

Institute of Cemetery & Crematorium Management

Charter for the Bereaved Choosing Natural Burial

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Charter for the Bereaved

Choosing Natural Burial

Preface

A message to the Bereaved

Natural Burial has been defined as, ‘ ... *the burial of human remains where the burial area creates, preserves or improves habitats which are rich in wildlife. Where a funeral precedes such burial, it would typically seek to minimise environmental impact*¹.’

Natural Burial areas may comprise woodland, species rich meadow, orchards, aquatic, sustainably managed farmland or a combination of these.

However, the Institute of Cemetery and Crematorium Management (ICCM), as publishers of this Charter, further supports sound strategy and management practice leading towards the more sustainable management of all burial ground and crematorium grounds. The Institute is committed to promoting informed choice throughout the bereavement care sector and encouraging research to further this aim. With this in mind the Institute in this Charter uses the following definitions:

Natural Burial comprises a set of procedures and practices at the time of burial that encourages natural processes to occur within the grave leading to the uninterrupted return of the body to nature. Natural Burial may take place in any suitable location whether it be a designated Natural Burial Ground, a conventional cemetery or on private land.

A environmentally friendly or ‘**green**’ funeral takes into account the elements of the funeral itself that promote Natural Burial and low environmental impact.

A **Natural Burial Ground** is a specific location where a form of Natural Burial is required; this may be on a separate site or an area set aside in a larger cemetery.

¹ After ‘A Guide to Natural Burial’; West, Ken; Shaw & Sons (2010)

Choosing a natural burial is a positive choice that may be taken for many diverse reasons. Similarly the decision to create and operate a natural burial option may be taken for many reasons. Every natural burial ground is different, as are their owners, and as are you, the bereaved. It is fundamentally important that you find the right natural burial ground that suits your particular needs and are given clear, honest advice to help you make that choice. Burying someone who was close to you is a major investment of faith in the burial ground operator; it is essential that you get to understand the ethos of the owner and the natural burial ground management strategy before choosing a natural burial ground, as these are features in which you too will have to invest and support.

By adopting this Charter, a natural burial operator has made a commitment to treat you openly and fairly throughout the whole process; from choosing a natural burial, to planning the funeral, deciding about memorialisation where available and what happens in the future. The operators have made a conscious decision to listen to your needs and to explain clearly and transparently what their requirements are and how the two may be married together. If you use the services of a funeral director, they should be able to answer all of your questions about the burial ground, however it is highly recommended that you contact the operator personally prior to making a final choice.

Much of the information you will need will be found in this Charter.

This Charter contains a number of Rights that should ensure the provision of a basic level of service from those who have adopted it. Operators will from time to time be asked to demonstrate a commitment to the principles of the Charter to their peers. Anybody who considers that a burial ground displaying the Charter fails to deliver the expected service is asked to refer the matter to the publishers of the Charter who will liaise with the operator on your behalf.

Natural Burial in Britain was started in 1993 in Carlisle by future ICCM President Ken West MBE. Ken then went on to write the Charter for the Bereaved, the companion document to this Charter.

How the Charter affects you – The Bereaved

The Charter acknowledges that your views and needs should be given much greater recognition than in the past.

The Charter enables you to recognise a responsive service, one that meets your expectations and one that is delivered with the right attitude and with a genuine desire to be helpful. Where these human qualities are combined with the requirements of the Charter, the highest standards will be achieved.

The Charter enables you to recognise that bereavement services are critical to the health of the nation. The therapeutic benefits of accepting and handling bereavement are immeasurable, influencing both the physical and mental well being of us all.

The Charter will help you realise that ignoring death can increase stress for your relatives and friends. It leaves the problem of your death, as well as your estate, to another person, usually your partner or children. As a consequence, the crisis is made worse for these people, whom we call the bereaved.

The Charter will increase your awareness of “interest” groups and how they influence the bereavement process. These include burial ground staff, the clergy, Funeral Directors, embalmers, hospital staff and others.

The Charter will give you greater influence over the arrangements of funerals thereby controlling costs and obtaining greater satisfaction in arranging a funeral service that is more meaningful to you, your relatives and friends.

How the Charter affects you – Operators offering Natural Burial

Adoption of the Charter is a clear statement to the bereaved that your company or authority intends to continually review and improve its services. On adoption of the Charter you will consider the RIGHTS, some of which you might already be providing. You will then work toward the provision of all of the RIGHTS before considering the targets. Again, you may already be providing some of the targets. This will be demonstrated via the annual self assessment process (and any subsequent validation) and the attainment of higher awards. The results obtained from the self assessment process are used to place your service(s) in either a Bronze, Silver or Gold award category with an appropriate certificate provided for display in a public area or on a website. The process is not designed to be used as a means of competing with other service providers but to give clear evidence to service users that the particular service is continually moving forward.

The assessment process is a useful tool for improvement programming. Any negative responses given in the questionnaire can be considered for conversion to positives and hence gain a higher award.

How you can use the Charter – The Bereaved

The Charter is set out in sections covering individual issues related to bereavement. Each section is divided into three parts: INFORMATION, RIGHTS and TARGETS. **The RIGHTS identify a minimum standard that should be expected by the bereaved that Charter members must eventually offer.** The TARGETS relate to additional services that raise the overall level of services of Charter members.

Should you choose a natural burial it is worth checking to see if the particular service is a Charter member. Each Charter member undergoes annual assessment and is awarded either a bronze, silver or gold standard. In order to adopt the Charter a natural burial provider **must give a clear commitment to work toward providing the basic RIGHTS to the bereaved and on achieving this it is awarded a bronze standard.** The burial ground then looks to provide the additional services identified

through the TARGETS and as these are introduced the natural burial ground can gain either silver or gold standards hence the Charter is a tool for continual improvement.

The INFORMATION, RIGHTS and TARGETS offer you the following benefits:

INFORMATION

The effectiveness of you, as a customer or bereaved person, depends on how much you know, both about your local services and the alternatives that are available elsewhere. Bereavement is surrounded by cultural taboo, rumour and misinformation, the things you can supposedly do, or not do! There is also a wide difference in the provision of services across the UK as a whole.

This information is of a general nature, which may be of interest to you and which you have a right to know, as a means of empowerment. This gives you the knowledge to bring about change, where you feel it is necessary, or simply gives you an improved base on which to make decisions. Ultimately, you are given the opportunity to make an “informed choice” and not to suffer from ignorance. Information contained in this Charter will also enable you to organise a funeral that meets with your specific needs and those of your family and friends.

In some cases, the information is given as a means of advancing the public interest, even though the information may not directly involve the provision of a natural burial ground service. A natural burial provider has limited control over other companies that might be used e.g. Funeral Directors, however information is contained that will assist you in making decisions on the purchase of goods and services from other companies.

CHARTER RIGHTS

This section sets out your specific rights, where these have been clearly identified.

Charter members will initially work toward providing these rights before moving on to provide as many targets as is possible.

CHARTER TARGETS

Due to various reasons, some services are not nationally available and cannot be placed under Charter Rights. Because of this, these services are outlined under Charter Targets for future consideration. This gives you the opportunity to recognise that such services may be provided elsewhere, and your Charter contact will be able to advise accordingly. With this information, you will be able to lobby for the provision of these services.

In order to promote continuous improvement this Charter will be reviewed periodically. Through the assessment process the Institute will be able to monitor increases in service provision by Charter members and where appropriate a TARGET can be made a RIGHT. New targets will be introduced during reviews in order to promote continuous improvement. The requirements for achieving bronze, silver or gold standards will also be extended via the assessment process as this will assist in ensuring that services provided by Charter members do not stagnate. A gold service that carries out no further improvements could potentially drop back to either silver or bronze.

Who can adopt the Charter?

Basically, any natural burial provider, whether in the private, voluntary or public sector, can adopt the Charter.

Transparency

INFORMATION

Charter members should possess a narrative document that will satisfy the 'Information for users of natural burial grounds' recommended by the Ministry of Justice, (Natural Burial Grounds: Guidance for Operators - p.15) and Article 10 of the Association of Natural Burial Ground's Code of Conduct. This encompasses descriptions of: topography, location, ownership, operational responsibility, burial options, grave digging procedures, embalming, memorialisation, facilities, funeral directing services, coffins and shrouds; and detail of future plans for the natural burial ground.

Published in 2009, the Ministry of Justice, (Natural Burial Grounds: Guidance for Operators) is available from the Coroners and Burial section of the Ministry of Justice (0203 334 6390; coroners@justice.gsi.gov.uk). A copy is available on the ICCM website; your burial ground operator will be able to direct you to a copy upon reasonable request.

It is often impractical for there to be unlimited access to any particular grave; your provider will inform you of any restrictions that apply. These may include, but are not restricted to: planning restrictions; at the time of another funeral; whilst maintenance work is carried out; under certain weather conditions and/or when your safety on the burial ground cannot be guaranteed. The owner is responsible for your safety whilst on the burial ground so they must always have the last say.

CHARTER RIGHTS

- **You have the right to access the natural burial provider's 'narrative' document.**
- **You have the right to access the Ministry of Justice 'Natural Burial Grounds: Guidance for Operators'.**
- **You have the right to be informed if there are, or are likely to be, any restrictions on burial ground visits after the funeral.**

- **You have the right to be kept informed about the development of the burial ground in the future.**

Burial Procedure

INFORMATION

This Charter item considers burial in natural burial grounds

In Appendix 1, “WHAT DO YOU DO WHEN SOMEBODY DIES?” the arrangements immediately following a death and up to Registration are considered. This item outlines all the subsequent arrangements of a funeral, where burial is intended. The procedure is described in the sequence that a Funeral Director or anybody organising a funeral without a Funeral Director would routinely follow.

PROVISIONAL FUNERAL BOOKING

As soon as the death has been certified and the availability of the minister of religion or civil celebrant (if needed) is confirmed, the natural burial ground is contacted by telephone and a provisional funeral booking is arranged. The burial ground office should be available for booking during normal office hours and, ideally, over weekends. The following information will be required:

Burial ground location – the office may control a number of burial grounds and the precise one chosen by you should be identified. Some local authorities have a natural burial provision within an existing traditional cemetery therefore clear instruction must be given that the natural burial area is required.

Funeral date and time – this will be when the funeral arrives at the entrance to the burial ground. Normally, a minimum two days notice is required, although sufficient time must be available to Register the death and obtain all certificates.

Name and address of the deceased.

Grave number – if Rights to a grave already exist, i.e. if you or a member of your family has previously purchased a grave in the burial ground and wish for this burial to take place in the same grave, the number will be shown on the grave Deed. The

operator will confirm whether sufficient space exists for a further burial. If a new grave is required it will be necessary to define the maximum number of burials required so as to ensure that this future use is secured. It should be noted that most natural burial grounds only bury one deceased person in each grave therefore should you wish to reserve a second grave alongside you should relay this requirement immediately. It may be possible to select the location of the grave. The Charter item "GRAVE SELECTION" gives you information on this subject.

The name and telephone number of the Funeral Director or the person arranging the funeral, who will also pay the required fees. A table of fees is available upon request. Note that if you have appointed a Funeral Director they will make arrangements with the burial ground office on your behalf. Make sure that you inform your Funeral Director of all of your specific requirements prior to the funeral taking place as they will be responsible for passing these on to the burial ground office. For example, some community groups require that they backfill the grave themselves therefore the burial ground office needs to be pre-warned of this so that appropriate arrangements can be prepared in advance and your wishes met.

The details above are the minimum necessary for a provisional booking. These will be sufficient to enable burial ground staff to locate an existing grave or allocate a new one, and to prepare for the excavation. If a memorial is present upon an existing grave, it may have to be removed for the burial.

The details below can be given by telephone at this early stage, or sometime later, or entered on the "Notice of Burial" (see below).

Coffin or container size or dimensions regarding a shroud burial – this is the overall size, including handles. See the Charter item on "COFFINS AND ALTERNATIVES" for details.

Funeral type – this will depend upon how the funeral is organised. If a service is held before the arrival at the burial ground, you may go "straight to grave" when you arrive. The grave will be dressed with grass mats; and a "committal" service, or any other ceremony you may prefer, can take place at the graveside. Bearers will be necessary to carry the coffin or shroud from the vehicle to the grave, and to lower it

into the grave. Your Funeral Director will provide bearers or alternatively, if you are arranging the funeral yourself, some burial grounds may provide bearers for a fee. Family members may wish to bear and lower the coffin themselves; this should ideally be done under the direction of an experienced person, it is not as easy as it looks and coffins can be very heavy. If a burial ground chapel/service hall is available, for which a fee may be payable, the funeral service can be held there first. Information about the service is given in the Charter item "CEREMONIES AND BELIEFS".

Religion of deceased – this is to enable the burial ground staff to anticipate the style and length of service and ensure the correct plot is used should there be areas set aside for particular denominations. For example, some religions require dry soil to be made available to sprinkle upon the coffin at the committal stage or, as previously mentioned, backfill the grave themselves. Some require the grave to be aligned in a particular direction; the operator should be informed of this at the earliest opportunity. There is no guarantee that every burial ground can accommodate every requirement. However should this be the case, a clear explanation should be forthcoming.

NOTICE OF BURIAL

A formal notification of the burial (often referred to as the notice of burial or burial form) must be delivered to the operator as soon as possible. A regulation requiring a minimum 24 hours notice is often specified for the receipt of this form. It is issued free of charge, by post if requested or downloaded from the operator's website. The completed form is regarded as a binding contract over the work and costs involved, which may be payable even if the funeral is cancelled or transferred to another burial ground.

The Notice of Burial should be accompanied by a Coroner's Order for Burial or a Registrar's Certificate, which is obtained as outlined in the Charter item "WHAT TO DO WHEN SOMEBODY DIES". Some operators may accept the Order or Certificate when the funeral arrives at the burial ground. Where a certificate is mislaid, the operator can accept a written declaration (called Form 18 in England & Wales and Form 15 in Scotland) in a prescribed form to that effect. This applies when it is believed the Certificate or Order has been issued but not delivered prior to

the funeral. Charter members will have a copy of this declaration and will assist in its completion should the circumstances arise. In order to avoid this complication you or your funeral director should ensure that the Certificate or Order is delivered to the burial ground operator prior to the burial.

The funeral cannot proceed until an Order or Certificate is given to the operator (or the declaration completed if for instance the certificate or Order has been forgotten). Alternative arrangements apply when the death occurred outside of England and Wales and your Charter member can advise in these situations.

This completes the formal arrangements that involve the bereaved. Other sections of the Charter offer further information about organising and holding a funeral, although the provision of funeral wreaths and obituaries in newspapers are not considered. These sections also ignore what the operator actually undertakes behind the scenes and these operations are now described.

INTERNAL OPERATIONS

When the provisional booking is made for a burial to take place in an existing family grave (often referred to as a reopened grave), the registers and records are checked to locate the correct grave, to check ownership of the Grave Rights and a site visit may be carried out to check the memorial (where memorials are permitted) on the grave. When necessary, the operator will advise about transfer of ownership of the Grave Rights should the original owner be deceased. Transfer of rights is required in certain circumstances where the registered owner of the grave rights is deceased. The transfer of rights is a legal process and will be carried out by your Charter Member. You will be required to produce a grant of probate or letters of administration. If these were not issued, a statutory declaration will be prepared for you that takes the place of the aforementioned legal documents. Local Authority cemeteries are governed by the Local Authorities Cemeteries Order 1977 (LACO) which describes how Rights, more properly, Exclusive Rights of Burial are issued and managed. Private sites may use LACO as a guide or may have their own arrangements; full details should be explained to you prior to purchase in either circumstance.

