

Assurance Group
London Borough of Barnet,
2 Bristol Avenue, Colindale,
London NW9 4EW
14 July 2020
Our ref: 6429152

Thank you for your request received on 10 July 2020, for the following information:

This request follows on from our previous research into local authority practices, approaches and procedures around making referrals to heir hunting companies. We are seeking to understand how a greater understanding of the risks and consequences of making referrals may have influenced local authorities to improve their practices and lead to better outcomes for any next of kin that are located.

1. Our previous research tells us that there are a number of ways that heir hunters can obtain leads from local authorities. Since March 2019, have any referrals have been made to a heir hunter to locate next of kin by the following:

a) The local authority's public health funeral or equivalent team
b) The local authority's client finance, deputyship/appointeeship or equivalent team

c) The local authority's empty homes or equivalent team

d) Any other team, department or individual at the local authority?

2. If deceased estates are published as soon as the property and assets are secured, then heir hunters are able to compete for the case, resulting in next of kin having the option to attend the funeral, speedy resolution of the estate and fair fees for next of kin. Does the local authority:

a) publish an online list of public health funerals or intestacies?

b) publish sufficient data to allow heir hunters to research the case?

c) update their published list at regular intervals so that the data is accurate?

d) update their published lists at the earliest opportunity, as soon as the property and assets are secured and prior to any funeral?

3. We would like to understand if there has been an increase in people dying intestate during the Covid-19 lock down. In total, how many people died intestate in the local authority's area:

a) during March, April and May of this year?

b) during March, April and May of 2019?

4. During the Covid-19 lock down, has the local authority:

a) changed the way they operate in relation to intestacies and public health funerals?

b) increased use of genealogical firms to trace next of kin of deceased persons?

c) started use of genealogical firms to trace next of kin of deceased persons?

5. Please provide copies of any internal guidance, instructions or policies issued since March this year which relate to deaths in the community/public health funeral procedures in the context of Covid-19/lock down. 6. Does the

local authority consider that heir hunting/genealogy companies:

- a) operate honestly and transparently?**
- b) act responsibly towards next of kin when encouraging them to enter a contract?**
- c) charge fairly, even when there is no competition because no other companies are aware of the case?**

7. Briefly, what is the local authority's perception of heir hunting companies?

IF ANSWER TO ALL PARTS OF Q1 IS 'NO'

8. When local authorities stop using heir hunters, this may be an active choice to change their approach long term or it may simply be a short term circumstantial change. If no referrals have been made since March 2019, is this because:

a) in all cases, the next of kin were able to be located by local authority staff without the assistance of a heir hunter

or

b) cases where next of kin could not be located by local authority staff were referred to the Bona Vacantia division of the Government Legal Department ?

9. We would like to encourage local authorities to develop or adopt good practices which are not anti-competitive or detrimental to next of kin. If the local authority does not make referrals to heir hunters or has recently stopped making referrals to heir hunters, please:

- a) provide the reasons for this, including any records or documentation relating to the decision-making process**
- b) provide any policy or procedure documents which illustrate your best practice approach.**

10.

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds some of the information you requested.

We consider that the absolute exemption set out in Section 21 (Information accessible by other means) applies to the information requested because the information requested is already reasonably accessible elsewhere. Barnet proactively publishes all information held and this information is regularly updated at:

<https://open.barnet.gov.uk/dataset?q=public%20health>

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- c) The local authority's empty homes or equivalent team
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2. If deceased estates are published as soon as the property and assets are secured, then heir hunters are able to compete for the case, resulting in next of kin having the option to attend the funeral, speedy resolution of the estate and fair fees for next of kin. Does the local authority:
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5. Please provide copies of any internal guidance, instructions or policies issued since March this year which relate to deaths in the community/public health funeral procedures in the context of Covid-19/lock down.
6. Does the local authority consider that heir hunting/genealogy companies:
- a) operate honestly and transparently?
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- c) charge fairly, even when there is no competition because no other companies are aware of the case?
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- IF ANSWER TO ALL PARTS OF Q1 IS 'NO'**
8. When local authorities stop using heir hunters, this may be an active choice to change their approach long term or it may simply be a short term circumstantial change. If no referrals have been made since March 2019, is this because:
- a) in all cases, the next of kin were able to be located by local authority staff without the assistance of a heir hunter
- or
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- a) provide the reasons for this, including any records or documentation relating to the decision-making process
- b) provide any policy or procedure documents which illustrate your best practice approach.
- 10.

N/A The council would refer any queries to the Treasury Solicitors Office and would not use outside agencies

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.