

Welsh Government

Guidance to local authorities on the impact of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 on funerals

3 April 2020

Introduction

1. The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 impose temporary restrictions on gatherings and movement of people in Wales. This has been done to minimise the extent to which people leave their homes to help protect the public from the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
2. Death of a family member or friend is a very distressing event which is why the Regulations recognise the need to attend funerals in certain circumstances. However, although members of the public may leave home to attend a funeral, they should be respectful of the fact that this is a limited exception to restrictions that have been imposed as a result of a public health emergency. The overarching advice, therefore, is that people should only attend the funeral of their closest family and friends, and only if they have been invited. People are also encouraged not to attend a funeral if doing so would involve extensive travel. In accordance with separate Welsh Government guidance, those experiencing coronavirus symptoms or are self-isolating should not attend. In addition those considered most vulnerable to the coronavirus should be encouraged not to attend.

Legal requirements

3. The Regulations make provisions that apply both to those responsible for a crematorium, place of worship or cemetery at which a funeral or burial is held, and to members of the public who may wish to attend a funeral or burial.
4. Regulation 7¹ concerns places of worship, crematoriums and cemeteries, and provides as follows:

“Restrictions on places of worship, crematoriums, cemeteries and community centres

7.—(1) A person responsible for a place of worship must ensure that, during the emergency period, the place of worship is closed, except for uses permitted by paragraph (2).

(2) If all reasonable measures are taken to ensure a distance of 2 metres is maintained between every person in the place of worship (except between two

¹ Regulation 7 was amended by the Health Protection (Coronavirus Restrictions) (Amendment) (Wales) Regulations 2020 in order to make clear that the distance of 2 metres was to be maintained between persons from different households not necessarily between all persons attending a funeral.

members of the same household, or a carer and the person assisted by the carer), the place may be used—

(a) for funerals,

(b) to broadcast (without a congregation) an act of worship or funeral (whether over the internet or as part of a radio or television broadcast), or

(c) to provide essential voluntary services or, upon the request of the Welsh Ministers or a local authority, urgent public services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency).

(3) A person responsible for a crematorium must ensure that, during the emergency period, the crematorium is closed to members of the public, except for the use permitted by paragraph (4).

(4) If all reasonable measures are taken to ensure a distance of 2 metres is maintained between every person in the crematorium (except between two members of the same household, or a carer and the person assisted by the carer), the crematorium may open to members of the public for funerals or burials (and to broadcast a funeral or burial whether over the internet or otherwise).

(4A) A person responsible for a cemetery must take all reasonable measures to ensure a distance of 2 metres is maintained between every person at a burial taking place in the cemetery during the emergency period (except between two members of the same household, or a carer and the person assisted by the carer)."

5. Regulation 8² concerns restrictions on individuals and provides (in relation to funerals) as follows:

"Restrictions on movement and gatherings during the emergency period

8.—(1) During the emergency period, no person may leave the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes the need—

...(g) to attend a funeral—

(i) as a person responsible for arranging the funeral,

*(ii) if invited by a person responsible for arranging the funeral,
or*

² Regulation 8 was amended by the Health Protection (Coronavirus Restrictions) (Amendment) (Wales) Regulations 2020 to change the criteria for attending a funeral. This now requires those attending a funeral to have been invited rather than being able to attend based on the specific relationship they had to the deceased.

(iii) *as the carer of a person attending.*”

6. This guidance offers advice to local authorities on the practical implementation of these legal requirements. A simplified version aimed at members of the public can be found in the Annex.

Taking all reasonable measures to maintain 2 metre distance

7. A key aspect of the Welsh (and UK) Government’s response to the public health emergency is to require people to stay at home. Attending a funeral is an exception to this rule, but is one that has been limited. Unfortunately this necessitates changes to traditional customs and practices at funerals in so far as this involves interaction between people from different households.
8. In most circumstances people are expected to practice social distancing measures. This means maintaining a distance of 2 metres wherever practical. This does not include between members of the same household, or a carer and the person assisted by the carer.

A maximum number who can attend

9. The most obvious means of taking all reasonable measure to maintain a 2 metre distance between persons present at a funeral (be that a cremation or burial), is to limit the number who may attend. This number will depend on whether the funeral involves a burial in a cemetery, a cremation in a crematorium or a service in a place of worship.
10. In so far as a crematorium or place of worship is concerned, the appropriate limit will depend on the size and layout of the building. The legal requirement is that all reasonable measures are taken to ensure a distance of 2 metres is kept between those attending. This means a distance of 2 metres between members of different households, not necessarily between each individual person (as members of the same household can safely sit together). In practice, however, it will generally not be practicable to assess in advance how many people from the same households will be sitting together at any particular funeral. A figure should be calculated for each crematorium or place of worship, therefore, based on the number that could reasonably be accommodated if every person sat 2 metres apart. This should, however, only be a guide and a degree of flexibility can be exercised on the assumption that a significant proportion of those attending will be sitting together with members of their household (which could enable more people to attend).
11. Different considerations apply to practising social distancing in a cemetery as the most important aspect will be limiting the extent to which members of different households congregate, most obviously around the grave. Note that the Regulations do *not* require the closure of cemeteries but general guidance on social distancing should be taken into account. This is particular important on days of the year, such as Palm Sunday, when people traditionally visit cemeteries.

