

# Cabinet Report



Listening Learning Leading

Report of Head of Housing and Environment

Author: Simon Hill

Telephone: 07801 203 574

E-mail: [simon.hill@southandvale.gov.uk](mailto:simon.hill@southandvale.gov.uk)

Wards affected: All wards, entire district

South Cabinet member responsible: Sam James-Lawrie

Tel:

E-mail: [sam.james-lawrie@southoxon.gov.uk](mailto:sam.james-lawrie@southoxon.gov.uk)

To: CABINET

Dates: 28 November 2024

## Updating the Joint Public Health Funerals Policy

### Recommendation(s)

That Cabinet

(a) Adopt the updated Joint Public Health Funerals Policy

(a) Delegates to the Head of Housing and Environment to make any minor changes to future versions of the Policy in consultation with the Cabinet member for Environment

Implications (further detail within the report)	Financial	Legal	Climate and Ecological	Equality and diversity
	No	No	No	Yes
Signing off officer	Emma Creed	Vivien Williams	Heather Saunders	Ruth Lewin-Leigh

## Purpose of report

1. To seek approval for the adoption of an updated Joint Public Health Funerals Policy and to seek approval for future minor amendments to the policy to be delegated to the Head of Housing and Environment, in consultation with the Cabinet Member for Environment/Environment and waste.

## Corporate objectives

2. South Oxfordshire District Council's Corporate Plan 2020-2024; Improved economic and community well-being. Public Health Funerals are not specifically mentioned but this policy loosely feeds into this corporate objective.

## Background

3. The council has a duty to arrange all public health funerals (PHF) where:
  - the deceased died within the council's administrative boundary, and
  - when there is no surviving spouse/partner; or
  - no next-of-kin can be located; or
  - there is no funeral plan in place; or
  - the surviving spouse/partner, and/or next-of-kin, refuse to take responsibility for the funeral.
4. Section 46(1) of the Public Health (Control of Diseases) 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 than by the authority."
5. The council currently has a [Public Health Funerals Policy](#) which is delivered by the Environmental Protection team within the Housing and Environment Service.

## Updated policy

6. The council deals with several annual referrals from the Oxfordshire County Council's Coroner (approximately 2-5 cases per year) for PHFs due to surviving spouse/partner and/or next-of-kin being unwilling to make the necessary funeral arrangements for their deceased relatives, as they usually claim inability to afford the cost of the funeral. The lack of clarity within the existing policy has created situations where a third party has tried to influence the type and level of funeral provision provided. This has resulted in funerals taking longer than needed, and the council being exposed to unnecessary additional costs.
7. Shown at Appendix 1 is the updated public health funerals policy and the reason for updating it is to help ensure that the type and level of public funeral provision provided by the council is clear, fair, and consistent.

## Options

8. Option 1: Approve the updated Public Health Funeral Policy, so that it is clear what the council responsibilities are and clearly explains what the council will do when assistance is requested with a PHF.
9. Option 2: Continue to use the current, but outdated, policy which has identified risks to the council in how it delivers the service. This would continue the current inefficient use of officer time, and the associated costs of completing the work if the deceased has no estate. There would also remain an increased risk of reputational damage to the council if public health funerals were not managed through an appropriate, fair, and consistent policy.

## Financial Implications

10. There are no changes to the financial implications regarding the updating of the Joint PHF policy. In the council’s statutory role regarding public health funerals, where the deceased has no estate, the costs of the funeral are covered by the public purse. If the deceased has an estate, all council costs are recovered from that estate.

## Legal Implications

11. There are no changes to the legal implications around the council's role in public health funerals by updating the Joint PHF policy.

## Climate and ecological impact implications

12. This updated policy has no direct impact on climate or local ecology. Reputable funeral providers are used to make the funeral arrangements. Most of the deceased are buried in line with this policy. This is to ensure that if next of kin come forward later, they have the option to exhume and move their relative to a graveyard elsewhere.



KEY	
	Significant and/or long-term positive impact identified. No changes needed.
	Slight or short-term positive impact identified. No changes needed but could be reviewed to improve.
	No net change/not applicable
	Slight or short-term negative impact identified. Review to identify possible improvements.
	Significant and/or long-term negative impact identified. Changes needed before proceeding.

## Equalities implications

13. An Equality Impact Assessment has been completed and potential impacts to residents with protected characteristics (Age, Disability, Race and Religion or Belief) have been identified that due to their circumstances their wishes may not be met.

14. Mitigation is in place to reduce any negative impacts by the council proactively trying to identify next of kin through a genealogist and if found informing them about potential help available with the cost of a funeral (if necessary) via a [Funeral Expenses Payment](#).
15. Cultural and religious practices around funerals also differs across different communities and where possible the council will respect all wishes expressed by the deceased. When the council takes responsibility for a PHF, a dignified private funeral is arranged to honour the deceased respectfully.

## **Risks**

16. There is a risk that if the updated policy is not approved, then arranging a PHF will continue taking up more officer time and may cost the council more to complete (if the deceased has no estate). The changes in the policy relate to clarifying the process and what is expected when the council arranges a PHF.

## **Other Implications**

17. None

## **Conclusion**

18. The council experiences a small number of cases per year where relatives/next of kin attempt to expand the style and elements of funeral for the deceased, without taking on responsibility for the funeral themselves. This wastes council officer time, upsets the funeral directors involved who are trying to provide a low cost, minimal service, and therefore increases the council's costs for the PHF. By updating the public health funerals policy, the council will be clear in the level of funeral which will be provided, and a process to be followed.
19. The production of the council's updated Joint Public Health Funerals Policy has been completed, and approval of adoption of this policy is sought from Cabinet.
20. It is also proposed that any future changes to the Joint Public Health Funerals Policy are dealt with under an Individual Cabinet Member Decision (ICMD) and so approval is sought for that proposal.

## **Background Papers**

The current Public Health Funeral policy can be found on our website:

<https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/public-health-funerals/>