All Council costs for storage, property insurance, administration etc. will be recorded and passed to the estate.

Where there are entitled relatives who were unable or unwilling to make the funeral arrangements, the council will contact the family to arrange collection of the residual estate once the costs of the funeral arrangements have been claimed.

The council will hold the residual estate for two years, after which time, it will be securely disposed of, in accordance with the retention policy of the council i.e. 2 years at the time of publication.

If the estate value is under £500, the Act allows the Council to retain the money to offset the costs of Public Health Funerals.

10. Publication of Data

Disclosing the full name and address of the deceased will lead to living relatives being identified; either by people who know the deceased or by someone making further enquiries (such as a search of the Electoral Register). This might identify the spouse, partner or other relative who may (or may not) still reside in the property. We believe that these individuals would not want it made known that they had either declined or were unable to pay for the funeral. This is a private matter and therefore, Section 40(2) FoIA 2000 has been applied to protect the personal information of living relatives.

However, we recognise that there is a public interest in understanding the cost to the public purse of Public Health Funerals.

The Council will publish information annually in relation to this area of the service. The following information will be published after the financial year figures have been collated on the Council's website <u>www.solihull.gov.uk</u> (search for Public Health Funerals)

- Year
- Number of Public Health Funerals
- Cost
- Number of Burials
- Number of Cremations

11. Contact

Persons requiring advice about Public Health Funerals should contact the Council's Cemeteries, Crematoria and Bereavement Services Team:

Email robinhoodcemetery@solihull.gov.uk Telephone 0121 709 7009

Opening times: Monday, Tuesday and Thursday 9am to 5pm Wednesday 10am-5pm Friday 9am to 4.30pm

12. Appendices

12.1 Appendix 1 – PH1

Removal of items from premises

Case No:	Date:
Name of Deceased:	
Address of property:	
Leading Officer:	
Supporting Officer:	

Evidence Ref:	Item	Removed by:	Witnessed by:	Storage:

Form PH1 – Removal of items from property Dec 22

12.2 Appendix 2 – PH2 Relinquishing Responsibility



Bereavement Services Register Office Homer Road Solihull West Midlands B90 3QZ Tel: 0121-709-7009 Email: robinhoodcemetery@solihull.gov.uk www.solihull.gov.uk Please ask for: Public Health Funerals

Our reference

Date

Public Health (Control of Disease) Act 1984 Section 46

Residing at

Declare that I am next of kin of the late

Of I am not able to undertake the commitment of making the funeral arrangements for my relative and therefore I ask that Solihull Council should undertake this duty as required under section 46 of the above Act. As such I am aware that the Council will only provide a basic funeral and items such as costs incurred before the date listed below and extra costs such as, but not limited to, minister's fees, service sheets etc. will need to be paid for by the family.

I agree and understand that under Section 5 of the Act the proceeds of the deceased's estate will have to be used for the funeral and administration costs incurred by the Council and any possessions that have been removed from the deceased's last place of residence following their death may need to be returned to the Council to help offset the funeral costs.

Name	Signature
Dated	
Witness Name	Signature
Address	
Dated	
Form PH2 – Relatives	Relinguish Responsibility for Funeral Dec 22



Bereavement Services Register Office Homer Road Solihull West Midlands B90 3QZ Tel: 0121-709-7009 Email: robinhoodcemetery@solihull.gov.uk www.solihull.gov.uk Please ask for: Public Health Funerals

Our	reference:
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Date:

I	 declare that I am the	

/next of kin of the late

I confirm that I wish to take responsibility for the ashes after the funeral. I declare that I will deal with the ashes respectfully considering any known final wishes of the deceased. It there is any conflict between family members about the arrangements for the ashes, I understand that the Council will scatter the ashes in the Garden of Remembrance at the Crematorium without witness.