Requirement for those attending to be invited

12. A means of ensuring that the maximum number that can attend a funeral is observed is by limiting attendance only to those invited. This is reinforced by regulation 8 which limits the “reasonable excuse” for leaving your home to attend a funeral only to those organising the funeral, those invited to the funeral and to any carers of those attending.
13. This should be implemented by informing those who are organising funerals that they must expressly invite those they wish to attend (though this does not require any formality such as sending an invitation in writing). In view of the risk of people attending uninvited (as of course is the normal practice), those organising should also be encouraged to limit information about the location of the funeral in death notices and make clear that attendance at the funeral is by invitation only.
14. In accordance with other Welsh Government guidance, those experiencing coronavirus symptoms or who are self-isolating should not attend. In addition those considered most vulnerable should be encouraged not to attend. A vulnerable person is defined in the Regulations as a person who is aged 70 or older, a person under 70 who has an underlying health condition (including but not limited to the conditions listed in Schedule 2 to the Regulations) and those who are pregnant.

Travelling to the funeral

15. Linked to the overarching advice and requirements to stay at home is a desire to minimise travel. Although clearly a sensitive issue in many circumstances, those who would need to travel long distances which would require stopping on the way or an overnight stay should generally be encouraged not to attend a funeral.
16. In addition, those attending from the same household should travel together and should not travel with others from different households. Limousines should be used only if there is no other option and where they are used, glass screens should be raised, passengers should be limited to those from the same household and they should sit as far back from the driver as possible.

During the funeral

17. Arrangements should be put in place to ensure that upon arrival at a crematorium, place of worship or cemetery, those attending can be kept apart and are not required to congregate in confined spaces. This is particularly important while waiting to go into a crematorium or place of worship.
18. Those attending should then be shown to their seats in accordance with arrangements put in place in advance that ensure that all can maintain a 2 metre distance.

19. Those attending should be advised not to touch, kiss or come into contact with the coffin. This includes bearers who may accompany the coffin at appropriate distances but should not carry the coffin on their shoulders. Rather the coffin should be moved using wheeled biers and lifted as required by the funeral director.
20. Crematoriums and places of worship should be cleaned regularly in accordance with guidance issued by Public Health Wales³ and hymn books should be removed (making use of bespoke order of service pamphlets for all purposes instead).
21. Collections should be arranged online rather than at the crematorium or place of worship.
22. It is important also to limit the extent that people from different households congregate after a funeral. That may be outside a crematorium or place of worship, or at a graveside. Arrangements should be put in place to ensure that those attending can pay tribute to the deceased with dignity, and to greet family and friends as appropriate, while ensuring physical distance is maintained.

Broadcasting, online condolence and memorial at a later date

23. The restrictions imposed on funerals may be upsetting to those close to the deceased at a very distressing time. Attending funerals, often in great numbers, is an important part of Welsh culture. Those closest to the deceased take consolation from friends and family attending the funeral of their loved one. This will not be possible during the public health emergency, but solace may be achieved in other ways.
24. Provision has been made in the Regulations to allow funerals to be broadcast online, and those who wish to do this should be helped to do so. Similarly those organising a funeral should be encouraged to open books of condolence and collections online, or to facilitate tributes to be paid by electronic communications or on social media. Alternatively, or in addition, they could also be encouraged to arrange a memorial service or celebration of life for the deceased after the public health emergency has come to an end.

³ See <https://phw.nhs.wales/topics/latest-information-on-novel-coronavirus-covid-19/>

Annex

Guidance to members of the public on the impact of coronavirus restrictions on funerals

Funerals can be a distressing experience, and the impact of coronavirus is making it even more difficult to make practical arrangements. This guidance has been prepared to help people at this very difficult time.

The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 place new, temporary restrictions on gatherings and the movement of people in Wales.

This has been done to reduce the spread of coronavirus, save lives and protect the Welsh NHS. The new regulations require people to stay at home.

They do allow people to leave home attend a funeral if:

- you are the person organising the funeral,
- you have been invited to the funeral, or
- you are the carer of a person who is attending the funeral (either because they are the organiser or they have been invited).

Everyone attending a funeral – whether at a crematorium, place of worship or cemetery – should take all reasonable measures to stay 2 metres away from someone they don't live with or care for. This will help to reduce the spread of coronavirus.

Those responsible for running the crematorium, place of worship or cemetery will make arrangements to maintain this 2 metre rule.

The need to maintain 2 metres between people means the number of people who will be able to attend a funeral will be limited.

The maximum number who will be able to attend a funeral will be clearly communicated to you before the funeral takes place. To help protect against the spread of coronavirus, please could funerals be by invitation only.

The death of anyone close to you is a very distressing and sad event. But at this time, we ask you to only attend funerals of your closest family and friends and only if you have been invited. Please do not attend a funeral if it would involve extensive travel.

If you have symptoms of coronavirus – a high temperature or a new, persistent cough – or are self-isolating you should not attend. People who are shielding should also not attend.

Funerals can be broadcast and livestreamed so people who cannot be physically present can attend the ceremony virtually. In addition, books of condolence can be opened online and other tributes paid through electronic communications or social media.

Family and friends may also want to consider holding a memorial service or celebration of life once the coronavirus pandemic is over.