

AGENDA ITEM 7

COMMUNITY & SOCIAL AFFAIRS COMMITTEE

27TH JANUARY 2016

REPORT OF HEAD OF REGULATORY SERVICES

PUBLIC HEALTH FUNERAL POLICY

1.0 PURPOSE OF REPORT

- 1.1 To inform Members of the legislative requirements for Public Health Funerals and seek agreement to the associated policy.

2.0 RECOMMENDATIONS

- 2.1 **That Members approve the policy**

3.0 KEY ISSUES

- 3.1 Melton Borough Council is required in the Public Health (Control of Disease) Act 1984 to ensure that the body of any person who has died or been found dead in their area be buried or cremated.
- 3.2 This is required in any case where it appears to the authority that suitable arrangements for the disposal of the body have not been or are not being made otherwise than by the authority. The main requirement is that the Authority shall not cause a body to be cremated where they have reason to believe that cremation would be contrary to the wishes of the deceased.
- 3.3 In the current financial climate, there has been an increase nationally in the number of cases coming to the local authority. In Melton, the increase has not been significant. There were two cases in 2012-13, one in 2013-14 and one in the current financial year, however we need the policy to be able to advise the public on the extent of assistance we can offer.
- 3.4 The proposed policy is attached at Appendix A.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 The policy is to ensure conformity of dealing with cases and to be able to advise the public on the limitations within the process.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 There is currently no budget allocated for such cases.
- 5.2 The legislation enables the Authority to be able to claim back any value from the estate.
- 5.3 In the cases in 3.3 above two were repaid in full, one was partially repaid and the final one there was no repayment at all.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 The legislation gives us first priority on any value in the estate.

7.0 COMMUNITY SAFETY

7.1 The purpose of the legislation is to protect community safety. It is to ensure that the deceased body is suitably cremated or buried and not left with the associated risk to public health in controlling potential diseases.

8.0 EQUALITIES

8.1 There are no equalities issues to the deceased. Where appropriate the family will be directed to the social fund for assistance.

9.0 RISKS

9.1

L I K E L I H O O D	A Very High				
	B High				
	C Significant				
	D Low				
	E Very Low	1			
	F Almost Impossible				
		Negligible 1	Marginal 2	Critical 3	Catastrophic 4
IMPACT					

Risk No	Risk Description
1	Not adopting the policy leaves MBC open to challenge.
2	
3	
4	

10.0 CLIMATE CHANGE

10.1 There are no climate change issues associated with this report.

11.0 CONSULTATION

11.1 The policy is based upon external training and liaison with other Authorities carrying

out the function.

12.0 **WARDS AFFECTED**

12.1 All wards may be affected.

Contact Officer: Victoria Clarke

Date: 26th November 2015

Appendices : Public Health Funeral Policy

Background Papers:

Reference : X : Committees\CSA