

Council funerals (England & Wales) - website information guide

Webpage findability¹

Positioning

We recommend that the page be one or two clicks from the Deaths page, or similar. Even if the service is not positioned in Bereavement Services, but in another department like Environmental Health, it would be best if it is still linked to from the Deaths page, or similar, if one exists as members of the public are unlikely to be able to navigate to it elsewhere on the site.

It could also be fixed in the top three search results for 'funeral', but if this is the only option for finding it this is not considered as easy to find as the above. Ideally it would be findable by both means.

Title and sub-title

It is helpful to have a title or sub-title that makes clear what a council funeral is, such as:

- What happens if the council has to make the funeral arrangements.
- When we arrange a funeral.
- We have a duty to bury or cremate anyone who dies within our area where no one is willing or able to organise their funeral.

The webpage itself

When will the Council arrange a funeral?²

Explain the legal duty placed on your council regarding the provision of council funerals.

¹ **The Government's Public health funerals: good practice guidance.** Section 1 - Guiding Principles: 'Be transparent - It is good practice to make the local authority's public health funeral policy publicly available and accessible, and to provide information on local arrangements for anyone requesting it'. Section 7: 'It is helpful to have a written policy on public health funerals which can be shared publicly on the local authority's website'. <https://www.gov.uk/government/publications/public-health-funerals-good-practice-guidance/public-health-funerals-good-practice-guidance>

² **Good practice guidance.** Section 7: 'In any policy, it is helpful to include: Explanation of the circumstances in which a funeral will be offered' which needs to meet the duty in the **Public Health (Control of Disease) Act 1984** - S.46 (1) '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'. <https://www.legislation.gov.uk/ukpga/1984/22/part/III/crossheading/disposal-of-dead-bodies>

Suggested wording: *[Council] is responsible for burying or cremating anybody who dies within its area if no other arrangements are being made, this can be because no relatives of the person who died can be found or because their relatives are unable or unwilling to arrange a funeral.*

The responsibility is placed on the council by Section 46 of the Public Health (Control of Disease) Act 1984.

If the person died outside of the council boundary, the funeral arrangements will be the responsibility of the local authority where they died, even if they lived within [Council].

We are unable to become involved if the funeral is already booked or has taken place. Anyone giving instruction to a firm of funeral directors, for example for collection of the body, is responsible for any costs incurred. [If someone dies out of hours and you anticipate that the Council will have to take responsibility, please call our contracted funeral directors on the number below to ensure that we are able to pay the collection charge if we accept responsibility].

Costs

Explain that the first call on the estate is the funeral and that the council has the right to reclaim money from the estate of the person who died. Give examples of what the estate can consist of as many people won't know and explain what the process will entail.

Suggested wording: *Any estate (usually money or property) left by the person who died must first be used to pay for the funeral, except when there are secured debts, such as mortgages or secured loans. It should not be used to pay off any other bills.*

The Council has the right, where possible, to recover all the funeral costs from the estate of the person who died. This includes accessing bank accounts, savings, investments, selling belongings or placing a charge against property owned. To do this we may need to enter their property to identify any estate and retrieve associated paperwork or items of value. While we appreciate it is difficult, we ask that family and friends don't remove any items themselves.

Any shortfall in the costs will be paid by the Council and where there is no estate, no costs will be claimed back.

Referrals and arrangements

State if you prefer referrals to come through a coroner, hospital or care home, where one is involved, but it should be clear that family members, friends and other professionals can also contact you directly using the contact details you provide.³

³ **Good practice guidance.** Section 1: 'Notification can be given by the family or a friend of the deceased, nursing or care home, coroner or the police'. Also, Section 7: 'In any policy, it is helpful to include: ... How to notify the local authority of a death which may require a public health funeral, including contact details'.

Example: Council funeral referrals can come from various sources including the coroner, GPs, care homes, social workers or family members themselves.

If you have an agreement with local hospitals for them to take responsibility in certain circumstances, explain what this is and when people should contact the hospital bereavement office instead.⁴ As there is no legal duty on hospitals to do this it should be clear this is a local arrangement.

Outline who registers the death and makes the arrangements.

Cremation and Burial

State the council's default funerary method – burial or cremation – and that the alternative will be accommodated if there is reason to believe the person who died wished that. This is especially important if the default is cremation because there is a legal requirement not to cremate someone against their wishes,⁵ but section 4 of the Government's [Public health funerals: good practice guidance](#) highlights the importance of accommodating both preferences.⁶ It also gives various examples of how the wishes of the person who died can be ascertained, which are not limited to them being written down.

Give details about the location of the cremation or burial, the grave type and what will happen with any cremated remains.⁷

Suggested wording: A [burial / cremation] will be held unless there is reason to believe that the person who died would have chosen [cremation / burial] for religious, cultural, or personal reasons.

Cremations are held at [crematorium] and burials at [cemetery].