If a new grave is required, one will be allocated. As soon as confirmation is received, an order to excavate the grave will be issued. A local authority grave for two burials will normally be excavated to a depth of at least 1.83m (6ft 6in) and shored. This will leave sufficient depth for the burial of the second coffin without disturbing the previous burial. A grave for one burial only will normally be excavated to a depth of at least 1.35m (4ft 6in). The grave will be covered by boards or a lockable cover and will be regularly checked by burial ground staff during the time between excavation and the funeral taking place in case of slippage of shoring and/or water build-up. Natural Burial usually requires that the body be buried in the active soil layer; these graves will be relatively shallow. Local Authority sites are required to leave 36" of soil on top of the coffin after burial (24" in certain circumstances). Private burial grounds or burials in private land have no such requirement. Care should be taken however to ensure that sufficient soil is on top of the coffin to prevent odours or digging by animals.

The soil excavated from the grave is usually placed to one side in either a large box-like structure or in a mound. Whichever method is used the area beneath the box or mound will have been protected as will adjacent memorials where these are permitted. It should be noted that in the future graves adjacent to the one owned by yourself might be excavated for further burial therefore a box or mound could be placed over the grave owned by you. Whilst this might appear as an intrusion and prevent a visit it should be remembered that the box or mound is only likely to be present for a day or two and will be removed following the burial. Should you meet with this in the future you are asked to be patient and considerate and bear in mind that to remove all excavated soil only to bring it all back after the burial is time consuming and expensive and can add pressure to increasing burial fees. Also, running wheelbarrows or dumper trucks up and down a burial area to remove and bring back soil can reduce the area to a muddy quagmire very quickly which will have implications for both repairs and access over a longer period notwithstanding the distressing state of the ground.

Before the funeral the grave will have planks and boards placed around the edge to support bearers who will lower the coffin, and mourners and provide a safe and secure platform from which dignified lowering of the coffin, container or shrouded deceased can take place. The grave will be dressed with artificial grass mats unless

otherwise requested. These should be in good condition and should cover all the soil removed from the grave as well as the previously mentioned platform around the grave. A suitably dressed burial ground employee should meet and guide the funeral during the whole of the period in the burial ground. At no time should the funeral be attended by employees dressed in overalls, donkey jackets, etc. nor should machinery and equipment be in sight.

A member of the burial ground staff will guide the funeral to the correct grave and will direct the bearers. They must place the coffin, with the head at the correct end, on two wooden spars sometimes referred to as putlogs. These are placed adjacent to two or three tapes or webbing, across the grave. With the coffin resting on the two spars, the tapes or webbing are folded around the coffin or container with an end being taken by each of four or six bearers. At a given signal or point in the service, they lift the coffin, the member of the burial ground staff (or member of the Funeral Director's staff) removes the spars, and the coffin is lowered slowly into the grave with due regard to dignity and respect. The bearers then stand back and the service continues. The cortege will leave the burial ground as soon as the mourners are ready.

The method of using spars/putlogs and lowering the coffin varies in different parts of the country; and this aspect should be confirmed. In Scotland it is traditional to attach tassels (these being long cords with a tasselled end) to the coffin so that main members of the family can symbolically assist the bearers lower the coffin. At the end of the service the tassels are cut from their cords and given to the family.

Burial ground staff overseeing the burial will stay at the graveside until all the family and mourners have left the site. The grave backfilling staff, who should be available in case of occurrence of any unforeseen circumstances, will stay out of sight until called forward. Unless specifically requested to do so the burial ground staff will not commence backfilling the grave until all mourners have left the burial ground. As previously mentioned some ethnic and religious groups require that they assist in backfilling the grave themselves. In these circumstances the burial ground staff overseeing the burial will seek cooperation of those taking part in the backfilling in order that the safety is maintained and to allow burial ground operatives to remove shoring equipment as backfilling proceeds. They will backfill the grave, leaving the

site neat and tidy, with the wreaths and flowers carefully placed. It is preferable that the backfilled soil is compacted every six inches in depth by treading, to reduce the need for excessive re-instatements. Nonetheless, the grave soil will sink as compaction occurs, and particularly after heavy rainfall. Sinkage should be topped up regularly by burial ground staff free of charge as a sunken grave could upset bereaved relatives.

During periods of inclement weather, difficulties may be experienced. The inability to drain a grave and enable pedestrian access to graves through deep snow are two particular problems. It must also be realised that pouring rain and extreme cold are uncomfortable for mourners, increasing haste and preventing the calm, reflective mood generally desired at a graveside service.

The burial ground office will maintain contact with the Funeral Director or person arranging the funeral. This is to accommodate any changes requested by the bereaved.

After the burial, the burial ground's statutory register and records will be completed. The operator will record the burial in the Burial Register and mark the grave and its number on the grave plan. Entries will also be made in other records alongside the appropriate grave number. An entry for a new grave will be made in a Register of Grants, recording the purchase of the Right of Burial and the period that this covers. Any transfers of ownership are also recorded in the Register of Grants. A Grant of Right of Burial, referred to as the grave deed, will be prepared and posted to the grave purchaser. New purchased graves will be "marked off" the burial ground grave plans. Some operators will maintain records on a computer, as opposed to registers, which mirrors the legal power of local authorities to maintain records in this manner. These records, whether in books or on a computer, must be maintained forever (in perpetuity) and made available for enquiries and research.

Within 96 hours of the burial, the detachable portion of the Coroner's or Registrar's Certificate known as Part C, must be sent by the operator to the Registrar of Births, Marriages and Deaths indicating the date and place of burial. It is important to note that the place of burial is not actually recorded by the Registrar and subsequently

locating the place of burial through the Registration Service is not possible. The burial is recorded only at the appropriate burial ground office.

The burial ground office remains the focal point for any further concern with the grave or burial. After the first burial in the grave, a memorial may be ordered where permitted by the operator. Memorial options or restrictions should be fully explained at the time of booking the funeral.

AVOIDING ERRORS

Burials must take place in the correct grave and proper administrative procedures are an essential component of this. In some instances the most serious errors can occur and errors take longer to identify when the administrative office is separate from the actual burial site. This situation can only be avoided if office staff make regular visits to burial sites for the purposes of undertaking checking procedures i.e. ensuring that correct graves are prepared. For example, this can result in the burial being allocated a grave by the office staff, without any confirmation that the burial actually took place in that grave. In some instances, the grave plans in the administrative office may not be identical to those used at the burial ground. These errors can continue for long periods without being noticed. This can be avoided by appointing a staff member to check the excavation of every grave and to attend the burial service. Where this does not occur, the operator should be able to demonstrate that they are ensuring the correct deceased person is placed in the correct grave.

Problems can arise over the placing of memorials upon a grave (where this is permitted) and be overcome by routine, physical checks. Although it is expensive to complete these checks it is a necessary part of the service and costs may be recovered through charges.

Where no memorials are permitted the operator will identify the location of the grave accurately either by placing something in the grave such as a metal marker or an electrically locatable (RFID) device; or by triangulating the position from fixed points.

The operator cannot be held responsible for errors arising from other people involved with a funeral although Charter members will strive to quickly rectify any error from whatever source.

CHARTER RIGHTS

- **You have a right to organise and conduct a burial in a dignified and orderly manner, supported by competent, professional and caring burial ground staff.**
- **You have a right to inspect the statutory burial register by appointment and free of charge (A charge may be applied if you request that the operator conducts a register search for you).**
- **Charter Members will continually work towards improving facilities for mourners in burial grounds.**

CHARTER TARGETS

- **Charter members will develop a framework of national service standards regarding the reception and handling of funerals.**
- **Charter members will consider how to improve protection against inclement weather at burial ceremonies.**

Grave Selection

INFORMATION

Natural burial grounds by their very nature will not provide a wide range of types of graves with many simply providing a woodland or meadowland option however some may provide both. It is important that you visit the burial ground prior to making any funeral arrangements or reserving any grave for future use to satisfy yourself that you are making the correct decision. Operators of natural burial grounds must have an objective in mind for the subsequent use of the burial land. Objectives (creating a woodland ecosystem; creating a species rich meadow; planting a community orchard, for example) will vary greatly and should be clearly described in the narrative document. It is important that you choose a burial ground whose objectives you support as the objectives may limit your choice.

Most natural burial ground operators will arrange to meet with you on site in order that you can select the location of the grave. Should you subsequently purchase a grave space the operator will mark the location on the plan of the burial ground, make entries in appropriate records and may issue you with a deed or certificate of ownership of the rights of burial. You should remember that you will be purchasing a right of burial in a piece of ground and not the land itself.

CHARTER RIGHT

- **You have the right to visit a natural burial ground and select the location of a grave within the limitations of the particular site.**

Fees and Charges

INFORMATION

Natural burial ground operators will make available a list of all fees and charges in print as well as other formats, e.g. on a website . They should be clearly explained so that you have an accurate knowledge of financial commitments in the short and long term.

CHARTER RIGHT

You have a right to access a full copy of fees and charges.²

Baby and Infant Funerals

INFORMATION

The loss of your baby or infant is a devastating experience that is understood by Charter members who would wish to help provide support and some comfort in these circumstances. Charter members will treat all babies equally whether they were stillborn or had life pre or post 24 weeks gestation. In respect of those babies stillborn pre 24 weeks gestation the Institute has produced a policy entitled the Sensitive Disposal of Fetal Remains (contained at Appendix 2) as these babies are not covered by burial legislation. Despite such babies having no legal status the Institute will continue to lobby to reverse this situation and encourage natural burial ground, cemetery and crematorium operators to provide a sensitive service to bereaved parents.

Charter members will also follow the spirit of this policy and its policy on Baby and Infant Funerals (contained at Appendix 3). Both of the afore mentioned policies were formulated in association with SANDS, the stillbirth and neonatal death charity. Contact details for SANDS are contained in Appendix 6.

Should you wish to arrange the funeral for your baby at a natural burial ground it is advisable to contact the burial ground of your choice to establish the options available.

² There may be a charge for printing and postage.

Some burial grounds only carry out one burial in each grave therefore if you would wish to be reunited with your baby on your death you should ask the operator if the graves immediately adjacent to your baby's grave can be purchased in reserve for future use.

Where the operator will carry out multiple burial in a single grave it is important that you relay your wish to be reunited with your baby on your death. This is so that the grave can be initially excavated to a sufficient depth to allow further future burial(s) without disturbing your baby.

Burial ground operators are also encouraged to set aside an area solely for the burial of babies as some parents gain comfort in knowing that their baby is buried alongside other babies.

CHARTER RIGHT

It is your right to purchase a grave of a depth that will allow you the parents to be buried with your baby in the future OR purchase/reserve graves adjacent to your baby.

CHARTER TARGET

Burial ground operators are encouraged to establish a children's area.

Ceremonies and belief

INFORMATION

Your service provider should offer help and support to you to plan and carry out the funeral service of your choice by accommodating your wishes wherever possible. There will always be limitations on what is possible, but should your operator deny any aspect of a planned service, a full explanation of the decision should be given in a timely manner, thus allowing you to approach other suppliers if necessary.

The form and religious tone of the service is entirely your choice and you do not have to conform to any specific requirements. You are able to hold a non-religious service or dispense entirely with a service, should you so wish. Burial grounds established by a particular faith may however have specific requirements, such as membership of the faith.

In recent years, a movement away from formal religious services has developed. This has seen the introduction of popular music and the greater use of poetry, readings or dance. The use of musicians, singers and bands should not be refused. The use of “live” music or singing, rather than recorded, is considered to enhance the ceremony. The recording of services on tape or video is also acceptable, provided it accords with copyright requirements. As a matter of etiquette, the agreement of any minister taking the service should be obtained, as well as notifying the burial ground involved. The content of services must not be offensive to people present at a burial ground.

Where tape or CD facilities are not provided, you can use your own portable battery powered unit to provide music. In a chapel or ceremony hall (where provided) where an organ is not permanently provided, it is often possible to obtain a portable organ for use at an individual service.

The principal limitation in changing and/or extending the format of ceremonies is the amount of time allocated to each service by the operator. In view of this and other reasons, the need to expand the allocated service time is considered important in the long term.

There is much more flexibility over where you hold the service than is generally realised. This could be held at the deceased's home, if space is available. Otherwise, your usual church or a Funeral Director's chapel may be used. In some areas, the entire service, including the committal, is held in the home church of the deceased with perhaps only the near family going on to the burial ground for the committal.

Speak to your Charter member if you require more details about these or other aspects of the ceremony. Your Charter member will be able to give you information regarding local ministers and officiants of religious and non-religious organisations. If you have a belief, you should consider whether to contact your minister, priest, elder, etc as soon as a death occurs. As part of their pastoral care, they gain much experience in funerals and can offer valuable advice. This might range from choosing hymns for the service to whether or not to view the body of the deceased. This advice is needed before you commit yourself to a Funeral Director and not afterwards.

Some people consider that the traditional funeral ceremony is morbid and formal, and allows little participation for those attending. As such, it may not be a celebration of the life of the deceased. This observation serves to remind us that everybody develops his or her own, specific community. This community attends the funeral and every person present reflects on their association with the deceased. The ceremony is an important element of the grieving of each person present. Although you are free to influence and enhance the form of service, most people lack the ability to devise and create a ceremony. Guidance can be obtained from some art or community groups, for example in making better use of the space available and introducing artistic features. Speak to your Charter member for further information.

At a burial, you may wish to participate, in a token way, in the backfilling of the grave. It may also be possible to be involved when the grave is excavated. Your Charter member will advise.

You can obtain service sheets for use at a funeral. These can be drawn up only after you have seen your minister and/or you have devised your service format.

Hymns and your choice of music or poetry can be included. Printing the name or even a photograph of the deceased on the front of the sheet adds a personal element to the funeral. It may be possible to add an invitation to the “funeral tea”, if arranged and provide directions to the venue. Specialist printers can produce these before a funeral, at additional cost.

The burial ceremony should be considered a highly individual and important occasion. Each funeral should ideally arrive and depart without seeing other funerals; neither should they be delayed by the late arrival of other funerals. To help achieve this standard, a minimum service time of 40 or 45 minutes should be an objective.

Charter members will do their utmost to facilitate special requests.

CHARTER RIGHTS

- **It is your right to be able to hold a burial service at a burial ground**
- **It is your right to define the type of religious or secular format of the service, within the constraints of time and decency.**
- **It is your right to define the type of music or other ceremony you wish to have at the service.**
- **It is your right to arrange a service of 30 minutes duration with the facility to book a double or extended time if required.**

CHARTER TARGETS

- **Burial grounds will be developed and managed for use in a multi-cultural society.**
- **Where a ceremony hall/chapel is provided, the permanent placement of any religious symbol should be avoided. Where these exist, the opportunity to remove or obscure them should be available.**
- **Existing religious symbols, which should be provided for all faiths and whether portable or fixed, should be removed or covered for alternative forms of service. This should be done automatically when religious or non-religious requirements are known and not only upon request.**

- **The use of terms that imply religious connections, should be reviewed. The introduction of terms such as celebrants' hall (chapel) and celebrants' room (vestry) may be more appropriate.**
- **Charter members should increase the minimum time allocated for funeral services to 40 or 45 minutes wherever possible.**

Coffins and alternatives

INFORMATION

Your provider can inform you of the types of coffin and/or shroud that are allowed in the burial ground. If any materials are banned then a full explanation of this should be available.

The dead have been buried in a variety of ways over the centuries. In pre-Christian times, the body may have been naked and laid in a stone "cist". Progressively, a desire to cover the body and prevent it coming into contact with the soil developed. The wealthy moved towards wood and even metal coffins, leaving the poor to shrouds. For a long period, the government decreed that wool be used in order to help the wool trade. The poor could have their bodies placed in the parish coffin, which was carried to the graveside, where the body was removed and lowered into the grave. The same coffin was re-used in this way for decades.

The Victorian period saw the general use of individual and privately purchased coffins, made in oak and elm and often heavily ornamented. As hardwoods became more expensive cheaper materials superseded them.

The standard coffin currently used by Funeral Directors is made of chipboard or MDF with a good quality veneer, which effectively makes the coffin appear that it has been constructed from solid wood. The nameplate, handles and inner linings are all made of artificial materials, mainly plastic. These coffins are used for both burial and cremation. It is evident that many people perceive these coffins as composed of real wood and the plastic handles as metal. Should you wish, you can request wooden coffin handles and nameplate as an environmental consideration as burying plastic is considered to be detrimental to the environment.

