

Exhumation Policy

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Document History

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1. Introduction

1.1 Exhumation is the removal of human remains, or cremated remains, from a grave. Exhumations are rare in the Council's Cemeteries and can be traumatic for the bereaved family involved.

1.2 Exhumation of buried human remains and cremated remains will normally require a Home Office Licence issued from the Ministry of Justice.

2. Reasons

2.1 Exhumations can occur for a number of reasons, including:

- removal from the original grave site to a new grave acquired in the same or other Cemetery
- transfer from a public grave to a family grave
- a Coroners instruction that requires further forensic examination of the deceased
- removal for cremation

3. Requirements

3.1 It is an offence in law to disturb or remove any human remains, or cremated remains, without first obtaining the necessary lawful permission to exhume. For lawful permission to be obtained the relevant application to exhume can be completed by a Funeral Director acting on behalf of the deceased persons family, alternatively a family member or other representative can also apply and the application should then be submitted to the Council, as Burial Authority, for agreement.

3.2 If the person is currently interred in ground consecrated in accordance with the canon law of the Church of England, a Bishop's Faculty must be obtained.

3.3 On receipt of lawful permission to exhume the body of a deceased person the burial authority will notify the Environmental Health Officer so that he/she can be present at the exhumation.

4. Decency and safety

4.1 An Environmental Health Officer, and possibly a representative of the authority's Health and Safety team will be present at the exhumation to ensure that respect for the deceased person is maintained and that public health, and Health and Safety regulations, are observed and protected.

4.2 An Officer of the Burial Authority will be present to oversee the exhumation and re-burial, or removal of the deceased.

4.3 The Officer will also ensure that:

- the correct grave is re-opened
- the exhumation commences as early as possible in the morning to ensure maximum privacy
- the grave is screened as appropriate for privacy
- health and safety of all workers is maintained, for example the use of protective clothing including masks and gloves, task lights and all other necessary equipment
- everyone present shows due respect to the deceased person and to adjoining grave sites
- the new coffin or casket has been approved by the Environmental Health Officer

- all human remains and all pieces of the original burial vessel are placed in the new coffin or casket
- the new coffin or casket is properly sealed and identified
- the area of the exhumation is properly disinfected
- satisfactory arrangements are in place for the onward transmission of the remains.

4.4 If the conditions of the licence or faculty cannot be met, or there are public health or decency concerns, the exhumation will not proceed.

5. Contact

5.1 Enquiries about licences should be made direct to the Ministry of Justice, information can be found online at <https://www.gov.uk/apply-for-an-exhumation-licence>

5.2 Advice about the conditions attached to them may be obtained from;

Environmental Health Services Team
West Lindsey District Council
Guildhall, Marshall's Yard
Gainsborough
Lincolnshire
DN21 2NA

- Name: Environmental Health Services
- Email: sarah.gamble@west-lindsey.gov.uk
- Telephone: 01427 676676

6. Review

6.1 This policy will be reviewed every two years unless changes to legislation or best practice mean that earlier review is required.