

PUBLIC HEALTH FUNERAL POLICY

17/03/2026

1. Introduction

- 1.1 A Public Health Funeral (PHF) is a funeral arranged under the Public Health (Control of Diseases) Act 1984 section 46. This act places a statutory obligation on local authorities to make funeral arrangements for those who die without anybody willing or able to make the arrangements. Although this is a statutory duty, authorities must ensure that the funeral service is appropriate and indistinguishable from any other, treating such cases with the utmost dignity and respect.
- 1.2 Three Rivers District Council (TRDC) can recover the cost of burial or cremation from the estate of the deceased person using the stated legislation.
- 1.3 Due to the potentially complex nature of some cases, this document should be viewed as an outline as to the standards that can be expected. Flexibility needs to be maintained in order to respond to unforeseen circumstances during a potentially extremely sensitive situation.
- 1.4 This function can involve potentially sensitive issues if dealing with family and friends of the deceased, who may themselves be vulnerable. Every endeavour should be made to take their needs into account and seek advice from other services, where appropriate to support and assist them.
- 1.5 There is a separate document for the PHF procedures.

2. The Law

- 2.1 Public Health (Control of Diseases) Act 1984 section 46;

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.

- 2.2 This is a purely practical power to ensure that absent any relatives or friends, a deceased is buried or cremated with dignity and respect according to their wishes, as far as they are known. This authority may recover any funeral expenses from the estate of the deceased.

3. Key Roles

- 3.1 Local authorities: Have a duty to cremate or bury the deceased in line with provisions of the Public Health (Control of Diseases) Act 1984.
- 3.2 Funeral directors: In most cases funeral directors will administer the public health funeral on behalf of the local authority. Funeral directors should notify local authorities as soon as possible if they think they have someone in their care who may require a public health funeral, for example if no next of kin have come forward.
- 3.3 NHS Trusts: should develop their own policy for deaths which occur in hospital.
- 3.4 Coroners: Will release the body to the next of kin when it is no longer required for their investigation. Where there is no identified next of kin or other person who will take responsibility for disposal, the coroner will refer the deceased to the local authority.
- 3.5 Care homes and nursing homes: Will refer the deceased to the local authority for a public health funeral where they have no known next of kin. It is helpful to inform local care and nursing homes if a contracted funeral director is in place for public health funerals.
- 3.6 Executors of the deceased's will: Administers the estate and is responsible for organising a funeral if there is a valid will and no next of kin.
- 3.7 The role of friends and family;
 - 3.7.1 If details of family and friends are identified they will be informed of the death and invited to make the funeral arrangements. Information here www.gov.uk/funeral-payments may help with finances.
 - 3.7.2 If a relative or friend has already registered the death the arrangements for the funeral would be the relative's responsibility unless they have been requested to register the death by the authority.
 - 3.7.3 If family or friends wish to pass the responsibility onto the council, TRDC will take **full** control of the arrangements and the family/friends need to understand what this means - the authority will make the funeral arrangements, including time and date and that their involvement will be limited and that the authority has first claim on the deceased estate. It is also good practice to explain fully to what will actually happen, including a search of the property to recover any relevant paperwork, money or goods that can be sold to offset the funeral costs. Ashes can be returned to the family, a declaration form must be signed and all further matters related to ashes will be for the family to deal directly with the crematorium.

3.7.4 If, after receiving a full explanation, the family or friend wishes to proceed in requesting TRDC takes control the 'Declaration form for Family' form, which confirms that there are no other family members willing to deal with the funeral, will need to be completed and returned.

3.7.5 When a family approaches the appointed officer (Bereavement Officer), it is important that they are treated with sympathy and respect, and given the information and have a clear understanding of the information being given. It is important that any officers appointed to deal with Public Health Funerals be suitably trained in bereavement issues.

4. Referrals

4.1 Referrals may come from a variety of sources, including (but not limited too) the Coroner's Office, Police, Hospitals, Nursing, Residential or Care Homes, Family or Friends and Funeral Directors.

4.1.1 Coroner's Office – most of the referrals received by TRDC are from the Coroner's Office, when it is usually already established that no suitable arrangements for a funeral are likely to be made by friends and family.

4.1.2 Nursing, Resident or Care homes - usually come via the home where the deceased had been a resident, no sum of money has been retained for funeral expenses, and there are no relatives or friends willing or able to make the arrangements. It is vital that the informant is told that they must not take any possessions from the deceased room, or use any sums of money being held for the deceased to pay any outstanding debts to the home. The first call on any estate is the funeral costs; therefore, outstanding rent etc. can be claimed from the estate once the funeral costs have been cleared. It is good practice to ensure these homes have the detail for the Funeral Director used by the council (see procedures - annual letter sent)

4.1.3 Families – as per paragraph 3.7

5. Details of the deceased / Property search

5.1 If the deceased had an abode, which may be a privately owned house, rented accommodation or housing association property, access may need to be obtained to undertake a property search to attempt to find personal / financial information about the deceased. Further to a risk assessment at least two officers, will go to the last known address to try and locate any next of kin details etc and to ensure that the effects of the deceased are properly dealt with and accounted for. In cases referred by a Residential or Care Home, arrangements should be made

with the Home Owner or Manager to search the deceased's room as soon as possible.