Print name	
Address	
Signed	Date

Witness 1	
Address	
Signed	.Date

Form PH3 – Relative requesting Ashes Dec 22

12.4 Appendix 4 – PH4 – Referral form

Economy & Infrastructure Cemeteries, Crematoria and Bereavement Services Public Health Funeral Referral Form Public Health (Control of Disease) Act 1984 Section 46

Subject/ Deceas	Name	DOB	
ed	Addres	DOD	
	S	Time of	
		death	
		Age	
	Owned	Contact	
	/	of	
	rented	property	
		owner	
Reporte	Name	Home	
r	Addres	Work	
	S	Mobile	
Relation	to		
deceased	d:		
Date rece	eived		

Died at:	
Cause of death	
Body at:	
Death Registered	
Place of Birth	
National Ins No.	
Religion	
Type of Funeral requested	

Married/maiden	
name	
Children	
Occupation	
Finances	
Relatives	
Friends	
Normal Doctor	
Other contacts i.e clubs, etc	
Police crime numbers:	
Property Held	
(Mobile – Address Book	
etc)	

Doctor:	
Property Search	
List documents/evide nce numbers	

Date	Actions/Comments	Initial s	Time Spent

12.5 Appendix 5 – PH5 – Neighbours notification



Bereavement Services Register Office Homer Road Solihull West Midlands B90 3QZ Tel: 0121-709-7009 Email: robinhoodcemetery@solihull.gov.uk www.solihull.gov.uk Please ask for: Public Health Funerals

Dear Sir/Madam

Public Health (Control of Disease) Act 1984 Section 46

We called by today to introduce ourselves; we have responsibility as a Local Authority under the above legislation for dealing with the funeral arrangements of your neighbour:

Name

Address

We would be interested to know any personal details, documents or information you may have that would assist us in organising the funeral and finding relatives.

Should you have information you can share with us, then please contact us on the above telephone number.

Regards

Bereavement Services Public Health Funerals

PH5- Neighbours

12.6 Appendix 6 – PH6 – Financial Costs/Closing Accounts

PH6 – Financial Costings Template

To be used to calculate outstanding costs owing to SMBC:

Administration Costs to be calculated for

Insert name and individual cost

code Funeral Costs:

Insert date	Insert amount for	
	invoice	

Administration Costs:

Officer	Banding	Activity	Timings	Cost Calculation

Income banked:

Any income received or found	Source	Date income banked	Comments

Funeral Directors Costs Total	
Administration Costs Total	
Income Received	
Total amount to be requested	

12.7 Appendix 7 - PH7 - Relative accepting responsibility



Bereavement Services Register Office Homer Road Solihull West Midlands B90 3QZ Tel: 0121-709-7009 Email: robinhoodcemetery@solihull.gov.uk www.solihull.gov.uk Please ask for: Public Health Funerals
I declare that I am the
/next of kin of the late
I confirm that I wish to take on the responsibility for all funeral arrangements with regards to the above named deceased. I declare that I will deal with the funeral and ashes respectfully considering any known final wishes of the deceased.
Print name
Address
Signed Date
Witness 1
Address
SignedDate

Form PH7 – Relative accepting responsibility Dec 22

12.8 Appendix 8 - PH8 – Template Risk Assessment

		Activity Risk Assessn	nent		
Searching Deceas	sed Properties Risk Assessment				
Date:	Assessed by:		Service Area/Team/Department	Review Date:	
01/02/23	Annabel Dolphin/Louise Baggott		Bereavement Services	February 2024	
	Risk Assessment Owner/Approver (sign off) (if different to above)	Persons Affected		
	Annabel Dolphin		Anyone carrying out a Public Health Funeral		
	Consultees:		Location(s) of Activity :		
	Bereavement Services Staff, Kirk Giles		Deceased properties		
What are the Hazards?	Who might be harmed and how?	What are you already doing to control the risks?	What more can you do to control this risk?	Risk Rating (use matrix below)	
Lone working / Personal Safety	Employees in contact with intruders, unauthorised people	 Awareness of lone working policy Searches of properties are not authorised to be a lone officer – always two officers Ensure details of location within diary for all to see Advising neighbours of employees presence when searching property 			
Manual Handling	Employees undertaking searches of properties	 Ensure staff have attended a manual handling course Awareness that some objects could be of considerable size and therefore requires more than one man lift. 			