If a burial is required and they did not own a grave, the burial will take place in a [grave type and whether it can be marked or not – if this is a public/shared grave, explain what that is and how many other people may be buried in it if that is the practice].

In cases of cremation, the cremated remains will be stored safely for [time period] and made available for the family or friends to collect within this time if they wish to do so. If they are not collected they will be scattered in [location]. [No charge/A charge of £X] will be made for this [to cover the cost of the urn/box].

⁴ **Good practice guidance.** Section 7: 'In any policy, it is helpful to include: ... Details of any arrangements for hospitals'.

⁵ **Public Health (Control of Disease) Act 1984:** S.46 (3) 'An authority shall not cause a body to be cremated under subsection (1) or (2) above where they have reason to believe that cremation would be contrary to the wishes of the deceased'.

⁶ **Good practice guidance.** Section 4: 'It is also important to accommodate any known preference for cremation'.

⁷ **Good practice guidance.** Section 5: 'It is suggested that the local authority sets a timeframe for retaining the ashes of the deceased to allow the next of kin (or another friend or relative) to claim them if they wish. It is helpful to include this information in any written policy on public health funerals, and to ensure that the next of kin is made aware. Some local authorities charge a fee for collection of the ashes. It is important that local authorities act sensitively and in good faith, and any fee should cover costs only, for example for the urn or box'.

The Funeral

Give details of what will be provided for the funeral, including the approach to considerations related to religion or belief.⁸

Example: *We will provide everything necessary for a simple, yet dignified and respectful, service including a coffin, transport of the deceased person to the crematorium or cemetery, and sufficient bearers to transfer the coffin to the chapel. Any known religious beliefs, or none, will be respected.*

To observers a council funeral will appear no different to a simple ceremony that has not been arranged by the council.

Also include:

- Whether a faith leader or civil celebrant will be provided in line with any known wishes of the person who died⁹
- Whether people will be able to attend¹⁰
- Any restrictions on days or times when the funeral will take place
- What kind of involvement family or friends can have in planning the service, if there is one, for example speaking to the faith leader or celebrant, or providing music or readings¹¹
- Any elements that are not included in a council funeral.

Timescales

Give the timescales for each step of the process from notification of the possible need for a council funeral, to the committal and any post-funeral arrangements.¹²

Assistance with funeral costs

Signpost to sources of support that might be useful, depending on eligibility, for those wanting to take responsibility but in financial difficulty, such as the Department for Work and Pensions and charitable grants.

⁸ **Good practice guidance.** Section 7: 'In any policy, it is helpful to include: ... Local arrangements for a public health burial or cremation and the features of any service (if offered) – including the approach to considerations related to religion or belief. It may be helpful to consult local faith organisations as part of this process'.

⁹ **Good practice guidance.** Section 5 - Ceremony good practice: 'They may also wish to ... provide a simple ceremony in line with the religion or non-religious beliefs of the deceased, where known - for example, having a representative or celebrant of the deceased's religion or belief group attend and help advise on any faith requirements or rituals which can reasonably be accommodated'.

¹⁰ We appreciate that providing a service or allowing attendance is not required in legislation or advocated for in the guidance, but we consider it to be best practice.

¹¹ **Good practice guidance.** Section 5 - Ceremony good practice: 'They may also wish to: ... allow the next of kin, friends or relatives to select the music or reading, where these can be accommodated at no extra cost'.

¹² **Good practice guidance.** Section 7: 'In any policy, it is helpful to include: ... The timescales for each step of the process from notification of the possible need for a public health funeral to the committal and any post-funeral arrangements'.

Suggested wording: *If you would like to take responsibility for the funeral yourself but need help with the costs and are in receipt of certain benefits or tax credits, then you may be eligible for a [Funeral Expenses Payment](#) from the Department for Work and Pensions. This can pay a contribution but is unlikely to cover the full amount.*

Details on eligibility and how to apply can be found on the gov.uk website at the link above.

Other potential sources of government support, depending on your circumstances, include [the [Children's Funeral Fund for England](#) / [help with child funerals](#) in Wales] and the [Bereavement Support Payment](#).

Sources of funding may also be available from charities and you can identify ones that you may be eligible to apply to by using the grant search on the [Turn2Us website](#).

Contact Details¹³

Please do not give a switchboard number unless the page also states the team/department or person people should ask for, and switchboard staff have been advised sufficiently so they can transfer people appropriately. With automatic switchboards please state the option callers should select.

Do include an email address for the relevant team/department if you have one, but not in place of a phone number so as not to exclude those who do not use email.

If you have a contracted funeral director give their contact details too so people who need to arrange collection out of hours can avoid incurring extra costs.

Feedback

We would really like to hear any comments or suggestions that you have on this guidance. Please do get in touch at downtoearth@qsa.org.uk or call 020 8983 5055 (option 3).

¹³ **Good practice guidance.** Section 7: 'In any policy, it is helpful to include: ... How to notify the local authority of a death which may require a public health funeral, including contact details'.