Coffins are usually lined with a sheet material to prevent the escape of bodily fluids, some of these are not biodegradable, even in otherwise eco-coffins. Your funeral director or Charter member can advise you about this.

It should be noted that the manufacture of chipboard uses formaldehyde, which is not considered to be environmentally friendly. Coffins of wood and other natural material such as bamboo and wicker are available.

It has been suggested in some quarters that a "re-usable" coffin could be used for cremation and burial. This is a return to the Parish coffin concept mentioned above but it would now offer important environmental and cost benefits. A product to fulfil this need is currently being developed. This would consist of an attractive outer casket, which would contain a biodegradable cardboard coffin. This coffin would be withdrawn from the outer casket following the funeral ceremony and buried. At no time would the coffin or the body be disturbed. The outer casket would be repeatedly used in this way.

The reason why a re-usable option has not previously been developed is unclear. In the past, professionals in the funeral business have suggested that such schemes are undignified; lack commercial viability or that there is no "demand". These comments are rarely substantiated and generally reflect personal opinion. Charter members will create awareness of the choices of coffins and alternatives available in order that the bereaved may make a choice based on their own particular needs and beliefs.

The coffin is probably the most symbolic and central item of the funeral. It can be the final and most telling statement after a person has died. Unless a choice of coffin or alternative is easily available, the deceased and bereaved are unable to express their needs or philosophy. The choice should allow for a range of containers from the ostentatious through to the simple. The ostentatious could include a coffin crafted in the shape of a car for a motor enthusiast, or hand carved in natural wood by a joiner to last a few hundred years in the soil. The bereaved have the right to choose from a selection of coffins ranging from American style and ornate coffins to those made of wicker or cardboard. As natural burial is specifically designed to

enable rapid recycling of the body, many natural burial providers will limit the types of coffin you may use; they should give you a full explanation of their policy.

The coffin, of any type, can be personalised to reflect personal interests, e.g. a gardener, fisherman or football fan. The artistic options are individual and require skills and time, all elements that are generally missing with the current funeral arrangements. A wider range of coffins is becoming apparent and is indicative of changing attitudes to the needs of the bereaved. Some families decorate the coffin themselves.

Other options have developed in recent years. In 1994, three manufacturers of biodegradable (cardboard) coffins arose and some Funeral Directors, crematoria, cemeteries and natural burial grounds are offering these products. This move was in response to the environmental burial schemes opening around the country, although these coffins were quickly utilised for traditional burial and cremation. Since 1994 many more suppliers of alternatives such as wicker and bamboo coffins have emerged. Little research has been done although findings in Europe suggest that “cardboard” coffins offer a significant reduction in pollutant emissions arising from cremation which could be due to the fact that no plastic is used in the construction. In addition, the cardboard coffin may reduce what many people see as the waste of resources, due to cremating or burying standard coffins. This benefit has yet to be proven, and would probably require evidence of low wood pulp and high recycled paper content in the cardboard used. Nonetheless, the cardboard coffin immediately offered the advantages of wider choice, lower costs and biodegradable benefits when used for burial. Most cardboard coffins are rigid, carry well and retain any potential leakage of body or embalming fluid that may arise. Charter Members are encouraged to avoid a design that could allow distortion when carrying or the leakage of body fluid.

Some people rapidly labelled the cardboard coffin “cheap” and lacking in “dignity”. This, of course, is a matter of opinion and, where a person requires ostentation, the cardboard coffin is not an option. The word dignity is defined as “true worth” and where a person has a belief in protecting the environment, or in having a humble or modest funeral, then the cardboard coffin has true worth to that person and they should be given the choice. An added advantage is that cardboard coffins can be

painted attractively, or personalised, by an artist or by the family themselves. Paint can be extremely flammable and some crematoria may restrict this option, because of flashback when the coffin is charged into the cremator. It is worth noting that water based paint does not pose this problem. Also, where the box shape or cardboard finish is felt to be upsetting visually, it is a simple matter to cover the coffin with a pall. This is a velvet-type cloth, often with gold braid edge, traditionally used in the past to cover coffins. These are often available from Funeral Directors or may be provided by a natural burial ground operator, for use at a funeral. Alternatively, homemade palls, patchwork quilts or similar could be used, provided they are large enough.

Another low impact option is the burial shroud. This consists of a board, upon which the body is laid, the whole being wrapped in a large piece of woven, soft, wool or felt cloth. The shroud is sold with pure cotton ropes that are attached and used by four or six bearers. The shroud is suitable for all forms of burial. Wool is not mandatory and any natural material could be used.

If you are arranging a funeral and you are unable to obtain a coffin, your Charter member has a minimum requirement to facilitate the supply of a biodegradable coffin. Suppliers of environmentally friendly coffins are listed on the Bereavement Services Portal at www.iccm-uk.com

If you wish to make your own coffin or container, contact your Charter member for advice over suitable materials, design and dimensions. Other materials that are biodegradable may be ideal for containing a body. Plaited willow, bamboo or straw are possibilities.

As a rule, coffins for burial should be constructed to the smallest size possible, as this reduces the size of the grave excavation and improves safety margins. Smaller and, thereby, lighter coffins also reduce the weight carried by the bearers, which may reduce physical risks posed by manual handling, especially where family members and/or friends act as bearers.

It is important to note that the manufacturer of a coffin, whether a commercial concern or a private individual, has a “duty of care” to those who will subsequently

be involved with it. Obviously, it is necessary to ensure that it is strong enough to hold the body whilst being carried.

CHARTER RIGHTS

- **It is your right to choose the type and design of coffin, within the constraints of availability, regulations and safe materials.**
- **It is your right to receive information on obtaining a coffin (biodegradable type) via your Charter member.**
- **You have the right to make an informed choice of coffin.**

CHARTER TARGETS

- **Charter members will promote greater choice and will offer advice and source of supply over all available coffins, containers and shrouds.**
- **Charter members will have a pall available for use by Funeral Directors or the bereaved.**
- **Charter members will provide a diagram illustrating the construction of a simple, homemade coffin.**

Communication

INFORMATION

Communication is vital to the bereavement process and where communication fails, the quality of the service declines. Although computers and electronic communication are utilised in bereavement, the value of human contact cannot be over-emphasised. When skilled staff talk to a bereaved person, they quickly recognise doubt or concern in a person's facial or body response.

Staff involved with bereavement often need to be a confidant and teacher to the bereaved. Opening up dialogue is an essential form of communication and creating the right atmosphere is an important element. Staff name badges are valuable in this respect, suggesting an invitation to be approached and a desire to help. Where these are used, a widow or widower will often telephone a member of staff and ask for that person by their name. This opens up informal discussion and, inevitably, problems are solved and better decisions made.

COMMUNICATION ASPECTS

Staff training, which includes communication skills, standard setting, customer care and understanding loss and grief, is essential in the bereavement profession. All telephone calls should be answered quickly and efficiently. Enquiries about the time and date of forthcoming services should be immediately answered and staff that can deal with all but the most difficult enquiries should be available. Where there is a need to leave a message, a response should be made within an acceptable period. The telephone service should extend throughout the normal working week, with some means of contact, especially for emergencies, at weekends. Answerphones are helpful, but impersonal. Many people, some of whom will not leave a message, dislike them. Some burial ground operators might have a member of staff on duty at weekends that can answer the telephone and personally assist people.

Many people communicating in writing about a funeral matter are agitated and/or stressed. They can also be aged, perhaps suffering some form of illness. It is essential that a reply is not prolonged and many operators will reply on the same day where some stress is apparent. In general, even routine replies should not take more than one week. A specified response time is part of a good service standard. Letters, brochures and leaflets also communicate the quality of service. Some providers use designer paper, which comes in a variety of design, i.e. with a flower

border or overlaid with a dove of peace, etc, to show specific concern for bereavement. This paper, allied to a warm, helpful writing style, opposes the bureaucratic letter that might be anticipated. Likewise, using re-cycled paper shows a consistent concern for the environment. Should an operator not print information leaflets or brochures the alternative would be to have these downloadable from a website or the ability to email them to an enquirer on request.

For a local authority operator, communicating information on natural burial, or any related bereavement service, under unsuitable “umbrella” departmental names can be offensive to the bereaved. Letterheads stating Leisure Services, Public Protection, Pest Control or Engineering Services conveys an inappropriate message to those in a grieving situation.

Waiting to receive a service is particularly irritating to any customer and with bereavement it has many implications. For some people, the wait between death and the funeral is particularly stressful, as they feel unable to commence mourning. Some communities also have a need and desire to organise a funeral quickly. It is essential that service standards specify acceptable waiting times. There should be a process for matching supply with demand, to ensure that delays, which can attain two weeks for traditional burial in some areas, do not occur. These delays also overload mortuary facilities and may require that bodies be embalmed to prevent a body decaying. Should this situation arise the next of kin can make private arrangements for cold storage elsewhere should they not wish the deceased to be embalmed. It is also necessary to explain why delays are occurring, as “explained waits” can reduce distress to the customer.

COMMUNICATING KNOWLEDGE

There is an undoubted need to improve the knowledge of those considering using natural burial throughout the country. This Charter represents an important move forward in this respect. Nonetheless, at the local level, it is necessary to issue guidance on the service available and details about how to use the services and what to do if the service does not meet needs.

Educating people to handle bereavement is important, as it creates an “expectation” about the service. If the service fails to meet that expectation, the bereaved person

may recognise the failure and may be able to do something about it. Open days help, but these tend to concentrate on practicable parts of the service and often do not address the quality of the experience. More recently, courses on bereavement for professionals and on improving funerals for the general public have become more common. Where Charter members are involved in these courses, their knowledge and experience can be utilised.

It is important to recognise that communication is often dependent upon relationships. If burial ground walks are organised, the relationship between the walk leader and the public creates an informal “leisure” rapport. The leader might be referred to by their forename and people will ask questions that will never arise in a formal setting. This is an important element in improving communication and fostering relationships and understanding.

RECOGNISING NEEDS

The sensitivity of bereavement has historically prevented bereavement service providers surveying families about their experience of the services provided. In view of this, the provision of services has relied upon the “gut” feeling of staff and reliance upon feedback from Funeral Directors, clergy and suchlike. This process tends to maintain the status quo and discourages innovation and new services. As bereavement appears to be invoking more general interest, the possibility of sensitively surveying families about the quality of their funeral experience is becoming more important. Other information is needed, such as the reasons why people choose traditional burial or cremation as against natural burial and how they coped with the bereavement after the funeral.

PROMOTION AND ADVERTISING

Many cemeteries, crematoria and natural burial grounds have historically ignored promoting their services, leaving this instead to an intermediary in the form of the Funeral Director. This has resulted in the service becoming faceless, in some instances shunning publicity and being quite naïve about how it is perceived by the community. This results in most people seeing the Funeral Director as the crux of the operation. The community fail to recognise that the funeral process, the grave,

the forms, the booking system, conforming to legal requirements and long term maintenance are all organised at the burial ground.

Marketing and promoting the service communicates more effectively and helps people to make informed choices. The natural burial option, biodegradable coffins and personalised, low impact funerals need to be promoted more widely through the media in order to develop and raise a public profile that customers can recognise. This action can only increase public awareness to the fact that natural burial is becoming an equal alternative to traditional burial and cremation.

COMMUNICATING FUNERAL NEEDS

Individuals have a responsibility to communicate their wishes regarding their death and funeral. Otherwise, the widow, widower or children or other person charged with organising the funeral are confronted by two difficulties; firstly the death and, secondly, the need to organise a funeral. This increases stress, apart from often causing family strife over whether “dad wanted natural burial or traditional burial or cremation”. These issues are considered in the Charter item on “DIGNITY, DEATH AND YOU”. Communicating with the natural burial ground operator where your funeral will take place is useful and helps everybody to use the service to its full extent.

FEES

Informing people about fees and charges and what they include is vital communication. The fees table lists all the fees charged for the various burial services and other ancillary items. The fees list should be clear and easily understood. Fees should not be combined to the point where they obscure what they actually include and thereby lose their “transparency”. As these fees will form the disbursements paid out by Funeral Directors in many cases, the customer must be able to identify them and recognise what elements of the service are included. This will enable them to analyse their funeral account and realistically apportion costs to the natural burial ground and to the Funeral Director involved. The ability to recognise how much or how little each of the parties contribute to the funeral is important in ascertaining value for money. Funeral Directors, on behalf of the person

paying for the funeral, usually routinely pay the burial fees. The Funeral Director should be given a receipt for all payments and the person paying for the funeral should reasonable expect to be passed the receipt. It is important that Funeral Directors are routinely updated on fee changes and forewarned about impending increases, particularly where the increases exceed inflation.

CHARTER RIGHTS

- **It is your right to receive a prompt response to any form of communication with a Charter member, within published service standards.**

CHARTER TARGETS

- **Charter members will develop strategies for promoting better understanding of natural burial throughout society, which will enable people to identify their needs and communicate these to their family or executor.**
- **Charter members will promote research into attitudes about death and how funeral services can be developed to satisfy identifiable needs.**
- **Charter members will develop standard application forms, which are “user friendly” and can be used at any facility.**
- **Charter members will specify maximum funeral waiting times and will develop strategies for handling high death rates.**
- **Charter members will survey users to ascertain satisfaction levels and will make this information available to the general public.**
- **Charter members will permanently display a table of fees where the public can view it. This could be in an office situated at the burial ground or on a website. A user-friendly format for the table of fees should be developed for adoption by all members.**
- **Charter members will adopt a national standard to enable the public to contact them, e.g. a free entry in yellow pages under classification “Natural Burial Grounds”.**
- **Charter members will make their services accessible via the internet through e-business strategies.**

Dignity, death and you

INFORMATION

This Charter has been created in the belief that all individuals have the right to organise their death and funeral in accordance with their wishes during life. In view of medical advances and environmental concern, some people wish to make a statement about their life, through their death and funeral arrangements.

In the past, all deaths were followed by burial in churchyards, adopting the rituals of the established and other churches. The mode of death and the funeral followed traditional and unvarying patterns. In recent decades, this situation has altered considerably. An increasing number of people wish to dispense with traditional patterns; The Charter recognises and accommodates such views.

The way in which we die, indeed, the actual definition of death, has become much more difficult to understand. Life can be prolonged by science for many years and the actual control of our death can be a decision taken by others. This Charter accepts that many people wish to maintain dignity and have greater control. The right to die at home, or not to have your life artificially prolonged, are fundamental considerations. The “Living Will” concept appears to offer greater control in this respect. Readers are referred to the Natural Death Centre for more information. Subsequently, following death, an increasing number of people now choose secular and/or “green”, natural funerals. These desires are often intended as a positive challenge to established religions or to the way in which we live.

In general, the completion of a Will and the appointment of an executor will ensure that your wishes are carried out, apart from many other benefits. It is essential that the Will be read before the funeral takes place. A Will rarely describes in detail how the funeral will proceed and this needs to be considered. If you wish to set out precise details of your funeral, you should make these known to the person who will be arranging it. You are advised to read this Charter and visit your local natural burial ground to discuss and consider your wishes. You may, for instance, wish to purchase a grave in advance and ease the subsequent arrangements when you die. It is not mandatory to use your local natural burial ground or traditional burial or cremation facilities. For instance, you are at liberty to choose any facility if it offers

services not available locally. An additional fee may be charged by some local authority providers if you are not resident in its area. Private natural burial ground operators do not generally charge differential fees for non-residents.

It is important to note that you cannot leave binding instructions in respect of your funeral, even through a Will. Your executor or whoever organises the funeral can change your wishes. This is why it is important that your executors are in agreement with and understand the strength of your feelings. Completing an “advance funeral directive” can specify precise funeral details.

The dignity of your funeral and the subsequent arrangements can rely upon you giving instructions during your lifetime. In recent years, an increase in couples living together without marriage, split marriages and divorce, have all influenced funerals. In some cases, funerals are organised and decisions made that are intended to deliberately offend relatives of the deceased. For example, an existing partner may organise the funeral and memorial in order to exclude children of another partnership. Where this occurs it may severely increase the effects of the bereavement. It is, therefore, important to organise a Will and executors in order to minimise these occurrences.