Working at height	Employees undertaking searches of properties	 Ensure staff have attended a working at heights course It is not recommended that staff should be entering loft spaces without correct equipment and support Risk assessment to be carried out if ladders are required 		
Infectious Diseases / Rodent infestation	Employees attending searches of properties	 Protective PPE is supplied to prevent any transmission All PPE should be disregarded safely Awareness of cause of death to indicate any potential infectious disease before entering property Visual risk assessment for any indication of rodent activity in the property 	 Environmental Health officer to also attend where appropriate Pest Control treatment to be carried out prior to entry if required 	
Unsafe condition of Property	Employees injuring themselves due to poor state of repair, untidy,	 Visual risk assessment to be done on entry to each property Visual risk assessment to be completed on entry into each room Instruction do not put yourself and others at risk of injury on every visual risk assessment form 		
Stress / Wellbeing	Employees on condition and findings within the property	 Awareness of potential findings within property Employee Assistance Programme Employee training to identify areas of support that maybe required 		

Sharps/Needles Employee injuring themselves on items within the property All PPE should be worn Additional equipment for picking up sharps/needles should be sought Sharps box is supplied within PPE equipment A further risk assessment should be carried out if the property has sharps/needles throughout Awareness of sharps before entering from coroner or police 	PPE	Employee ensuring they protection themselves when undertaking a search of a premises	 Policy contains list of all PPE that maybe required All PPE should be always available on site Visual risk assessment to be completed on what PPE is required at each property and room 	
	Sharps/Needles		 Additional equipment for picking up sharps/needles should be sought Sharps box is supplied within PPE equipment A further risk assessment should be carried out if the property has sharps/needles throughout Awareness of sharps before entering 	

Impact/Severity vs Likelihood Matrix

When assessing the risk rating for each hazard, you must:

- 1. Take into account the severity/impact of the hazard using this matrix and consider:
 - a. How serious is the risk from the hazard would it cause a minor injury or something more serious?
 - b. Does it affect one person or many (impact)?
 - c. Are the persons affected vulnerable (e.g. children, elderly, mental or physical impairment, pregnant women)?
- 2. Assess **how likely** it is for staff/contractors/customers/members of public/pupils etc. to be hurt or made unwell by the hazard after you have implemented steps to control the risk from the hazard.

For example:

- Working on a flat roof with no edge protection <u>Severity = High</u> (could be killed if fall off roof) <u>Likelihood =</u>
 <u>Low</u> if the roof is fitted with edge protection, operative uses fall prevention equipment.
- Cleaning a tiled floor <u>Severity = Medium</u> (a slip, fall could cause a serious injury) <u>Likelihood = Low</u> if clean when area is quiet, use wet floor signs and use a two mop system one wet, one dry.

- 1	Likelihood				
Impact/severitv		Low	Med	High	
ct/se	Low	Green	Green	Green	
verit	Med	Green	Amber	Amber	
	High	Amber	Amber	Red	

Note: Where a High Risk is identified even after looking at existing measures, you must do everything reasonable to reduce the level risk to the lowest level achievable.

Example Risk Assessments:

To help and guide you through completing your activity based risk assessments, example risk assessments can be found in the **Risk Assessment guidance** on the intranet and are also **embedded within the Activity/Task Risk Assessment template within the SHE Assure system.**

Actions

If you require somebody to carry out an action as part of implementing this risk assessment, list the action here: Examples include:

- Manager x to undertake a briefing of staff before activity is undertaken
- Staff member/Team needs to show training certificates to prove competent to do task
- New tools and equipment need to be purchased

Action Required	By who	Target Date	Status
Ensure all staff have undertaken manual handling and working at heights course	Annabel Dolphin	1/4/2023	Planned
Ensure all PPE is ready to use	Annabel Dolphin	1/4/2023	Planned
Staff are aware of the Public Health Funeral Process for dealing with property searches, to include the documentation and checks that need to be completed prior to visit	Annabel Dolphin	1/4/2023	Planned

ⁱ All property must be logged on the PH4 for comprehensive record keeping.

[&]quot; Where there is a surplus of £500 in the estate