

**London Borough of Hackney
Equality Impact Assessment Form**

The Equality Impact Assessment Form is a public document which the Council uses to demonstrate that it has complied with Equality Duty when making and implementing decisions which affect the way the Council works.

The form collates and summarises information which has been used to inform the planning and decision making process.

Title of this Equality Impact Assessment:

Hackney Council's Public Health Funeral Policy

Purpose of this Equality Impact Assessment:

To assess whether the proposal to introduce a Public Health Funeral Policy has the potential to differentially impact residents with protected characteristics. In the event that it is felt that it may, we'll seek to mitigate any impact and measure ongoing implementation to ensure that required remedial measures have been effective.

Officer Responsible: *(to be completed by the report author)*

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Directorate: Adults, Health and Integration	Department/Division: Public Health

Director: Sandra Husbands, Director of Public Health

Date: 10 November 2023

Comment :

STEP 1: DEFINING THE ISSUE

1. Summarise why you are having to make a new decision

In specific circumstances Hackney Council has a legal responsibility to make provision for a Public Health Funeral for someone who has died within the borough. Hackney Council does not currently have a policy which sets out when and how such a funeral will be considered. Having a written formal policy is recommended in the Government's guidance on Public Health Funerals and would help ensure that such a policy applied in accordance with recommended best practice.

2. Who are the main people that will be affected? Consider staff, residents, and other

Residents and their families

STEP 2: ANALYSING THE ISSUES

3. What information and consultation have you used to inform your decision making?

We have consulted with the legal services team at Hackney Council in respect of any guidance on consultation required. We have discussed the proposed policy with the Homerton NHS Trust, Human Tissues Authority and staff members in the Coronial District. We have consulted published material on the funeral practices of community and faith organisations.

Equality Impacts

4. Identifying the impacts

4 (a) What positive impact could there be overall, on different equality groups, and on cohesion and good relations?

4.1 Having a policy will ensure that the deceased, their family and communities are aware of how and when Hackney Council will consider providing a Public Health Funeral for someone who has died within the Borough. It will support the next of kin in knowing how and when a funeral needs to be arranged and by what process the Council will determine whether a Public Health Funeral needs to be provided in the next event that no next of kin have been identified, or the next of kin has declined to arrange a funeral or if there insufficient funds to pay for a funeral.

4.2 The policy makes provision for two different types of funeral either by cremation or burial. In the event that there is evidence that there may have been a cultural or religious reason for a burial this will be provided otherwise a cremation will be provided. The burial location will be recorded and this information will be publicly available. If cremated the ashes of the deceased will be kept by the crematorium and if a family member wishes to collect the ashes then a process is available for collection.

4.3 For some communities and faith groups a funeral should ideally be provided within a specific timeframe or as quickly as possible or once funds can be brought together for a

community celebration. The proposed Public Health Funeral policy seeks to balance the legal requirements of the Public Health 1984 Act to ensure the deceased is treated with dignity and respect and community and faith groups preferences.

4.4 The proposed policy also makes provision for when a funeral will be provided when insufficient funds are available to the estate of the deceased or family members. This helps ensure that the deceased from communities which have less financial assets will still have a dignified funeral.

4 (b) What negative impact could there be overall, on different equality groups, and on cohesion and good relations?

Where you identify potential negative impacts, you must explain how these are justified and/or what actions will be taken to eliminate or mitigate them. These actions should be included in the action plan.

4.5 For those community and faith groups who may wish for their family members to be stored beyond the specific times outlined in the proposed policy there may be disappointment that the ongoing storage will not be provided by the council. This is due to both such long term storage being against the Council's specific requirements under the Public Health Act and the costs of providing ongoing storage of the deceased.

4.6 We will seek to mitigate the impact of not providing storage of the deceased beyond the periods specified in the policy by ensuring that the next of kin is aware that alternative arrangements for storage may be available by private arrangements between the next of kin and a local funeral provider. This may enable the deceased to be transferred for ongoing storage so long as the provider is suitably registered with the Human Tissues Authority and that any transfer does not lead to undue delay which would be contrary to the requirements of the Public Health Act 1984. The costs of any such private arrangement would not be payable by the Council.

4.7 For those community and faith groups who wish for their family member to be buried or cremated within a specific timeframe or without undue delay the time periods within the policy for a next of kin to be identified and then their preferences sought may appear contrary to beliefs or traditions. However, the best practice guidance issued by the Government does recommend that steps should be taken to identify the next of kin and ascertain their views on whether a burial or cremation should be undertaken.

4.8 Even in circumstances where there is a clear preference for a funeral within a specific time frame the Public Health Funerals policy can not override the legal requirement for the Coroner to have confirmed they have released the body for burial.

STEP 3: REACHING YOUR DECISION

- **Describe the recommended decision**

The recommended decision is for a key decision in Cabinet to be considered and for this decision to be to introduce a Public Health Funeral Policy.

Following a 12 week period of consultation for the key decision to be informed by the outcomes of the consultation. This will include specific considerations of whether the legal requirements to treat the deceased with dignity and respect has been suitably reflected in the

time frames specified in the policy whilst enabling the preferences of community and faith groups to be respected.

STEP 4 DELIVERY – MAXIMISING BENEFITS AND MANAGING RISKS

6. Equality and Cohesion Action Planning

Please list specific actions which set out how you will address equality and cohesion issues identified by this assessment. For example,

- Steps/ actions you will take to enhance positive impacts identified in section 4 (a)
- Steps/ actions you will take to mitigate against the negative impacts identified in section 4 (b)
- Steps/ actions you will take to improve information and evidence about a specific client group, e.g. at a service level and/or at a Council level by informing the policy team (equalityanddiveristy@hackney.gov.uk).

All actions should have been identified already and should be included in any action plan connected to the supporting documentation, such as the delegate powers report, saving template or business case.

No	Objective	Actions	Outcomes highlighting how these will be monitored	Timescales / Milestones	Lead Officer
1	That the deceased's preferences for a burial or cremation is respected	Appropriate enquires are made to ascertain funeral preference	4.2- Record keeping	Reviewed on an annual basis	Bereavement services
2	The deceased is treated with dignity and respect	The length of time that a deceased is kept in the morgue is monitored and regularly reviewed	4.5- record keeping	Reviewed on a quarterly bases	Deputy Director of Public Health
3	Next of kin, families, faith and community groups view the policy as operating in a fair and transparent way	Monitor complaints in relation to when a decision is taken to undertake a Public Health Funeral	4.5, 4.6, 4.7- review of complaints	Reviewed on an annual basis	Hackney Council Business Analysis and Complaints team