The law is unspecific where an executor does not exist and a variety of people can and do apply for funerals. In general, where an executor has not been appointed in a Will, a person stating they are the “nearest surviving relative” can apply. The law does not require anything more than a statement to this effect, and monitoring the veracity of this statement is neither required nor possible. Disputes about whether the right person applied, i.e. a brother or sister, common-law wife, often arise subsequently and may have to be resolved through legal action between the disputing parties, which may be distressing and expensive.

In law, the executor or nearest relative has a right to possession and the right to say what happens to the deceased prior to the funeral. The exceptions would be if the deceased died of a notifiable disease or until after a Coroner had released the deceased for burial. As such the executor or nearest relative has the right to decide whether or not the deceased is embalmed and what clothing he/she might be buried

in. Charter members will advise on matters relating to embalming (see Appendix 3 – Information on Embalming).

Generally, where the deceased is to be dressed in his/her own cloths prior to burial it is advised that only natural materials are used and clothing made of nylon or other man made material should be avoided. Natural materials will have a lesser impact on the environment.

CHARTER RIGHTS

- **You have the right to make an informed choice about how the deceased is prepared for burial with regard embalming and clothing.**

CHARTER TARGETS

- **Charter members will promote the completion of a Will and an advance funeral directive, to support the right of each person to organise a funeral in accordance with their wishes.**

Environmental issues

Environmental issues did not feature prominently with regard to bereavement until the introduction of the natural burial option. This view is changing as environmental issues become increasingly important. (The inclusion of the cremation process in the Environmental Protection Act 1990 and the revisions of the Secretary of State's Guidance Note made under this Act are the most recent example of this). The services associated with bereavement have more impact on the environment than might be initially considered. Improvements in this area are very relevant to: "Acting locally – thinking globally".

The very nature of a natural burial and the desire of service users wishing to be returned to nature are becoming stronger. By their very nature, natural burial grounds that create new woodland or meadowland also provide habitat for flora and fauna. Natural burial grounds established in existing woodland or meadowland will secure that environment and habitat for the future. Natural burial within an existing conventional cemetery will encourage consideration of sustainability in the future management of that cemetery.

Natural Burial providers' regulations for the use of their facilities will focus strongly on environmental matters with many of such regulations being designed to protect the environment.

Environmental issues are also covered elsewhere in the Charter under "COFFINS AND ALTERNATIVES", "MAINTENANCE OF GROUNDS AND GRAVEDIGGING" and in Appendix 3, "INFORMATION ON EMBALMING".

FURTHER INFORMATION

Other environmental issues involved with bereavement have been identified but have not received any specific attention on a national scale. This is due to the sensitivity of the issue and, in some cases, difficulty in identifying the actual owner of the item or materials involved.

The issues include:

Composting a greater amount of mown grass, leaves, flowers and other plant material removed from the grounds.

Retaining cut timber in habitat piles, rather than burning, which release carbon content.

Increasing tree planting in order to offset carbon dioxide emissions.

Reducing the use of moss and lichens in the construction of wreaths and other floral tributes.

The use of cardboard forms in the construction of wreaths instead of metal, plastic and oasis.

Sourcing sustainable alternatives to teak, mahogany and other hardwoods, used in the construction of garden seats, burial caskets, etc.

The use of funerary products of local provenance.

Other issues have been identified that involve bereavement but are beyond the remit of the Charter, e.g. the environmental damage caused by the production of cut flowers and quarrying of stone in foreign countries, which are then imported into the UK.

CHARTER RIGHTS

- **You have a right to be made aware of all known environmental benefits and issues relating to natural burial. Information will be available through this Charter and by direct contact with your local Charter member.**

CHARTER TARGETS

- **Charter members should strive to improve environmental efficiency and understanding, relating to bereavement. Due consideration should be given to the conservation of wildlife and management according to sound ecological principles.**
- **Charter members should establish researched environmental impact data for all aspects of bereavement.**
- **Charter members should co-ordinate their efforts in order to improve the aspects outlined under “Further Information” above.**
- **Charter members should create strategies for enhancing the wildlife value of burial grounds.**
- **Charter members should introduce services that directly enhance the environment, as an integral part of the bereavement experience.**
- **Charter members should contribute to a reduction in global warming by reducing their total energy consumption and carbon emissions.**

Social and community aspects

Burial grounds are important community resources and assets. They become the focus for developing services that enable people to hold funerals that are meaningful to them. As every member of the community has access to the service, it is essential that everybody has a right to expect similar standards. These factors are identified in a leaflet issued by the Local Government Ombudsmen, which states:

EQUAL OPPORTUNITIES:

“The Local Government Ombudsmen are committed to providing an equal service to all members of the public and seek to ensure that no complainant receives less favourable treatment than another on grounds of gender, colour, race, nationality, ethnic, regional or national origins, age, marital status, disability, political or religious belief, class or sexual orientation”. Whilst the Local Government Ombudsman has jurisdiction over local authorities only the spirit of his words should be applied in privately owned natural burial grounds.

Communities vary greatly in their make-up and have differing needs. Assessing these needs is complex and must rely, to some degree, upon local judgement. Although this Charter sets out a national standard, it cannot be allowed to dictate policy or reduce the flexibility necessary for a more appropriate local response.

The Charter also recognises that the dominant religious or ethnic groups often perceive their needs as the norm and these views tend to dominate. This can leave smaller, less active groups without a voice. Some of these issues are discussed in more detail below.

RELIGIOUS BELIEF

Historically, traditional cemeteries in England were divided into consecrated and unconsecrated areas. Members of the Church of England were buried in the parts consecrated in accordance with the rights of that Church whilst all other denominations were buried in the unconsecrated area. Over time, and as we became more multi-cultural, some religious groups requested areas set aside for the use of persons of their denomination. This led to a number of segregated areas in

cemeteries which caused difficulties in respect of land usage, maintenance and record keeping. Some local authorities in the 1980s adopted the principle of the 'inter-denominational' cemetery where no consecration or segregation took place with the cemetery (or extension to an existing cemetery) being blessed at a ceremony attended by representatives all faiths that would use the facility.

The inter-denominational system might be considered to be the most suitable arrangement for most natural burial grounds however the operator should consider all options in relation to local requests from local faith groups. All requests received should be considered equally and any decisions made applied equally.

It should be noted that some faith groups have developed their own natural burial grounds.

EQUITY

Equity can have a social dimension. As an example, the need for equal access, regardless of wealth, to high quality midwifery services has been recognised as a fundamental social right. Yet the social dimension of death has not been accorded the same standard. The free provision of funerals and facilities is not seen as a necessary social service. This may reflect the fact that the only people who worry about death are the old, a group who have little representation in our society. The government has recognised this problem and the Social Fund contributes towards the cost of approximately 6% of funerals for those who rely upon certain state benefits. This, of course, leaves a very high proportion of the population above the benefits level who, nonetheless, pay the same for a funeral as wealthier members of society. There is a need to widen the choice and enable people to choose a funeral arrangement that is financially acceptable to them.

Many people perceive that dying is expensive, which may then encourage people to buy pre-need funeral plans. It is important to recognise that many people suffer stress as a consequence of worrying about funeral expenses and perhaps feel that obtaining competitive quotes is not appropriate. Whilst recognising that dealing with the death of a relative is a stressful situation the purchase of a funeral can nevertheless be regarded as a purchase and competitive quotations can be

obtained. Funeral Directors offer a range of services and it is important for the bereaved to understand that they have control over expenditure and can arrange a funeral that meets with their needs and requirements within the constraints of their own particular budget.

It is not equitable when some funerals are delayed. This can be due to insufficient service time being allowed, which can routinely cause delays because the preceding funeral ran over the allotted time.

In some areas, particularly in some London Boroughs, residents are denied the option of burial due to the absence of new burial space and have to use the cemetery of a neighbouring authority with an additional fee being applied to those non-residents. The Institute of Cemetery and Crematorium Management has proposed a solution to this problem, which involves the re-use of old graves, mostly situated in Victorian cemeteries. This will require public support as well as new legislation. Your Charter member will update you on the current situation and progress of the Ministry of Justice Burial & Cemeteries Advisory Group that was established following the Select Committee Inquiry into Cemeteries that took place in 2001. The work of the advisory group included an overhaul of legislation relating to cemeteries. The reuse of graves was a prominent feature of the work of the Advisory Group however central government has so far not progressed this initiative. The Institute considers that transforming current unsustainable cemeteries into sustainable community assets is important in social, financial and bereavement care terms as well as the environmental benefits that are obvious. The Institute will campaign to progress the reuse of graves as a lawful option for all cemeteries and natural burial grounds in both the public and private sectors.

DISCRIMINATION

This word means distinguishing one person from another, so that a person is adversely treated. It is also about ensuring that people who lack mobility or have language difficulties can access the services offered. There should clearly be a will to consider all users and ensure they can make the best use of the services available as far as is reasonably practicable.

Discrimination can occur with other issues. Placing stillbirths in 'out of the way' areas or unsuitable plots of the cemetery discriminates against the parents. This fails to recognise that the parents are already isolated to some degree, by being amongst the minority who lose a child. This is a bereavement that cannot be anticipated and one that strikes at a time when family resources are directed at raising children, and not paying for funerals. Society should positively address these issues and offer better facilities than expected to reflect a caring community.

Discrimination may be evident in the current disposal of fetal remains. The majority of these are classified and disposed of as clinical waste, usually by hospital incineration or landfill site. The Institute of Cemetery & Crematorium Management (ICCM) has campaigned to change the legal status of fetal remains and has produced a policy and guidance document covering the sensitive disposal of fetal remains. The ICCM has also worked with SANDS, the stillbirth and neonatal death charity, who has a similar policy dealing with the handling and sensitive disposal of fetal remains. Details about this are included under the Charter item "BABY AND INFANT GRAVES".

Deaths that are AIDS related have been discriminated against in the past. In at least one case, a coffin was sealed into a grave using concrete. Such cases are evidence of ignorance and bias. These deaths pose no additional risks to anyone at any natural burial ground, cemetery or crematorium than any other cause of death. A caring service will ensure that no discriminatory requirements are demanded that identify one funeral from another.

What might be termed cost discrimination is routinely used in bereavement. It can arise as a positive attempt to reduce usage of graves where limited ground is available. Consequently, graves in some London Boroughs are very expensive. It can also be used to obtain more income for the burial of people who live outside a local authority area. This might be seen as regional discrimination. No evidence exists that this type of discrimination has been successfully challenged.

Political discrimination has arisen on at least one occasion. A cremation authority has been known to refuse a Book of Remembrance application that included the

word “communist” in the obituary. This was allowed upon appeal to the Ombudsman.

THE DEAD CITIZENS’ CHARTER

This Charter was launched as a consultative document on 31 January 1996 by the National Funerals College. This Charter calls for the rights of both the dead and the living to be recognised and makes recommendations to improve funerals and care for those left behind. The Charter for the Bereaved implements many of the recommendations suggested and supports this initiative by the National Funerals College.

CHARTER RIGHTS

- **It is your right to receive a service that recognises your needs, without unfairness or discrimination.**

CHARTER TARGETS

- **Charter members will meet representatives of their community, to identify the needs and wants of every individual.**
- **Individual needs should be met where this does not impinge upon the majority.**
- **The formation of community “user” groups, to consider how the service meets the needs of the bereaved, should be considered.**
- **Charter members will recognise that they have the ability to influence services that will benefit the entire community.**
- **Members will be receptive to suggestions that challenge conventions, to improve choice and service delivery.**
- **Charter members will ensure that the service is accessible to all members of the community, regardless of age, infirmity, language, etc.**

Funerals without a Funeral Director

INFORMATION

It is often assumed, quite wrongly, that funerals can be completed only with the use of a Funeral Director. Although a Funeral Director will be invited to organise the majority of funerals, some people prefer to organise funerals themselves.

The law states that there is no property in a dead body however the executor(s) or nearest relative(s) have a right of possession pending the funeral. It would follow that you can take full control by purchasing or making the coffin or shroud yourself and transporting the deceased to the burial ground in your own vehicle.

The details in the individual sections of the Charter give sufficient information to achieve this. Your Charter member will also supply you with information.

The Funeral Director organises the funeral by collecting and moving the body, arranging embalming (if required and permitted) and viewing of the deceased, ensuring that statutory certificates and other information is relayed to the burial ground or crematorium office. They provide a coffin, hearse and liaise with the burial ground or crematorium office regarding the service in the chapel or at the graveside. Carrying out these services relieves the bereaved from doing what they may feel are unpleasant and difficult tasks at a difficult time.

Some people do not wish to use a Funeral Director. This can be for a wide variety of reasons. They may feel that passing the body of a loved one over to strangers is wrong. Some feel that personally organising the funeral is their final tribute to the deceased person. Others may simply wish to save money by doing everything themselves.

The bereaved family can handle the entire funeral and Charter members are able to assist in facilitating this. Such a funeral is referred to as "Family Arranged", rather than the possibly offensive term "DIY" funeral.

CHARTER RIGHTS

- **It is your right to organise a funeral without the use of a Funeral Director.**

- **It is your right, as executor (or next of kin) to be given the body by a mortuary, hospital, etc, in order to carry out a funeral without a Funeral Director.**
- **It is your right to obtain information from your Charter member on how to obtain a coffin (minimum biodegradable type).**
- **It is your right to obtain information on Family Arranged Funeral from your Charter member describing how to arrange such a funeral**

CHARTER TARGETS

- **Charter members should ensure that the bereaved are aware of the above rights.**
- **Charter members should increase coffin/shroud choice wherever possible.**
- **Coffins/shrouds need not be stocked, provided a reliable source is identified.**

Care of grounds and grave digging

INFORMATION

CARE OF GROUNDS

Natural burial grounds by their very nature will not be formal, manicured sites with roads paths and flowerbeds, however they may protect an existing natural environment or create new natural environments. The maintenance of the natural appearance and habitat for wildlife is primary with the burials fitting in to this environment without distracting from the natural setting. Such natural settings are important to those who see their death and burial as a return to nature.

Burial ground operators should possess a plan designed to identify how the site will be managed on the basis of environmental protection and conservation management. Such a plan, when implemented, will provide reassurance from the operator that the site will retain its environmental credentials into the future.

GRAVEDIGGING

Grave owners may be concerned when graves nearby are excavated. The excavated soil must be placed on adjacent graves, which can prevent access for a day or more. Although there is no easy solution to this problem, it is important to minimise the effect as much as possible. Firstly, the soil should be placed on any unused grave adjacent to the excavation. If this is not possible, the grave surface should be covered by boards and after the funeral, all soil removed, especially from any memorial. Care should be taken to avoid damage to the memorial or any floral tributes on the grave.

CHARTER RIGHTS

- **It is your right to be shown an environmental and conservation plan for a natural burial ground.**

CHARTER TARGETS

- **Charter members will develop minimum national standards for managing conservation.**

Health and Safety

INFORMATION

ACCESS AND GENERAL SITE SAFETY

Burial ground operators as owners and occupiers of their respective sites have a duty under health and safety legislation to do all that is reasonably practicable to protect the health and safety of persons who enter their sites.

Operators control risks through a process of hazard identification and assessment of the associated risks. The results of the risk assessments are used in two ways. Firstly, they are used to formulate procedures for the various tasks that are undertaken by members of staff working on the site. These procedures are not only intended for the protection of the members of staff but will consider the effects of their actions on visitors. Site owners have a duty to consider the effects that their actions will have on others. 'Others' includes visitors, persons attending and officiating at funerals, in fact every person who enters the site. For example, a danger would exist to a member of the public visiting a grave in proximity to grounds staff carrying out strimming of grass. A stone could be thrown out by the strimmer, strike the visitor and cause injury. This fact would be identified during the process of risk assessment with procedures subsequently written to advise staff to cease strimming in an area where a person is attending a grave and not return to the area concerned until the person has left. A sound, considered, common sense approach is all that is required.

