

File reference	W17FOI012
Key words	Public funerals
Date of release	13/02/2017
Attachments	No

Freedom of Information Act Disclosure log - Reply Extract

You asked

- 1. Has the Trust conducted any Public Health Act funerals between 01/01/2016 and the date you respond to this request? If so, please list the name, date of death and date of birth for each of the deceased for whom a Public Health Act funeral was undertaken.**

Yes: 16 contract funerals have taken place in the time specified.

The Trust is disclosing the dates of death for these 16 patients

Date of deaths - 10/02/2016, 15/02/2016, 19/03/2016, 25/03/2016, 04/07/2016, 07/07/2016, 10/08/2016, 18/08/2016, 28/07/2016, 28/07/2016, 22/01/2013, 26/09/2016, 07/10/2016, 14/10/2016, 23/10/2016, 10/11/2016

It is refusing the name and date of birth in compliance with section 41 (a) and (b) – Information provided in confidence.

The Trust would draw your attention to the Information Commissioner Notice - reference FS50584671 in which the Commissioner reached a decision on this same question and the Trust is responding in compliance with that refusal notice. https://ico.org.uk/media/action-weve-taken/decision-notices/2015/1560095/fs_50584671.pdf.

Plymouth Hospitals NHS Trust continues to take the view that patient names and their dates of birth are exempt from disclosure in accordance with section 41(1)(a) and (b) of the 2000 Act – Information provided in confidence.

The reason why the Trust takes this view is that it believes that the information requested and being refused was provided in confidence and the patient (albeit deceased) would not expect their details to be released to another third party without appropriate consent of the individual concerned except when the Information Commissioner has ruled otherwise.

In accordance with section 16 of the 2000 Act, would you kindly note that the following website might be of some assistance to you with your enquiries: <http://www.bonavacantia.gov.uk/output/estates-list.aspx>

- 2. Please confirm that the Trust has used the research company Estate Research to locate the next of kin of a deceased person for whom the Trust has taken responsibility for conducting a public health funeral.**

Yes

- 3. Has the Trust also used any other research companies? If so, which?**

No

- 4. For what specific reason does the Trust provide information to the researcher(s) to locate the next of kin of deceased persons who die in the district?**

To establish whether there is next of kin to arrange the funeral.

- 5. Which statutory function (if any) is the Trust fulfilling when it engages researchers to seek to identify next of kin?**

We are not aware of any statutory function, our aim is contact next of kin / family members to notify them of the death and also to ask if they wish to organise funeral arrangements.

- 6. In particular, what is the perceived benefit to the Trust of entering into this arrangement?**

In an ideal situation, next of kin would be responsible for organising the funeral. We also feel it is our duty to notify next of kin when a patient has died.

- 7. Why does the Trust choose to provide information to a researcher rather than simply refer all deaths which are intestate with no known next of kin and assets of over £500 to the Government Legal Department's Bona Vacantia Division?**

Timescale – this process takes too long and out of respect for the deceased, we would always want to be able to ensure a funeral is organised within a reasonable timeframe.

- 8. What due diligence process was used and against which criteria were the chosen companies selected in preference to any other research company?**

Organisation approached us and offered the service, for which there is no cost.

9. Why is the information not passed to more than one researcher at a time?

Not a specific decision to exclude, have an arrangement with one organisation and would not wish to cause confusion by recruiting more than one.

10. Is the Trust aware that the research company is likely to derive a commercial benefit from the location of next of kin and that there are financial implications for the next of kin arising from the Trust making referrals to a single researcher?

Yes, but only if there is an estate, which very often there is not.

11. Any arrangement between the Trust and the research company will form a contract, even if not formalised. Please provide copies of any and all documents associated with the arrangement including (but not limited to) any tender documents, written contract, confidentiality agreement and referral emails.

Our arrangement is on a case by case basis, there is no contract as this is a free service.

12. Please provide a list or spreadsheet of the names, date of death and date of birth of any deceased persons for whom any genealogical company was used to trace relatives, from the first recorded referral to the most recent.

Please refer to our response to question 1.

13. Does the Trust have a Death in Hospital Procedure or similar written policy or procedure relating to the process that is followed when an individual dies in hospital with no known relatives? If so, please provide a copy.

Yes – attached.

14. Does the Trust employ or contract a house clearance company or company providing similar property-related services as part of the process of dealing with the estate following a death in hospital which qualifies for a public health funeral? If so, please provide contact details for this company and any documents associated with the arrangement including (but not limited to) any tender documents, written contract, confidentiality agreement and referral emails.

No

Attachments included: No

If I can be of any further assistance to you please do not hesitate to contact me on
☎ 01752 431058.