



Bourne Town Council

EXHUMATION POLICY

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Introduction

Exhumations are generally rare and tend to be traumatic for the family involved. They can take a long time to arrange and are usually sensitive. For this reason it is always best to consult with all the relatives before proceeding.

Exhumation of both buried and cremated remains generally require a Ministry of Justice license.

The exhumation of the deceased is a high risk health and safety issue with hazards due to the excavation of work and potential risk of infectious disease.

Therefore, all exhumations will be carried out in accordance with Cemeteries and Cremations Management (Code of Safe Working Practices for Cemeteries) and the Health and Safety Executive Guidance on Controlling Risks of Infection at Work for Human Resources.

Exhumation will always be a last resort to the authority involved. Bourne Town Council will always try to resolve issues by alternative methods and means before embarking upon an exhumation. However, where an exhumation is required, then the exhumation of the deceased will be undertaken with sensitivity, respect and dignity.

Reasons

Exhumations occur for a number of reasons, including:

- Movement from an original grave to a sequentially acquired plot in the same or other cemetery;
- Movement overseas to be buried alongside other family;
- Transfer from one cemetery scheduled for development of another;
- Court orders requiring further forensic evidence.

Requirements

It is an offence to exhume any human remains without first obtaining the necessary lawful commissions. A funeral director can help obtain such permission.

A license must be obtained from the Home Office. Exhumation licenses also contain certain permissions that must be observed. If the person is buried in consecrated grounds, permission from the church must also be obtained.

An Environmental Health Officer must be present at the exhumation of a body to ensure that there are no risks to public health. Occasionally, cadaver certificates are required in addition to exhumation licenses.

Decency and Safety

An Environmental Health Officer will be present for all exhumations carried out in any cemetery under the control of South Kesteven District Council. The Environmental Health Officer must be present to supervise the event to ensure that respect for the deceased person is maintained and that public health is protected.

The officers will also ensure:

- The correct grave is opened;
- Exhumation commences as early as possible in the morning to maximise privacy;
- The plot is screened as appropriate for safety;
- Health and safety of all workers is maintained, eg protective clothing, masks etc;
- Casket lights and all other necessary equipment are available;
- Everyone present shows due respect to the deceased person and to adjoining graves;
- The name plate on the casket corresponds with that on the license;
- The new casket will be approved by the Environmental Health Officer;
- All human remains and all the pieces of casket are placed inside the new casket;
- The new casket sealed.
- The area of exhumation is properly disinfected and satisfactory arrangements are in place on the outward transmission of the remains.

If the condition of the license cannot be met or there is public health or decency concerns, the exhumation will not proceed.

NOTE:

The Town Council does not have the right to grant an exhumation without consent from the Ministry of Justice.

Faculties for exhumation (whether of a body or of cremated remains) are not granted as a matter of course.

Concerned parties should give this careful consideration and take legal advice if they consider it appropriate.