Secondly, and through a process of inspection, hazards not associated with work procedures will be identified with associated risks being assessed and actions taken to eliminate or significantly reduce risk. Hazards and risks identified could be associated with buildings, trees, pathways and any other part of the fabric of the site. A loose roof tile, hanging tree branch or unstable memorial (where permitted) could

cause serious injury or a fatality should the potential of such a hazard be realised. Regular, formal site inspection will greatly assist in identifying these types of hazard. Inspections will also assist in ensuring that members of staff are adhering to operational procedures. Where discrepancies are identified additional training in procedures may be required. For example, an unattended, open grave presents the risk of a person falling into it. Whenever a grave is left unattended it should be securely covered, ideally with a lockable lid. Regular inspection will identify whether staff are complying with this requirement.

Where a hazard has been identified which cannot be eliminated immediately the placing of a warning sign or cordoning off the danger area may take place. This action is considered a temporary measure with action to remove the hazard being taken as soon as possible.

GRAVEDIGGING – PROTECTION OF MOURNERS

During the process of excavation of graves the gravediggers will install shoring equipment designed to support the ground and prevent collapse. Shoring is required to protect the health and safety of the gravediggers and subsequently the mourners, clergy and Funeral Directors staff attending at the burial service. Should no shoring be incorporated into the grave, not only is the safety of the gravediggers compromised during excavation but also that of those in attendance at the funeral. Should the grave collapse during the service the possibility exists for people to fall and become seriously injured. Should a collapse occur at the moment of committal it could cause the pallbearers and/or coffin to drop into the grave. Even if nobody is injured the effect on the bereaved would be devastating. The common sense approach dictates that shoring is installed on every occasion and remains in place until final back-filling of the grave takes place.

It is customary for some ethnic and religious groups to backfill graves themselves. This situation has potential dangers for those back filling the grave and a liability for the operator. Some burial authorities have banned mourners from backfilling graves however this conflict between cultural need, customer care and health and safety can be overcome. Should mourners wish to back fill the grave it is essential to seek the cooperation of the Funeral Director (where used), main mourner and member of

the clergy or celebrant leading the service. The burial ground official, at the commencement of back filling, can directly supervise a limited number of mourners at a time and request the cessation of the operation at intervals whilst gravediggers remove shoring. Boards/planks should remain in place on the surface of the ground surrounding the grave in order to prevent mourners treading on unprotected grave edges. With the correct supervision and cooperation the task can be completed safely and to everyone's satisfaction.

CHARTER RIGHTS

- **It is your right to enter a natural burial ground that is, as far as is reasonably practicable, without risk to your health and safety.**
- **It is your right to be shown a copy of the operator's health and safety policy, risk assessments and procedural documentation on request.**

CHARTER TARGETS

- **Charter members will manage the burial process by using the ICCM Code of Safe Working Practice for Cemeteries.**

Regulations

INFORMATION

Regulations are a necessary requirement of managing a burial ground, and yet they also restrict the rights and choices of the individual. They often become "written in stone" and are subsequently difficult to amend or change. People and especially staff fear that relaxation means a sudden upsurge in unsuitable actions or materials will occur. This, of course, depends upon the purpose of the regulation and some currently exist that defy logic. For instance, would removing the regulation that "seashells shall not be placed on graves" see a sudden upsurge in this activity take place? If it did, would it really matter?

Regulations can also indicate a bureaucratic organisation, one that prefers to control rather than to consider. Regulations, and their arbitrary application, can be utilised by staff that know little or nothing about the needs of the bereaved. They can mask an unfeeling and uncaring organisation. The essence of bereavement is to allow

people the freedom to express the individuality of death and not to conform to some universal idea or “sameness”. Reducing the scope and extent of regulations requires an increase in staffing expertise. The Charter does not call for a completely unrestricted situation, simply that regulations should reflect a more caring and responsive management.

If regulations are sensible, reasonable and serve a purpose, they will be supported and not seen as a limitation on rights.

The most sensitive area is where regulations arbitrarily set standards of dignity, decency and artistic quality. Not only do they restrict choice, they can also prevent innovation. (A good example is the historical tendency for *cemeteries* to ban the use of wood for memorials. This seemed sensible when graves were sold in perpetuity and wood could last little longer than 100 years. Now that graves are sold for a maximum of 100 years, it would seem sensibly to allow the use of wood, which will naturally degrade over the period of grave rights. Allowing wood may encourage the employment of a local sculptor who would create a more person and community based memorial heritage). Some natural burial grounds will ban any form of memorialisation on graves in order to retain a strictly natural appearance whereas some will permit small wooden memorials as these tend to blend more easily into perhaps a woodland setting and especially after the memorials have weathered.

Ideally regulations should be qualified, that is, a reason for the regulation being in force should be given. An example would be “No memorials are permitted to be erected on graves in the burial ground as the majority of users have chosen the site as they wish for the outlook to remain as natural as possible’. Going on to qualify/explain a regulation will reduce the chance of challenge.

It is worth considering that, in the past, people appear to have passively accepted regulations without question. Currently, people are more aware of their rights and anticipate less, rather than more bureaucracy. It is relatively easy to contest regulations, which cannot be enforced by law. The regulation must be seen as fair and sensible, otherwise the authority or company will experience adverse criticism, particularly from the media. Any media attention about unreasonable regulation tends to reflect poorly on the service provided, and is best avoided.

CHARTER RIGHTS

- You have the right to be given a list of regulations used by your Charter member.
- You have a right to be given a written explanation why a particular regulation has been used to restrict or otherwise influence your rights. Where you remain dissatisfied, you can utilise the grievance procedure set out in the Charter.

CHARTER TARGETS

- Charter members will develop a standard list of regulations for use throughout the UK.
- Charter members will ensure that regulations allow more artistic and individualistic input, particularly where this may create employment in the community.

Staff and expertise

INFORMATION

The staff employed in burial grounds may vary greatly in ability and competence. Casual dress and attitudes, poorly drafted letters and a general lack of expertise can profoundly influence those using the services. In more recent times, such staff have been unable to respond to environmental and social needs related to bereavement and, consequently, such issues may be ignored. A lack of expertise may be recognised by a reliance on bureaucracy, on regulations and in a fear of embracing new ideas. This has resulted in decrepit cemeteries and a poor service in some areas.

The Institute of Cemetery and Crematorium Management (ICCM) recognised this lack of expertise and have developed a professional qualification for its members. The full “Diploma” course in the management of natural burial services, which is accredited by BTEC to HNC standard, includes the following subjects, however the modular system allows members of staff at all levels to obtain a qualification relevant to their position: -

- Management of Natural Burial Services and Legal Framework
- Management of Financial Resources
- Organisation and Behaviour
- Management of Human Resources
- Managing Activities
- Administrative Services

On gaining the Diploma candidates can produce a Thesis to achieve Honours.

This is a distance learning course and attendance at an annual seminar and training events provides extra support to those studying.

Although the Diploma has been an important development, it has not been universally adopted as a pre-requisite for all appointments. This is a major disincentive to improved service provision and the promotion of the Diploma qualifications is a major objective for the Institute. Elements of the Diploma should be the minimum qualification and other higher management qualifications should be a natural progression to develop and maintain wider skills. The cost of such expertise is recouped through improved services, better techniques in grounds maintenance and more efficient financial performance. The ICCM attempts to keep managers fully informed of all matters relating to the service through its education and training programmes.

In 2001 a Parliamentary Select Committee recognised the importance of education and training and suggested the setting of a minimum level of qualification for those involved with the disposal of the dead.

The ICCM has also established the Cemetery Operatives Training Scheme (COTS), which focuses mainly on health and safety but encompasses consideration of the bereaved and customer care in all elements of the courses provided. COTS is City & Guilds accredited and provides a unique qualification for those involved with the practical elements of burial.

The Charter supports the development of other management qualifications and training generally in order to introduce innovative and improved standards of service

in the bereavement sphere. Each Charter member is expected to enrol at least one member of staff as their Charter representative to the ICCM. It is anticipated that this person will be studying for the Certificate in natural burial management.

All professionals with whom you come into contact should encourage, inform and support your choices where the narrative of the natural burial ground permits. They should be knowledgeable about all aspects of the burial process or be able to easily direct you to someone who is. All staff must be empowered to assist you.

CHARTER RIGHTS

- **It is your right to receive a quality service provided by trained and/or qualified. Informative and professional staff. Where service standards fail, you have a right to question the level of expertise shown and to receive assurances regarding the ability of those involved.**

CHARTER TARGETS

- **Charter members will promote the employment of qualified staff in senior posts.**

Inspection of grounds and registers

INFORMATION

Some aspects of burial are unseen and little understood by the community. For this reason, doubts arise about the process and these can lead to rumours and misinformed, often malicious, comment. Suggestions of impropriety can further upset the bereaved and leave them feeling uneasy about the service.

To disprove rumours and misinformation, Charter members welcome anyone who wishes to inspect the premises and see, at first hand, exactly what occurs.

You can inspect by making an appointment, by telephone or post. If you are at the burial ground, you can approach any member of staff, who will arrange, at the first convenient time, for somebody to accompany you on the inspection and describe the process.

Burial, unlike cremation, is a relatively open operation, with most of the process taking place outdoors and within sight of any person in the burial ground. However, some aspects of the service are less obvious and may be of interest to you. An appointment to inspect can be made by contacting your Charter member.

Each burial is required by law to be registered, either by hand in a paper register or by computer. These records will be maintained forever.

Local authority law relating to the inspection of burial registers permits inspection by any person at any reasonable time, free of charge. Should a person wish cemetery staff to make searches of registers to assist with research of your family tree then a fee may be applied. Privately owned natural burial grounds should adopt the spirit of this law. It should be noted that information relating to deceased persons is not restricted under data protection law. However, records relating to grave ownership (called the register of grants or register of purchased graves by local authorities) are data protected as it contains details of living grave owners.

It is becoming more common that the contents of the burial register are published online.

If you have specific enquiry or concern that does not require a formal inspection, you can resolve this by personally visiting your Charter member.

CHARTER RIGHTS

- **It is your right to be offered an inspection grounds / facilities or records at any reasonable time.**
- **It is your right to inspect burial registers free of charge at any reasonable time.**

CHARTER TARGETS

- **Charter members will develop greater community awareness of natural burial facilities in order to reduce ignorance about this option.**

Grievance procedure

INFORMATION

Any form of service failure during a funeral can have a traumatic effect. The Institute of Cemetery and Crematorium Management recognises this fact and the Charter was conceived as a means of reducing and addressing failures. Sadly, things do go wrong or are misinterpreted, and we recognise the importance of taking these instances seriously. If you have a grievance with a Charter member, we ask you to take the following action:

Stage 1

Always complain “on the spot” if you have the opportunity. If you cannot do this yourself, you may be able to use your minister or Funeral Director as your advocate if one is used. If you fail to obtain a satisfactory response, move to the next stage.

Stage 2

Contact your Charter member, either by telephone or in writing, and describe your grievance. If you fail to obtain a satisfactory response, move to the next stage. Most local authorities will have a formal written complaints procedure. If you fail to receive obtain a satisfactory response, move to the next stage.

Stage 3

Put your grievance in writing to the Institute of Cemetery & Crematorium Management (address in Appendix C), who will send an acknowledgement within 7 days. Your grievance will be investigated, by reference to your Charter member or any other relevant person, and a written reply will be sent to you within 4 weeks of the date of acknowledgement. Where the matter is urgent, the response will be immediate, either by telephone or by fax.

Stage 4

If you continue to feel aggrieved, the Institute may offer to refer your complaint to an arbitrator. The arbitrator will be appointed by agreement with you.

Stage 5

Whether or not arbitration is agreed, if the matter relates to a local authority, you have the right to refer your grievance to the Local Government Ombudsman in England Wales and Scotland in respect of a local authority provider (address in Appendix C). The Local Government Ombudsman can look into complaints only about actions taken by a local authority and that authority should first have had the opportunity to investigate and respond to the complaint.

Appendix 1 - What do you do when somebody dies?

This Charter sets out many details about death and funerals, as individual topics. As it may be difficult for those with no experience of a death to understand how everything interrelates, this section describes what occurs in the period before a funeral.

Death at home

When a person dies at home, the next of kin or executor and the family doctor should be informed. The doctor who cared for the person during the last illness will complete a free Certificate of the Cause of Death.

The Certificate of the Cause of Death must be taken to the Registrar of Births and Deaths for the District in which the death occurred within five days. (At the time of writing, a review of death certification was underway. It might transpire that a more flexible approach is taken to death certification in the future and your Charter member will be able to advise of any changes). In Scotland, you can visit any Registrar of Births and Deaths within eight days. Ensure you visit the correct office and check opening times, as they may operate limited hours. The doctor may send the Certificate of the Cause of Death direct to the Registrar, and not give it to you to take.

Death in hospital

If someone dies in hospital, the certificate of the cause of death will be issued there. The next of kin may be requested to authorise a post-mortem.

The deceased will be transferred to a mortuary. Arrangements to deliver the certificate of the cause of death to the Registrar of Births and Deaths and to register the death are as above, under "Death at Home". The Registrar will be the one covering the Hospital area, which may be different to the home address of the deceased.

If the death occurs in a residential or nursing home, they may follow a similar routine as for that in hospital. In addition, they may have an arrangement with a Funeral Director for the removal of the deceased to a mortuary or a Chapel of Rest. This Funeral Director does not necessarily have to undertake the funeral for you. You may select any Funeral Director, or you can organise the funeral yourself.

Coroner

(Note: In Scotland the Procurator Fiscal has jurisdiction over the body of a person who has died unexpectedly. Throughout this Charter any reference to the Coroner will relate to the Procurator Fiscal in Scotland)

If the death was sudden or due to an accident, or no doctor had attended for some time, the Coroner must be informed. On some occasions the Registrar of Births and Deaths may also report the death to the Coroner. The Coroner will decide whether to hold a post-mortem and/or an inquest. As most cases are found to be due to natural causes, inquests are rarely required. The Coroner will then notify the Registrar that the death can be registered. The person registering the death will need to visit the Registrar to do this. The Coroner's Office will keep this person informed about what to do. As these arrangements may cause delay, you should not arrange the funeral until authorised by the Coroner's Officer. The Coroner will issue an Order for Burial (white certificate in England & Wales and magnolia certificate in Scotland) without charge. The certificate should be given to your Funeral Director or sent to the burial ground provider as soon as possible.

Again, you may select any Funeral Director, or you can organise the funeral yourself.

Registrar of Births and Deaths

The Registrar can register the death only if he/she is given or has obtained the certificate of the cause of death or has received notification from the Coroner. He or she will need to know the following details about the deceased:

1. FULL NAME – including any other names by which they were known.
2. MAIDEN SURNAME – if the deceased is a married woman.
3. DATE AND PLACE OF BIRTH
4. OCCUPATION – and their husband's full name and occupation, if the deceased is a married woman or a widow.

You will need to confirm the date and place of death. Other questions will be asked about the date of birth of the surviving spouse and information about the state pensions and allowances the person was receiving, including war pensions. The NHS number will be requested and the medical card of the deceased should be surrendered to the Registrar, if it is available. If the number is not known, and the medical card is unavailable, you can still register the death.

The Registrar will issue a free social security form to ensure that benefits are being paid correctly. If the Coroner is not issuing an Order for Burial or Cremation, the

Registrar will issue a free certificate for this purpose. This should be given to your Funeral Director or sent to the burial ground provider as soon as possible.

The Registrar will issue the Death Certificate and advise you over any further certificate copies you require and the cost involved. These will be for obtaining Grant of Probate or Letter of Administration, to show banks, social security or building societies, and to claim insurance. The Registrar will also issue a green disposal certificate where a Coroner is not involved. This green disposal certificate should be given to your Funeral Director or to the burial ground provider's office if you are arranging the funeral directly yourself.

The Deceased

While the above procedures are taking place, it is essential that the deceased is cared for. With death at home, if you are using a Funeral Director, he or she should be called as soon as possible. They will remove the deceased and complete laying-out and possibly embalming. The deceased may remain at their Chapel of Rest or may be returned home, should you so wish. If the death was in hospital, the staff usually complete laying-out and your Funeral Director will collect the deceased and carry out your instructions.

