

FOI number: **HBC_FOI_20200408**
Date FOI Received: **13/07/2020**
Department: **Environmental Health**
Title: **Heir hunting**
Description: **Council process for locating next of kin / heirs**

Request: (As Redacted sent by requestor)

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/pubic 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. Some heir hunters try to encourage informal referrals of cases through individual staff members. Please provide records of the measures, such as contractual clauses and provisions in policy documents, which would prevent officers or employees from making 'under the radar' referrals.

IF ANSWER TO ANY PART OF Q1 IS 'YES'

11. Which heir hunting company/companies have been used during the period since March 2019?

12. How many referrals have been made since March 2019?

13. Does the local authority have a written contract with any of the heir hunters that have been used? If so, please provide a copy with any 'personal data' redacted as necessary.

14. We understand that heir hunters normally undertake the work on the basis that some cases will be lucrative because they will be able to charge the next of kin a 'finders fee'. Does this local authority:

- a) pay for heir hunting services?
- b) charge heir hunters a fee for the 'leads' the local authority provides?

15. Our previous reports highlight the risks and disadvantages of referring each case to a single heir hunter to research. Has the Council conducted any review of their approach since March 2019 including any cost versus risk analysis and, if so, please provide copies of all such records and documents.

16. It is possible that some heir hunters may court local authority work because it allows them to charge higher fees due to lack of competition. Bearing in mind the financial implications to next of kin, what measures have the local authority implemented to ensure that when they make a referral next of kin will not be overcharged?

17. Even where the 'finder's fee' charged by the heir hunter is disproportionately high, it is possible that next of kin may not realise that they can choose to claim the estate using a different company or on their own. What measures have the local authority implemented which would:

- a) ensure that the next of kin understand that the heir hunter is not acting for the local authority in an official capacity in relation to the estate?
- b) ensure that the next of kin are informed of their right to choose whether to instruct and pay the heir hunter?

18. When a case is referred to a single heir hunting company, there is little transparency or accountability so it is possible overlooked beneficiaries or fraudulent claims could go unseen. How does the local authority assess and verify the authenticity of any claim on the estate?

19. The local authority can maintain the benefits of competition for next of kin by sending the referral email to three research companies at the same time. If the local authority has not already adopted this approach, what is the reason?

Response: (Response as Redacted sent by service)

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 **7**
- b) The local authority's client finance, deputyship/appointeeship or equivalent team **n/a**
- c) The local authority's empty homes or equivalent team **n/a**
- d) Any other team, department or individual at the local authority? **n/a**

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? **No**
- b) publish sufficient data to allow heir hunters to research the case? **No**
- c) update their published list at regular intervals so that the data is accurate? **N/a**
- d) update their published lists at the earliest opportunity, as soon as the property and assets are secured and prior to any funeral? **N/a**

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? **1**
- b) during March, April and May of 2019? **0**

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? **No**
- b) increased use of genealogical firms to trace next of kin of deceased persons? **No**
- c) started use of genealogical firms to trace next of kin of deceased persons? **No**

5. Please provide copies of any internal guidance, instructions or policies issued since March this year which relate to deaths in the community/pubic health funeral procedures in the context of Covid-19/lock down. **Information not held.**

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? **This is not a request for recorded information held by the Council and therefore will not be responded to.**

7. Briefly, what is the local authority's perception of heir hunting companies? **This is not a request for recorded information held by the Council and therefore will not be responded to.**

IF ANSWER TO ALL PARTS OF Q1 IS 'NO' N/A

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:

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IF ANSWER TO ANY PART OF Q1 IS 'YES'

11. Which heir hunting company/companies have been used during the period since March 2019? **Estate Research, Bank Chambers, 1 Library Street, Wigan WN1 1NN**

12. How many referrals have been made since March 2019? **7**

13. Does the local authority have a written contract with any of the heir hunters that have been used? If so, please provide a copy with any 'personal data' redacted as necessary. **Information not held.**

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- b) charge heir hunters a fee for the 'leads' the local authority provides? **No**

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If you have any queries about the processing of your request then please do not hesitate to contact me. Further information explaining the Council's process for responding to information requests together with a complaints/appeals procedure is available in our reception or via our website at:

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The Information Commissioner oversees the application of the Freedom of Information Act. You may contact the Information Commissioner at:

Information Commissioners Office

Wycliffe House, Water Lane

Wilmslow

Cheshire SK9 5AF

Telephone: 01625 545700

Website: www.informationcommissioner.gov.uk

Please include the above reference number on all correspondence related to this request.

Thank you for your request.

Kind regards

Information Services