



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and Date of Committee	EXECUTIVE – 9 OCTOBER 2024
Subject	PUBLIC HEALTH FUNERAL POLICY
Wards Affected	All
Accountable Member	Councillor Lidia Arciszewska – Executive Member for Environment Email: Lidia.arciszewska@westoxon.gov.uk
Accountable Officer	Jon Dearing – Assistant Director for Resident Services Email: jon.dearing@publicagroup.uk
Report Author	Mandy Fathers – Business Manager for Environmental, Welfare and Revenues Email: mandy.fathers@publicagroup.uk
Summary	To consider and approve a new policy in respect of Public Health Funerals.
Annexes	Annex A – Public Health Funeral Policy
Recommendation	That the Executive resolves to: I. Approve the Public Health Funeral Policy, attached at Annex A.
Corporate Priorities	<ul style="list-style-type: none">• Putting Residents First• Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Executive Member for Finance, Chief Executive, Director of Governance, Chief Finance Officer, Interim Head of Legal Services, Interim Executive Director, Interim Managing Director (Publica)

1. BACKGROUND

- 1.1 A Public Health Funeral can be defined as a funeral arranged by local authorities for those people who have died and have no known relatives to arrange or pay for their funeral; or have relatives who do not want to; or are unable to arrange their funeral. Local authorities have responsibility to arrange such funerals under Section 46 of the Public Health (Control of Disease) Act 1984.

2. MAIN POINTS

- 2.1. The council does not currently have an adopted Public Health Funerals policy. This could possibly leave the council open to legal challenge from interested parties if it takes on a very basic funeral arrangement and the family wants something more tailored.
- 2.2. The council needs to ensure it has an adopted policy to provide both a basis for a procedural framework for staff and further provide a consistent and transparent approach to the public on how it deals with such cases.
- 2.3. The provisions of section 46 of the Public Health (Control of Disease) Act 1984 state:
- “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 has been found dead in their area, in any case where it appears to the authority that no suitable arrangements for disposal of the body have been or are being made otherwise than by the authority”.
- 2.4. The purpose of section 46 is to prevent the spread of disease through the proper disposal of bodies of deceased individuals where no-one else is willing or able to take responsibility for the funeral arrangements.
- 2.5. In many cases the lack of suitable arrangement is due to there being no known next of kin. These cases are generally referred to the council by the coroner’s office but on other occasions family members are traced who are unable or unwilling to take responsibility for arranging the funeral.
- 2.6. In some circumstances a successful application to the Social Fund will help meet the cost of paying for the funeral including arrangement fee costs.
- 2.7. Where the aforementioned cannot be achieved the council has an obligation to make and pay for the necessary arrangements. The council undertakes on average four to six public health funerals per year at a current cost of approximately £1,650 per funeral.
- 2.8. These costs, however, can be offset through the removal and sale of possessions from the deceased estate.

3. FINANCIAL INPLICATIONS

- 3.1. The council currently has a budget of £5,000 per year to support such burials.

4. LEGAL IMPLICATIONS

- 4.1. The legislation is detailed within the body of this report.

5. RISK ASSESSMENT

- 5.1 The risks are detailed within the body of this report.

6. EQUALITIES IMPACT

- 6.1. There is sometimes a stigma around public health funerals that these are paupers’ funerals. This is an outdated opinion, and the reality is that anyone who passes away in the district

will be treated with respect and dignity, regardless of wealth and will receive a dignified burial.

7. CLIMATE CHANGE IMPLICATIONS

7.1. None

8. ALTERNATIVE OPTIONS

8.1. The council has a statutory responsibility to process such funerals; therefore, there are no available alternative options.

9. BACKGROUND PAPERS

9.1. None.