If you are not using a Funeral Director, and the death occurs at home, you may complete laying-out, or have this done by a district nurse or some other person. The deceased can remain at home and must be kept as cool as possible. For obvious reasons it is necessary to make arrangements for the burial to take place as soon as is possible as in some cases deterioration of the body may become rapid with the obvious consequences occurring. Your local mortuary, or burial ground provider may have facilities to hold the deceased pending the funeral. If the death was in hospital, the deceased will be taken to the hospital mortuary. You can collect the deceased yourself, provided you have a coffin and suitable transport. You can keep the deceased at home, or you may be able to use the mortuary until the day of the funeral.

These arrangements are not mandatory and can be varied in accordance with ethnic or other needs.

Death Abroad

If the deceased died abroad the papers that arrive with the deceased must be taken to the Registrar of Births and Deaths who will issue Certificate of No Liability to register. This certificate replaces the green certificate, as there is no provision in law

to register a death that occurred abroad. This Certificate of No Liability to Register should be given to your burial ground provider. If the Coroner becomes involved he/she will issue a Coroner's Order for Burial therefore the Certificate of No Liability to Register will not be required.

Conclusion

It is assumed that whoever arranges the funeral is aware of the wishes of the deceased, whether a will exists and who the executor(s) is. It is important to note that executors have the right to choose burial or cremation when they organise the funeral, whether it accords with the wishes of the deceased or not. If there is no will, and therefore no executors, someone (usually the next of kin) will make these decisions. With a greater number of people taking out funeral plans and insurance, it is important to check whether the deceased subscribed to a scheme or policy. The personal effects of the deceased should be checked to see if Rights to a family grave already exist.

The Charter sections on "BURIAL PROCEDURE" will describe what happens next, as the arrangements for either type of funeral proceeds. The remaining sections of the Charter enlarge upon specific topics, to enable you to consider all the issues involved with a funeral.

Appendix 2 – The Sensitive disposal of Fetal Remains

Institute of Cemetery & Crematorium Management



The Sensitive Disposal of Fetal Remains

Policy and Guidance for Burial and Cremation Authorities and Companies

August 2011

THE SENSITIVE DISPOSAL OF FETAL REMAINS

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***Appendix A* - Hospital Agreement**

***Appendix B* - Application for Shared/Communal
Cremation/Burial of Fetal remains**

***Appendix C* - Example Certificate of Fetal Remains**

***Appendix D* - ICCM Policy on Baby and Infant Funerals**

1. Introduction

This policy is intended as a guide for burial and cremation authorities and companies on best practice in dealing with the disposal of fetal remains and was formulated with the kind assistance of Sands, the stillbirth and neonatal death charity.

This policy should be read in conjunction with the ICCM policy on Baby and Infant Funerals that has been adapted from its Charter for the Bereaved (contained as Appendix D). Both policies place great importance on the need to allow parental choice about what happens to their baby. It also reflects the decision to accept shared/communal cremation of fetal remains since disposing of these babies with clinical waste is now considered unacceptable. Parental choice acknowledges the potential benefits for parents of knowing that their baby was cremated or buried respectfully, with other babies, especially when the parents have decided not to arrange a private funeral.

For the purposes of this document, the definition of fetal remains is “a human foetus of less than 24 weeks gestation that has at no time since delivery shown any visible sign of life”. However, the terms ‘fetal remains’ and ‘fetus’ should never be used with parents. From the parents’ point of view, a miscarriage is as significant and devastating as a stillbirth. The baby they were expecting has died and their grief can be profound and long lasting therefore when speaking to parents the term ‘baby’ must be the only term used.

The Institute does not accept any reference to sub-classifications of fetal remains, e.g. products of conception, and encourages sensitive disposal irrespective of gestation period. Since the introduction of the Institute’s first policy, the number of sensitive disposals at crematoria has been estimated be circa 40,000 per year. The number of burials taking place annually is not known.

The Institute and Sands will work with burial and cremation authorities and companies to continually increase the number of sensitive funerals.

2. Legal Position

2.1 England and Wales

On the introduction of the Cremation Regulations 2008 guidance was issued to Medical Referees by the Ministry of Justice that contained the following:

Fetal remains under 24 weeks gestation are not subject to the provisions of the Cremation Act or Regulations, although most crematoria will be prepared to cremate such remains at their discretion. You should not complete a Cremation Form 10 to authorise their cremation. If you are asked by crematoria managers and staff for professional advice on an application to cremate pre-viable foetuses, it is entirely a matter for you whether you provide such advice.

The Institute recognises that fetal remains have no legal status however welcomes the above statement as confirmation that bereaved parents are entitled to a funeral service and would expect that a sensitive service will be provided in a caring society.

2.2 Scotland

As part of an overall review of law relating to the disposal of the dead in Scotland the Scottish Parliament established a working group to formulate guidance for hospitals on the sensitive disposal of fetal remains. Whilst the Scottish Parliament has adopted the same stance as that for England and Wales regarding legal status it has nevertheless issued the excellent guidance produced by the working group to all hospitals in Scotland. The Institute provided input into the formulation of this guidance in order to provide the important cross-over point between hospital and cemetery/crematorium.

The Institute welcomes and applauds the endeavours of the working group in Scotland.

3. Right to Choose

The Institute and Sands recognise that parents have a right to take control of their baby's funeral or opt for a shared/communal funeral and have confirmed this in the policy document 'Baby and Infant Funerals' (contained as Appendix D).

Burial and Cremation authorities and companies are encouraged to provide services and facilities for both private and shared/communal funerals for babies with the aforementioned policy document being designed to assist with the provision of choice for bereaved parents.

Those authorities and companies that already provide suitable services and facilities or are working toward this should consult with local hospitals, GP's and other local health care workers to formulate agreement and methodology for directing all cases of fetal remains to cemeteries and/or crematoria and not to any other route. This action will assist in raising the number of private and shared/communal funerals taking place in cemeteries and crematoria.

4. Hospital Agreements

It is important that the burial and/or cremation authority or company agree a workable arrangement and that both parties acknowledge and abide by their responsibilities. An example agreement is attached as Appendix A to this policy however such agreements can be drawn up locally to include any local requirements. Terms and condition applied by each party can be included on the reverse of the agreement with the following being examples of such terms and conditions that should be considered:

- The burial and/or cremation authority will provide the hospital with details of its services which in turn will be explained to bereaved parents by hospital staff.
- The parent(s) should be given a choice about what happens to their baby. Parents need to be informed clearly and sensitively, by trained hospital staff, about the choices available to them. Burial/cremation authorities should discuss the range of options they provide with their local hospitals. This choice shall be given to the parents in an appropriate manner by trained hospital staff.
- Confirmation that the parent has been given this choice shall be a condition contained within the agreement.

- The hospital shall confirm that it has obtained consent from the parent/parents, authorising the means of disposal.
- The hospital shall be required to maintain a register for the disposal of fetal remains. This and all other documentation relating to the disposal of fetuses shall be kept for a minimum of 50 years by the hospital in order that parents wishing to trace the disposal of their foetus may do so in the future.
- Where a shared/communal funeral is to take place the hospital may choose to provide case numbers only to the burial/cremation authority. This action will protect the identity of parents whose cases are subject to confidentiality under the Abortion Act 1967. All parents who may wish to trace a disposal in the future can do so via the hospital register which will indicate the place of disposal. Tracing back to a cemetery or crematorium by using only the case number issued to the parents by the hospital will ensure that confidentiality and accuracy is maintained and equal treatment will be provided.
- The cremation authority accepts that it cannot investigate the details surrounding the fetal death or the details of the parent(s) in a similar manner to other cremations. In this regard, the hospital must be satisfied that the fetal remains can be released for cremation and that no further enquiry is required.
- Where a shared/communal cremation is arranged, each foetus should be separately wrapped and separately identified and shall be placed, together with other fetuses, in a single container.
- Each container may contain multiple fetuses the number of which is agreed between the cremation authority and hospital and shall be delivered with the names and/or case numbers clearly identified.
- The completed application form duly signed by the head of the clinical unit should be delivered to the Crematorium or Cemetery office in advance of the date of the funeral.
- Where cremation is to take place, the wrappings and container shall comprise of materials suitable for cremation, preferably cardboard or wood, or plastics suitable for cremation i.e. non-chlorinated plastic. As required by the Secretary of State's Guidance – Crematoria PG5/2 (95) or any subsequent legislation. No PVC Melamine, zinc, lead or glass shall be used.
- Plastic receptacles containing fetal remains that are used in medical procedures should be made from non-chlorinated plastic.
- The hospital must inform parent(s) that ashes may not be recovered from cremation.
- Detail of any costs payable by the hospital to the burial or cremation authority (if any).
- Any other terms or conditions agreed by both parties.

5. Funeral Arrangements

5.1 Introduction

All funeral bookings, whether private or shared/communal, should be recorded and administered in exactly the same manner as all other funerals. Appropriate service time must be allocated for all funerals.

Bookings for private funerals will in many cases be made by a Funeral Director on behalf of the parent(s) however the parent(s) may wish to arrange the funeral directly. Cemetery and crematoria staff should enable a family arranged funeral.

5.2 Crematoria

All funerals, whether private or shared/communal, should be received at the chapel entrance, the container conveyed through the chapel and placed on the catafalque.

A suitably dressed attendant should meet the funeral.

Where a private funeral is arranged the parent(s) may wish this to be conducted by a minister of religion or other person in exactly the same manner as any other funeral. The content of the service should be as required by the parent(s).

Where a shared/communal service is arranged the date and time should be relayed to the hospital in order that parents can be informed that they may attend if they choose. Should no parent(s) have arrived at the allocated time it is advised to delay the committal for a short time in case any parent(s) might have been unavoidably delayed.

Further information on funerals, cremated remains and memorials is contained in Appendix D – ICCM Policy on Baby and Infant Funerals.

5.3 Cemeteries

All funerals, whether private or shared/communal, should be met at the cemetery entrance and escorted to the graveside by a suitably dressed attendant.

Where a shared/communal service is arranged the date and time should be relayed to the hospital in order that parents can be informed that they may attend if they choose. It is advised that the committal is not carried out immediately in case any parent(s) might have been unavoidably delayed.

Further information on funerals, graves, children's sections and memorials is contained in Appendix D – ICCM Policy on Baby and Infant Funerals. Note that the aforementioned policy states that the disturbance of the remains of a baby buried on a previous occasion is not lawful however this is not the case in respect of fetal remains. Whilst a licence from the Ministry of Justice is not required to exhume fetal remains it should be noted that consent of other parents would be required in the case of a shared/communal grave. As gaining consent might prove extremely difficult and cause distress or upset, parents should be advised at the outset that exhumation from a shared/communal burial is not possible. Where shared/communal burials take place in consecrated ground the local Diocese must be consulted prior to any exhumation taking place.

6. Registration

6.1 Introduction

The form contained as Appendix B is intended for shared/communal disposal only and serves as both an application form and certification that each case contained is one of fetal remains. As this is achieved via the declaration at the foot of the form the onus is placed on the head of the clinical unit to ensure accuracy. Any irregularities or errors can be referred directly back to the signatory. The content of the form can be used for registration purposes.

Where a private funeral is being arranged burial authorities can utilise their standard notice of interment (or modified version). Crematoria can utilise a modified version of their preliminary application.

As fetal remains have no legal status at the present time statutory registers must not be used. Some burial and cremation computerised administration systems have the ability to make a selection in instances of fetal remains and will store these records in a separate register.

Alternative methods of registration are explained as follows:

6.2 Cremations

It will be necessary to maintain a non-statutory register of cremations of fetal remains containing all appropriate information. Should cremated remains be recovered from any shared/communal cremation, their final resting place must be recorded in the non-statutory register.

6.3 Burials

A non-statutory register of burials of fetal remains must be maintained and contain all appropriate information.

A note (as opposed to an entry) should be made in the register/record of graves cross referencing to the non-statutory register of burials.

Where a parent purchases a private grave for the interment of their baby an entry in the statutory register of grants / purchased graves register must be made and a deed issued as per all other private graves.

APPENDIX A

Agreement for the Disposal of Fetal Remains

It is hereby agreed this day of20.....,
that (Burial/cremation authority) Borough
Council / Company shall dispose of any fetal remains provided by
..... Hospital for a period of twelve months.

This agreement shall be subject to the charges detailed below and the conditions contained overleaf.

The charges for the disposal of fetal remains shall be as follows:

- a) Individual Burial £.....
- b) Individual Cremation £.....
- c) Shared/Communal Burial (per communal interment) £.....
- d) Shared/Communal Cremation (per shared/communal cremation) £.....

I hereby agree to the charges and terms and conditions detailed on the reverse of this agreement.

Signedfor and on behalf of
.....Council

Address
.....

Witnessed

Address
.....

Signed for and on behalf of
.....Hospital

Address
.....

Witnessed

Address
.....

(Terms and conditions can be included on the reverse of the agreement)

APPENDIX B

Application for Shared/Communal Burial/Cremation of Fetal Remains at Crematorium

This application must be signed by the person authorised by the Medical Director of the NHS Board to make an application for cremation/burial. The fetal remains may be identified by the hospital/clinic case number in cases subject to confidentiality e.g. under the Abortion Act 1967.

This form must be completed fully. Please note that incomplete information may cause a delay in disposal.

I (name of applicant).....
 (address)
 (position)..... NHS Board.....

as the authorised and designated person, declare that I hold paperwork relating to each of the fetal remains listed below, signed by the medical practitioner/registered nurse/registered midwife whose name is shown, and that the paperwork includes a declaration that the Fetal remains was of a gestation up to and including 23 weeks and 6 days and that the Fetal remains showed no signs of life.

I hereby apply to ****Anywhere**** crematorium/cemetery to dispose of the following fetal remains:

Identifying Number *	Name and Address of woman if given	Date of Delivery	Name of medical practitioner / registered nurse / midwife whose signature appears on the NHS declaration

* Note this is NOT the woman’s CHI number or NHS number but a number generated by the NHS Board which identifies the appropriate records held by the NHS.

I DECLARE that all the information given in this application is correct, that no material particular has been omitted and that authorisation/consent for the disposal has been obtained.

Signature of Applicant..... Date.....
 Designation of Signatory.....
 NHS Board:
 Address:

 Post Code:

Appendix C

EXAMPLE Certificate of Fetal remains for use where a private funeral is being arranged by the parent(s).

Name of Hospital.....

I.....hereby certify that the foetus of

[Name of parent(s)].....delivered on.....20....

was of a gestation up to and no more than 24 weeks and that the Fetal remains showed no signs of life.

Signed.....Date.....

The above signatory must be either the medical practitioner, registered nurse or registered midwife who delivered the baby or the head of the clinical unit.

Appendix 3 – Baby and Infant Funerals Policy



Policy and Guidance for Baby and Infant Funerals

Formulated with the kind assistance of

Sands, the stillbirth and neonatal death charity



Adapted from the ICCM Charter for the Bereaved June 2011

Baby and Infant Funerals

Introduction

This policy and guidance has been designed to assist bereaved parents with making decisions that are right for them and to further assist burial authorities in providing suitable and acceptable services. It was formulated with the kind assistance of Sands (the stillbirth and neonatal death charity) during the review of the ICCM Charter for the Bereaved with the intention of providing information to parents and burial authorities and ultimately raise the level of services provided.

1. INFORMATION FOR PARENTS

A message to bereaved parents:

We are so sorry that your baby has died. We hope that the information in this policy will explain your options and help you to make decisions about your baby's funeral. Remember, it is your right to be able to arrange a private funeral that meets with your requirements and wishes at the cemetery or crematorium of your choice. Alternatively, most hospitals will make arrangements for shared funeral services (that is, for more than one baby) at their local cemetery and/or crematorium.

The information below will help you make decisions about your preferred choices and the options available, however remember that further help is also available through your Charter member, funeral director and hospital patient affairs officer.