- 5.2 The council will search a property to find any documents such as a Will, insurance policies, Pension book, savings book, bank account details, cash, birth / marriage certificates, utility bills and any indicative preferences or religious beliefs regarding a burial or cremation. This is a very important part of the service the council provides and must be carried out with care and consideration for the dignity of the deceased and their family.
- 5.3 Cash will be removed to assist with funeral payment and/or for paying into the deceased's bank account. Jewellery may be taken for safe keeping.
- 5.4 If family and friends are traced as a result of the search of the property they will be contacted, informed of the death and invited to make the funeral arrangements.
- 5.5 The council will not be able to make funeral arrangements in cases where the deceased left a Will and the executor is traced, unless the executors requests the authority to do so and confirms reimbursement of costs will be made. In most circumstances the executor would be expected to organise the funeral.

6. Registering the death

- 6.1 If there are no relatives willing or able to register the death, this will need to be done by the Bereavement Officer or another employee of the council. The law states that ideally a relative should register the death, but make provision for the person causing the disposal of the body to do so where there are no relatives willing or able to register. If the death has not been referred to the Coroner, it must be registered within 5 days.
- 6.2 It is important to note that no burial or cremation can take place until the death is registered and the 'green form' has been issued, or until a Coroners 'order for burial' or 'certificate for cremation' has been issued thus removing the requirement to register the death prior to the funeral.

7. Funeral costs

- 7.1 Where possible the cost of the funeral will be recovered from the estate of the deceased or executor / solicitor of the estate.
- 7.2 The law gives no firm indication of what can actually be recovered, other than 'expenses incurred'. Local Authorities are under an obligation to provide value for money, and are not permitted to spend public money on private concerns, therefore 'expenses incurred' should be interpreted as

relating to all costs involved in making the arrangements.

8. Funeral arrangements

- 8.1 The council will utilise the services of a local funeral director to organise the burial or cremation. The council will pay for the basic costs of the burial / cremation. If the deceased's wishes are known the council will endeavour to accommodate these.
- 8.2 Cremation is the preferred option; however, if the deceased has left specific instructions regarding burial, the council will honour this and arrange for a burial to take place in a selected grave in one of its cemeteries, unless it has been established that the deceased has a family grave with sufficient space in a local churchyard.
- 8.3 If the deceased has no name, is unknown, then the council will bury the person in a single grave, rather than cremate, so that in future, if their identity is proven then an exhumation can take place
- 8.4 The council will only provide a direct cremation or simple committal service, taking place in the crematorium or at the graveside. Known family and friends will be informed of the funeral details. The committal would be in line with the deceased's beliefs (where known).
- 8.5 The Funeral Director will arrange the details of the funeral and will normally act as the councils representative at the funeral. There is no duty on the Local Authority to attend a funeral, however, should there be no friends or family in attendance, it would be respectful for an officer to attend, if time and resource allows.
- 8.6 Where burial is used for disposal of the deceased any grave provided by the council shall be single depth. And, unless there are sufficient funds, no headstone would be provided.
- 8.7 Ashes from cremation will normally be scattered in the garden of remembrance at crematorium used (and documented accordingly so if family is traced they can visit the final resting place), unless there is a relative or friend who wishes to take possession of the ashes, in which case any details of relatives or friends who wish to take control of the ashes should be clearly documented.
- 8.8 The council currently uses Neville's Funeral Directors to facilitate funerals. This is on a call-off contract basis and the council is not tied to using them. The contract was originally procured by Watford Borough Council in July 2025.
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9. The Estate

- 9.1 It is the councils responsibility to make every effort to recover its costs, which include the undertaker's bill and any administration costs incurred in undertaking this statutory duty. The person or organisation responsible for the arranging, and paying for the funeral has first claim on the deceased's estate.
- 9.2 If, after the council has recovered its costs for the funeral, and there is still money left, this shall be sent to the Government Legal Department (previously called the Treasury Solicitor). This is done by completing form BV1A which can be found on the Bona Vacantia Division section of the Government Legal Department website.
- 9.3 When an estate consists only of a net cash residue of £500 or under, the money may be retained by a blood relative or the council (if blood relative cannot be traced). When an estate consists of a cash residue of over £500 the case should be referred to Government Legal Department, but only in the instance where a blood relative has not been found.
- 9.4 The Government Legal Department can only administer the estate of someone when no next of kin has been located.

10. Data retention

- 10.1 The deceased record should be maintained for a minimum of 10 years. However, under the General Data Protection Regulation (GDPR) as implemented under the Data Protection Act 2018, personal data, such as next of kin details, should not be kept for longer than it is needed.

11. Best practice guidance

- 11.1 www.gov.uk/government/publications/public-health-funerals-good-practice-guidance/public-health-funerals-good-practice-guidance
- 11.2 www.iccm-uk.com/iccm/
- 11.3 Council webpage for PHFs
www.threerivers.gov.uk/public-health-funerals

12. Review

- 12.1 This policy shall be reviewed every three years.

13. Version control

Version	Author	Date	Changes
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1 (Draft policy)	Jennie Probert	16.1.26	N/A
2 (Draft policy)	Jennie Probert	9.2.26	Addition of 5.3 and minor wording update to 8.4.
3 Final Policy	Jennie Probert	10.7.26	No changes to text – just noting this is the final version agreed at P&R on 29 th June 2026