Sands is a well known national organisation that provides help and support to bereaved parents via a network of local groups. Some local groups have assisted burial and cremation authorities with developing their services to bereaved parents. The Sands website (<http://www.uk-sands.org/>) contains a wealth of advice and information that might help you make decisions on the funeral that meets with your needs. The Sands Helpline on 020 7436 5881 is available if you would like to speak to someone or be put in touch with your nearest Sands group.

Your Choices

Many NHS hospitals offer to organise and pay for a funeral for a baby who dies at any stage of pregnancy or shortly after birth. Parents can usually attend the funeral and can also usually make some decisions about the kind of service and how they will participate. Alternatively you can take full control and arrange a private funeral.

Burial or Cremation

It is your right to decide whether a burial or cremation service is provided for your baby.

(a) HOSPITAL ARRANGEMENTS

The hospital authorities generally do not charge for making burial or cremation arrangements. They also pay any necessary cemetery or crematorium fees, although many local authorities offer their cemetery and/or crematorium service free of charge in these cases. Some hospitals offer burial as well as cremation whilst others offer cremation only. Where your preference is burial and the hospital only offers cremation, you will need to consider making a private arrangement as discussed below.

Some hospitals will arrange a burial or cremation where a number of babies are remembered at the funeral service. Some parents can draw comfort from knowing that their baby has been laid to rest with others.

If you prefer the hospital to make arrangements it is important that you speak to the appropriate officer at the hospital³ so that you are aware of the date and time of the funeral. In most hospitals you can attend if you wish. You can also visit and speak to the manager of the cemetery or crematorium who will explain how and where shared burial takes place in the cemetery, or if a crematorium, the area of the garden of remembrance where cremation memorials can be provided. It is important that you are satisfied with what will happen to your baby prior to the funeral as your decision may not be reversible after the funeral.

Irrespective of who makes the arrangements the cemetery or crematorium will have options for remembrance and memorials if you wish to arrange a form of commemoration. An increasing number of cemeteries and crematoria are including children's burial sections and children's gardens of remembrance within their services where shared funerals are conducted in exactly the same manner as private funerals. Some bereaved parents gain comfort from knowing that their baby was laid to rest with others.

(b) PRIVATE ARRANGEMENTS

You can make your own funeral arrangements should you wish. You would then have full control of the arrangements, including where and when the funeral is to take place. You would be responsible for any costs associated with the funeral, but many funeral directors and cemeteries or crematoria make either no charge or a reduced charge for babies and children.

Whilst it might be a difficult task you are advised to speak to more than one funeral director before making decisions as where charges are made these can be high in some locations and especially in cities.

Should you wish to make arrangements yourself without using a funeral director the cemetery or crematorium manager will assist you by showing you the available options and giving practical help and advice regarding certificates and forms required. Your detailed requirements for the funeral service can also be made directly.

³ Titles may vary between hospitals. Bereavement Officer, Patient Affairs Officer may be in use.

(c) Burial Options

Charter members are encouraged to create a Children's section within their cemetery where either shared or private funerals can be arranged. The graves in this section are small and are only suitable for the burial of babies and children. When considering your options you may want to think about burying your baby in a larger plot in the main area of the cemetery. In this case you would be able to use the same grave for one or two adults at some time in the future, possibly for a grandparent or a parent, without disturbing the baby.

If burial in a private grave is your preferred choice, whether in the main section or the Children's section of the cemetery, a deed will be issued to you giving what is known as the exclusive right to the grave. This means that nothing can be done to the grave without the written permission of the owner of the exclusive right. The owner therefore has total control over the memorial that might be placed on the grave (subject to the cemetery's rules and regulations).

(d) Cremation Options

Cremation can be either via a private funeral service, i.e. one you arrange yourselves for your baby, or a shared cremation service, i.e. one where several babies are remembered together in a service that can be attended by all the families.

If you choose a private cremation you should discuss your requirements for the service directly with your funeral director or with the crematorium.

If you choose cremation you should be informed that there might not be any ashes resulting from the cremation (whether this be a shared or private cremation). If you choose a shared cremation this information should be relayed to you by the patient affairs officer at the hospital, or by your funeral director if you are arranging a private cremation.

Where ashes are recovered from a private cremation the crematorium will deal directly with the parent(s) regarding the scattering or burial of the ashes and memorial facilities. Where ashes are recovered from a shared cremation these will be scattered or buried in the garden of remembrance, the location recorded and the hospital and/or Funeral Director will also be informed. You can find out if ashes were recovered or not by contacting the hospital, funeral director or crematorium on the day following the funeral service.

Charter members are encouraged to create a children's garden of remembrance within their crematoria where individual memorials may be arranged by the parent(s).

2. Charter Rights

(Note: The following Rights were developed for traditional cemeteries and crematoria. The Rights relating to natural burial ground are contained in the section 'Baby and Infant Funerals' and will be developed with natural burial ground operators)

CHARTER RIGHTS FOR PARENTS

- (a) It is your right to decide whether the hospital makes funeral arrangements (if this is offered) or whether you take full control of the funeral for your baby or infant and decide whether a burial or cremation will take place.
- (b) It is your right to be offered a private grave for your baby or infant and be issued with a deed for the exclusive right to the grave. You also have the right to erect a memorial on a private grave. These are subject to payment of any appropriate fees.
- (c) It is your right to be able to purchase an adult grave for the burial of your baby or infant, with sufficient depth remaining to allow adult burials, and be issued with a deed for the exclusive right to the grave. You also have the right to erect a memorial on a private grave. These are subject to payment of any appropriate fees.
- (d) It is your right to be able to choose a shared⁴ grave for the burial of your baby (You may not be able to erect a memorial on a shared grave due to space).
- (e) It is your right to be able to choose a private cremation for your baby.
- (f) It is your right to be able to choose a shared cremation for your baby where provided by the hospital.
- (g) It is your right to be able to arrange a memorial for your baby at the crematorium
- (h) When arranging a private burial or cremation it is your right to decide on the type of coffin or container that your baby will be buried in e.g. traditional coffin, wicker, bamboo, biodegradable, shroud.

3. INFORMATION FOR CHARTER MEMBERS

This section of the Charter has been reviewed with the kind assistance of Sands therefore giving a greater insight into the type and level of services that bereaved parents would expect.

Charter members are advised to take note of the Information for Parents and the Charter Rights above when considering new facilities and/or services or making improvements.

⁴ Many bereaved parents find the terms communal grave, communal cremation etc distressing and offensive. For them the word 'communal' carries echoes of paupers' graves, mass graves etc. We would encourage Charter members to use the term 'shared' all communications with parents and in all documents (as in this document).

Charter members are also encouraged to accept and work toward providing the services and facilities contained in the Charter Targets below in order to improve their services to bereaved parents to way above a minimum level.

Where a local hospital does not provide the shared option to parents for burial and cremation Charter members will encourage them to do so via the use of the shared facilities provided at your cemetery and/or crematorium.

CHARTER TARGETS

- (a) Children's burial sections should be developed to accommodate private individual graves on which a memorial can be erected. A deed of grant of the exclusive right must be provided to the parent(s).
- (b) Children's burial sections should be specifically designed to meet the needs of bereaved parents with input provided by the nearest local Sands group. The use of undesirable areas, such as old public graves and narrow verges should be avoided. Where space is limited the use of areas previously used for public burial could be suitably enhanced to accommodate a specifically designed Children's section.
- (c) Children's burial sections mentioned above should be developed to accommodate shared burials of babies (irrespective of gestation period) and infants, delivered by local midwifery and gynaecology services. These facilities may be free of charge to parents, allow for an individual grave and burial and the placing of a memorial.
- (d) Backfill a shared grave immediately after a burial and not leave the grave open pending a further burial. Where this might not be possible a secure lockable cover should be used. Parents have the right to know that their baby is secure in the care of the burial authority.
- (e) A memorial facility should be provided within a children's section for parents that choose shared burial.
- (f) Cease to use old individual public graves for shared/hospital burials. These old graves are often in less well maintained areas that can appear bleak and unfriendly.
- (g) A specific Children's Garden of Remembrance area should be developed within the crematorium garden of remembrance where suitable memorial facilities should be provided.
- (h) Charter members often correspond with the parents during or after the burial when the parents are shocked and numbed. It is important that letters or printed materials are written with warmth and without any bureaucratic tone. The baby's name should be used wherever possible, rather than reference to the "body" and the "burial".
- (i) Charter members must ensure that informative literature on the above is readily available to parents. Such literature should be provided to all local hospitals in the area served by the burial and/or cremation authority.

- (j) Where ashes are recovered from a shared cremation these will be scattered or buried in the garden of remembrance, the location recorded and the hospital and/or Funeral Director will also be informed. Charter members are advised to also provide this information to local hospitals and funeral directors with the addition that should ashes be recovered the aforementioned, or the parents directly, will be informed.

APPENDIX

Reproduced with the kind permission of Sands, the stillbirth and neonatal death charity

Shared graves – Sands position statement May 2010

When a baby dies at any stage of pregnancy or shortly after birth, it is common practice for Trusts and Health Boards to offer to arrange a funeral service, followed by burial or cremation.

Some Trusts and Health Boards that offer burial, use shared graves. This is particularly likely in areas of the UK where burial ground is scarce and burial costs are high.

Sands strongly believes that burial must continue to be an option for all parents. Wherever possible each baby should be buried in a single grave. However, if the cost of single graves is prohibitive, then shared graves must remain an option so that Trusts and Health Boards can continue to offer burial.

Shared graves must always be protected by lockable grave covers to ensure that the grave cannot be disturbed until it is full and the ground can be re-constituted. (A lockable grave cover consists of a metal frame bolted into the ground, covered with a strong polypropylene cover that is padlocked to the frame.)

Parents whose baby has died are extremely shocked and grief-stricken. It is therefore essential that they receive clear and sensitive explanations of all their options. They should also be informed about what each option involves. In addition parents should be given written information about the choices they can make. They can then decide if they would like the hospital to organise their baby's funeral, or if they would prefer to arrange it themselves.

Some parents who want the hospital to arrange the funeral may, for religious, cultural or personal reasons choose burial. If the grave is to be shared with other babies, parents should always be told this in advance. They should be told how many babies will be in the grave and given an estimate of how long it is likely to be before the grave is closed and the ground properly reinstated.

Parents should also be informed in advance of any restrictions there may be. For example, that they may not be allowed to place any kind of memorial on a shared grave and that they will not (in most cases) be able to move their baby's body to another location at a later date should they wish to. This information should also be included in writing for all parents.

Some parents find the idea of a shared grave upsetting. Others find it comforting to know that their baby will not be alone.

It is paramount that babies' bodies and remains are always handled with respect and that parents wishes are always respected.

Sands, the stillbirth and neonatal death charity

28 Portland Place London W1B 1LY

info@uk-sands.org

Enquiries 020 7436 7940

Support 020 7436 5881

www.uk-sands.org

DRAFT

Appendix 4 - Information on using a Funeral Director

This Charter is unable to offer you rights and standards related to the use of a Funeral Director. In view of this, information is included to help you understand how funeral directing operates. It will enable you to ask questions appropriate to your needs when you consider the arrangement of a funeral.

Although Charter members can advise you about funeral arrangements, they are not able to recommend a particular Funeral Director. You can obtain details about contacting your local Funeral Directors in telephone directories, newspapers, via the internet or through your Citizen Advice Bureau or Charter member.

Funeral directing, as a profession, appeared in the latter part of the 1700s. Prior to that date, funerals were organised through individuals, such as a joiner, a gravedigger and the clergy, followed by a churchyard burial. In Victorian times, the commercial involvement in death was developed, and this led to the greater use of the Funeral Director with the hearse, coffin and black attire. The Funeral Director developed the role of organiser, providing the furnishings and the transport to carry out a funeral. A proportion of Funeral Directors are members of professional organisations, who operate a code of conduct, a complaints procedure and provide educational courses relating to their service. The National Association of Funeral Directors (NAFD) and the Society of Allied and Independent Funeral Directors (SAIF) are examples of these and both have websites (www.nafd.org.uk and www.saif.org.uk)

MUNICIPAL FUNERAL SERVICES

Municipal funeral services are available in some parts of the country. They are formed by local authorities, usually contracting the service out to an existing Funeral Director. They offer fixed price funerals, but otherwise follow traditional patterns. As the funeral is usually sold as a package, price transparency may not be offered. Nonetheless, the cost of the package may be less expensive than with a private Funeral Director. As in all cases, it is essential to obtain quotations before a decision is made.

THE LAW

Common law recognises that funerals consist of a sequence of tasks and events, all of which must be satisfactory. Where even a single element is performed unsatisfactorily by the burial or cremation authority or Funeral Director, the payment of the appropriate part of the funeral account or in fact the whole account may be disputed by the person paying for the funeral.

It would be noted that whoever orders the funeral becomes liable for the funeral costs. In some cases, a friend has organised a funeral only to find that the deceased had no estate or monies. Consequently, they have found themselves liable for the whole cost of the funeral.

PAYING FOR THE FUNERAL

“Which” magazine (February 1995) suggested that most Funeral Directors should be able to supply an estimate of a basic funeral and should not be used if they cannot do so. You should reasonably expect to be given an itemised price list of the components of the funeral, which should include disbursements.

Many people are concerned about their ability to pay for a funeral. Media reports about the high costs of funerals reinforces the perception that funerals are expensive. This worry can be reduced by considering the funeral in advance. This will enable costs to be identified and possibly reduced. The information in this Charter will enable decisions to be made and quotation obtained in advance.

Some people alleviate the worry of paying for a funeral by purchasing a “Funeral Plan”.

If a Funeral Plan is purchased it is necessary to choose a cremation or burial package that meets your needs. These plans need to be considered very carefully, as some of the basic options may not prove sufficient when you actually die. For instance, extra may have to be paid for viewing the body, or embalming if these parts of the funeral were not included in the plan. The plan may also be restricted to the use of a named Funeral Director. The Office of Fair Trading investigated funeral plans in 1994 and recommended a number of safeguards to protect money paid into

such schemes. It is necessary to ensure that the funds are held properly and securely.

Funeral Plans may be paid by instalments or by a lump sum payment. This enables the funeral to be paid at current prices, without further worry about escalating funeral costs in the future. Payment can be made through any participating Funeral Director, or direct to “Golden Charter”, “Chosen Heritage” or similar scheme.

The Government has introduced regulations relating to pre-paid funerals with the regulatory authority being the Funeral Planning Authority (FPA). Whilst the FPA is self regulatory it does set a minimum standard for its members and also offers a complaints system. Details of the FPA can be found in Appendix C – useful addresses.

Insurance companies offer policies to cover funeral bills, which you can pay over a number of years. Also, some Funeral Directors will open a joint account with you, or offer other options, to deposit money to pay the funeral account in the future.

If the person responsible for the funeral or their partner is receiving certain benefits, financial help to pay for the funeral may be available from the Social Fund. A priority order has been introduced to establish who should be considered “responsible” for the funeral payments. This may be one or more relatives. No commitment towards paying the funeral should be made until the responsible person (s) has been established.

Good advice on paying for the funeral and about funerals generally can be found in the publications issued by the Benefits Agency or Social Security. These include “help when someone dies” (leaflet FB29) and “What to do after a death” (leaflet D49). Age Concern is prominent regarding funeral advice and offers a fact sheet called “Arranging a funeral”. Other organisations offer help and the local Citizens’ Advice Bureau are a useful source of information. A grant can be obtained for the next of kin of those who at the time of death were paying full national insurance contributions and were below a pensionable age.

Purchasing some elements in advance can reduce the ultimate cost of a funeral. For a burial, a grave can be purchased and a memorial placed prior to death.

Finally, when a person dies in hospital and there is nobody prepared to arrange and pay for the funeral, the Local Authority or Health Authority will fulfil this obligation. Similarly, local authorities have a duty to arrange a burial or cremation of any person who has died in their area. It must appear to the authority that no suitable arrangements for the disposal of the body have been or are being made otherwise than by the authority. The local authority can reclaim expenses from any estate. If there is no estate, a basic funeral will be arranged which may include the use of an unpurchased grave.

DONATIONS AT FUNERALS

Some people are concerned at the excessive expenditure on wreaths and floral tributes at funerals. This is particularly evident in winter when the flowers may be damaged by frost or inclement weather within hours of the funeral. An alternative course is to organise a collection for a named charity, hospice or other deserving cause. Requesting “family flowers” only or “no flowers by request” usually facilitates this. Your Charter member or Funeral Director can provide further details and assistance.

Appendix 5 - Information on embalming

Embalming is defined as the preservation of a body from decay, originally with spices and, more recently, through arterial injection of embalming fluid.

Historically, the process is identified with the Egyptians and the mummification of bodies. In fact this complicated and extreme method was abandoned, although in recent centuries ways of preserving bodies has received considerable attention.

Varying levels of success were achieved but probably due to expense, they were utilised by very few people.

The current use of the word “embalming” is misleading. The process is generally referred to as hygienic treatment. It is used to improve the visual appearance of the body and to prevent deterioration in the period leading up to the funeral which would make the viewing of the deceased by relatives a less distressing event. It has no long-term preservative value and cannot be compared with the Egyptian concept of preserving bodies.

The decision as to the merits of embalming must lie with the individual although a number of issues should be considered:

ENVIRONMENTAL ISSUES

The embalming process involves removing the body fluids and replacing them with a solution of formaldehyde, often containing a pink dye. The body fluids are treated and disposed of via the public sewer. The embalming fluid normally consists of a 2% solution of formaldehyde, an irritant, volatile acid.

Those who have concerns that embalming fluid may pollute the environment have a right to stipulate that this is not carried out on their body after death. Similarly, executors or nearest relatives making funeral arrangements can specify that embalming is not carried out on the deceased.

In some burial schemes, such as woodland burial, all chemicals may be prohibited. This restriction may apply to embalming fluid as well as to horticultural chemicals.

DO YOU HAVE A CHOICE?

You should reasonably expect to be informed about the embalming process.

If you are opposed to embalming, it may be advisable to expressly forbid it.

DRAFT

Appendix 6 - Useful addresses

INSTITUTE OF CEMETERY AND CREMATORIUM MANAGEMENT

For any enquires regarding Institute activities or Charter grievance procedure contact:

Chief Executive
ICCM National Office
City of London Cemetery
Aldersbrook Road
Manor Park
London
E12 5DQ

Tel: 020 8989 4661
Fax: 020 8989 6112
email: Julie@iccm.fsnet.co.uk
Web site: iccm-uk.com

To enquire about local services and issues, approach your Charter member.

FOR INFORMATION AND ADVICE FOLLOWING THE DEATH OF A BABY OR CHILD

Sands, the stillbirth and neonatal death charity

28 Portland Place
London
W1B 1LY

info@uk-sands.org

Enquiries 020 7436 7940
Support 020 7436 5881
www.uk-sands.org

The Compassionate Friends

53 North Street
Bristol BS3 1EN

Tel: 0117 966 5202
Fax: 0117 914 4368
email: info@tcf.org.uk
Web site: www.tcf.org.uk

Foundation for the Study of Infant Deaths

Artillery House
11-19 Artillery Row
London SW1P 1RT

Tel: 0870 787 0885
Fax: 0870 787 0725
email: fsid@sids.org.uk
Web site: www.sids.org.uk

The Local Government Ombudsmen

Further information can be obtained from www.lgo.org.uk

England

There are three Local Government Ombudsmen in England. Each of them deals with complaints from different parts of the country:

London boroughs north of the river Thames (including Richmond but not including Harrow or Tower Hamlets), Essex, Kent, Surrey, Suffolk, East and West Sussex, Berkshire, Buckinghamshire, Hertfordshire and the City of Coventry: Tony Redmond

Local Government Ombudsman
Millbank Tower
Millbank
London SW1P 4QP
Phone: 020 7217 4620
Fax: 020 7217 4621

London Borough of Tower Hamlets, City of Birmingham, Cheshire, Derbyshire, Nottinghamshire, Lincolnshire and the north of England (except the Cities of York and Lancaster):

Local Government Ombudsman
Beverley House
17 Shipton Road
York YO30 5FZ
Tel: 01904 380200
Fax: 01904 380269

London boroughs south of the river Thames (except Richmond) and Harrow; the Cities of York and Lancaster; and the rest of England, not included in the areas of Mr Redmond and Mrs Thomas:

Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB
Phone: 024 7682 0000
Fax: 024 7682 0001

Local Government Ombudsman for Wales

Derwen House
Court Road
Bridgend
CF31 1BN

Tel. No. (01656) 661 325
Fax. No. (01656) 673 279

Scottish Public Services Ombudsman

4 Melville Street
Edinburgh
EH3 7NS
Tel: 0800 377 7330
www.spsso.org.uk

Northern Ireland Ombudsman

33 Wellington Place, Belfast BT1 6HN
Tel: 02890 233821
Freephone: 0800 343424
Fax: 02890 234912

FOR INFORMATION ABOUT FUNERAL DIRECTING

The National Society of Allied and Independent Funeral Directors

SAIF Business Centre
3 Bullfields
Sawbridgeworth
Herts
CM21 9DB

Tel: 01279 726777
Fax: 01279 726300
Website: www.saif.org.uk

National Association of Funeral Directors

618 Warwick Road
Solihull
West Midlands
B91 1AA

Tel: 0121 711 1343 or 0845 230 1343
Fax: 0121 711 1351
email: info@nafd.org.uk Website: www.nafd.org.uk

British Institute of Funeral Directors

National Office
140 Leamington Road
Coventry
CV3 6JY

Tel: 024 7669 7160
Fax: 024 7669 7159
Email: [enquiries @bifd.org.uk](mailto:enquiries@bifd.org.uk)

London Association of Funeral Directors

32 Gregories Road
Beaconsfield
Bucks
HP9 1HQ

Tel: 01494 730011
Fax: 01494 680101

FOR INFORMATION ABOUT EMBALMING

British Institute of Embalmers

Anubis House
21c Station Road
Knowle
Solihull
West Midlands
B93 0HL

Tel: 01564 778991
Fax: 01564 770812
email: enquiries@bioe.co.uk
Website: www.bioe.co.uk

FOR INFORMATION AND PUBLICATIONS ON DEATH, GREEN BURIAL, FAMILY ARRANGED FUNERALS, ETC.

The Natural Death Centre
In The Hill House, Watley Lane
Twyford
Winchester
SO21 1QX

Helpline: 01962 712 690

FOR NON-RELIGIOUS FUNERALS

British Humanist Association
1 Gower Street
London WC1E 6HD

Tel: 020 7079 3580
Fax: 020 7079 3588
email: info@humanism.org.uk
Web site: www.humanism.org.uk

FOR GENERAL INFORMATION AND ADVICE

(Some counselling services may be available)

Age Concern

Astral House, 1268 London Road
London SW16 4ER

Tel: 020 8765 7200

Fax: 020 8765 7211

email: communicationsunit@ace.org.uk

Web site: www.ace.org.uk

The Samaritans

The Upper Mill
Kingston Road
Ewell
Surrey KT17 2AF

Tel: 020 8394 8300

Fax: 020 8394 8301

email: admin@samaritans.org

Web site: www.samaritans.org

CRUSE Bereavement Care

126 Sheen Road
Richmond
Surrey TW9 1UR

Tel: 020 8939 9534

Fax: 020 8940 7638

email: helpline@crusebereavementcare.org.uk

Web site: www.crusebereavementcare.org.uk (site gives details of local offices)

For Information on Pre-Paid Funerals

Funeral Planning Authority Limited
Harelands
22 Bentsbrook Park
North Holmwood
Dorking
Surrey
RH5 4JN

Tel/Fax: 01306 740878

email: enquiries@funeralplanningauthority.com

Web site: www.funeralplanningauthority.com

Appendix 7 - Information about the Institute of Cemetery and Crematorium Management

This section outlines the development, structure and purpose of the Institute of Cemetery and Crematorium Management (ICCM) who created this Charter.

BACKGROUND

The ICCM was founded in 1913, and still remains the only organisation, for those involved in the specialised services of burial and cremation.

The Institute has now developed such a wealth of specialist knowledge, experience and ability that local authorities, government departments and other organisations regularly seek advice when dealing with matters related to the disposal of the dead. The status and importance of the Institute in the field of public service was recognised in 1958 when the Board of Trade granted a Certificate of Incorporation.

The increasing public recognition of the Institute's work is attributable to the realisation that the proper disposal of the dead is not only a function for preserving the environment but one that greatly contributes to the maintenance of public morale. The public rightly expects that qualified staff should competently manage burial and cremation resources.

The Institute has come a long way since 1913, when a few cemetery superintendents decided there was a need for them to meet regularly to discuss mutual problems and thereby improve the efficiency of their public service. The original intention is still being pursued and developed today, by members from cemeteries and crematoria right across Great Britain and Northern Ireland.

MISSION STATEMENT

TO PROMOTE THE DEVELOPMENT, ADVANCEMENT AND WELFARE OF OUR MEMBERS

TO FACILITATE THE BETTER PROVISION, OPERATION, ADMINISTRATION AND MANAGEMENT OF CEMETERIES, CREMATORIA AND BEREAVEMENT RELATED SERVICES

PRIMARY PURPOSES :

To promote the improvement of cemeteries, crematoria and public services for the disposal of the dead.

To promote the advancement and welfare of people employed in the above undertakings.

To encourage technical and other studies in relation to the above and to improve and develop the technical and general knowledge of the profession.

To provide education and training, including lectures and conferences.

To provide library facilities

To distribute a journal and papers produced by the Institute.

To undertake investigations.

To engage people to act in a technical and advisory capacity.

To distribute trust funds

To promote, support or oppose initiatives (including proposed legislation) relating to burial, cremation and ancillary public services.

MANAGEMENT STRUCTURE

The principal officers of the Institute are the President, Deputy President, Immediate Past President and an elected Board of Directors. The Institute also employs a number of full time officers.

MEMBERSHIP AND BRANCHES

There are eight branches throughout the UK. Each branch arranges regular meetings when members can discuss their work, listen to addresses and view new equipment and apparatus. These meetings are regarded as an extremely important forum.

Professional membership consists of 3 classifications: Associate, Full Member and Fellow. Professional membership is open to those who are actively employed within a cemetery and/or crematorium service or service ancillary thereto.

Corporate membership consists of 2 classifications: Full Membership is open to the providers of cemeteries crematoria and burial grounds. Associate Corporate membership is open to manufacturers and suppliers to the service.

LEARNING CONVENTION AND SEMINARS

The Institute holds an annual Learning Convention and Exhibition which has been designed as a learning opportunity for members and other interested persons. The annual Convention supplements other seminars and training events arranged by the Institute.

TRAINING

This is the most important function of the Institute. Distance learning courses, regular training weekends leading to the Diploma, are administered for members in partnership with professional educationalists. These qualifications are recognised by the private sector and by the Local Government Management Board, the Local Authorities National Joint Council and the Scottish Vocational Education Council for promotional purposes. The Institute's Diploma is the passport to senior appointment in the burial and cremation service.

The Institute manages the training of crematorium technicians who, on passing the prescribed examination, are granted a nationally recognised BTEC accredited Certificate of Proficiency.

It is now a statutory requirement for crematorium technicians to be qualified and this course is recognised for this purpose by the DEFRA.

The Institute also administers the Cemetery Operatives Training Scheme. The scheme provides comprehensive City & Guilds accredited training via several courses for gravediggers, mechanical excavator operators and managers. These

courses encompass all health and safety requirements and include consideration for the bereaved and customer care in all elements.

In addition to the above the Institute provides regional training days covering a multitude of disciplines and topics all designed to improve services to the bereaved.

THE JOURNAL

Regular contact with the membership and other organisation, and the dissemination of useful information, is maintained through this quarterly magazine published by the Institute. The Journal is free to Institute members but can be purchased by Burial and Cremation Authorities for distribution to elected members (councillors).

CONSULTANCY SERVICE

The Institute has accredited consultants whose services are available to members and their authorities. Site visits can be made and reports requested by contacting the Chief Executive.

ADVERTISING AND RECRUITMENT SERVICE

The Institute offers facilities for advertising within the Journal and also a personal service for circulating vacancies within the profession.

Appendix 8 - The laws and regulations involved with bereavement

INTRODUCTION

The purpose of this section is to give an overview of the legal framework covering burial and cremation. It primarily deals with the law applied to cemeteries and crematoria. For more comprehensive information you are advised to obtain a copy of *Davies' Law of Burial, Cremation and Exhumation (6th edition)* ISBN 0 7129 004 X, which is published by Shaw & Sons Limited, Shaway House, 21 Bourne Park, Crayford, Kent, DA1 4BZ. The book has a useful section on funeral arrangements.

Copies of these publications may be held at your local library. The library should also be able to provide copies of relevant statutes, i.e. Acts of Parliament and rules, regulations and orders made under them.

For general advice on the law and local regulations applied to burial and cremation contact your local Charter member, the Manager of your local cemetery or crematorium or the facility where the funeral is to take place. If you are using the services of a Funeral Director he or she should be able to deal with your queries or concerns.

The law relating to exhumation is not detailed within this Charter however your Charter members will be able to advise of the legal process required to enable an exhumation. It should be remembered that the legal position for the exhumation of a coffin and the exhumation of cremated remains is the same as both constitute human remains.

BURIAL

Natural Burial Grounds

Local authority operators in England & Wales and Northern Ireland are required to manage and administer their natural burial grounds of natural burial option within an existing traditional cemetery in compliance with the law mentioned in 'Traditional Cemeteries' below.

In Scotland the law relating to burial is limited therefore many Scottish authorities would adopt the spirit of the law for England & Wales, this being the most modern example of good practice.

Private operators are only required to comply with the Registration of Burials Act 1864 however the Institute advises that private natural burial ground operators also follow the spirit of local authority legislation as a means of demonstrating good practice.

Traditional Cemeteries - England & Wales

The vast majority of cemeteries are now provided and managed by Local Authorities. Section 214 and 215 of the Local Government Act 1972 make all Local Authorities in England and Wales "Burial Authorities" and provide the main statutory duties and powers for the provision and maintenance of cemeteries. Under the powers contained in the 1972 Act a statutory instrument known as the Local Authorities' Cemeteries Order 1977 was introduced. The 1977 Order contains the detailed provision for the management of municipal cemeteries in England and Wales.

Traditional Cemeteries - Scotland

In Scotland cemeteries are provided and managed in accordance with the Burial Grounds (Scotland) Act 1855. Most churchyards in Scotland are operated and maintained by local authorities under the Church of Scotland (Property and Endowment) Act 1925.

Traditional Cemeteries - Northern Ireland

In Northern Ireland cemeteries are provided and managed under the Public Health (Ireland) Act 1878 and the Burial Grounds Regulations (Northern Ireland) 1992 whilst the provision of crematoria by local authorities is covered by the Local Government (Miscellaneous Provisions)(Northern Ireland) Order 1985.

Private cemeteries may operate under a specific Act of Parliament and further information should be sought from the cemetery company. In many cases the provisions contained in the Cemeteries Clauses Act 1847 were incorporated into private Acts of Parliament for new cemeteries built thereafter.

Appendix 9 - Tell us what you think

If you are interested in bereavement or wish to comment on any aspect of the Charter, we would like to hear from you:

On the Charter:

Where you feel the information misleads or needs expanding;

If you think you are being or are likely to be denied one of your rights;

Where you feel the targets are poorly defined, or ignored.

On any other bereavement issue:

We want to know your views so that we can take them into account. We know, from experience, that many people worry about disclosing their feelings on such a personal subject. Also, some people may worry that their complaint or comment may seem too trivial. Others ignore failures that are not of major significance, yet they may be left with a feeling of disquiet. This may relate to a variety of small issues that, when combined, may spoil the experience. If you feel this way, please let your Charter member or the Chief Executive (address in Appendix 5) know.