

## RECORD OF EXECUTIVE DECISION TAKEN BY AN EXECUTIVE MEMBER

This form **MUST** be used to record any decision taken by the Elected Mayor or an individual Executive Member (Portfolio Holder).

*The form must be completed and passed to the Chief Officer Democratic and Registration Services no later than NOON on the second working day after the day on which the decision is taken. No action may be taken to implement the decision(s) recorded on this form until 7 days have passed and the Chief Officer Democratic and Registration Services has confirmed the decision has not been called in.*

**1. Description of decision**

The Council has been requested to extend interment times to include Saturdays, Sundays and Bank Holidays which would allow differing faith groups to bury the deceased within the parameter of religious/cultural customs.

The report explores the feasibility of providing a trial weekend burial service (Saturdays only) for a period of six months, There are currently no plans to trial burials on either Sunday's or Bank Holiday's, although this could be considered at a later date if the Saturday service proves to be successful.

**2. Date of decision**

November 2018

4 December

**3. Reasons for decision**

Currently the limited data available indicates that demand for this service would be low however certain parts of the Bedford community have suggested that they would welcome this service.

A trial period will allow the level of demand to be accurately determined so that a more informed decision can be taken on whether or not the extended service would be feasible.

**4. Alternatives considered and rejected**

The alternative option of not undertaking this trial was considered and rejected as this would not provide the Council with the level of demand to be accurately determined so that a more informed decision can be taken on whether or not the extended service would be feasible.

**5. How decision is to be funded**


The additional costs of providing the Saturday service during the trial will funded from the additional charge of £455.00 for this service.

**6. Conflicts of interest**

Name of all Executive members who were consulted AND declared a conflict of interest.	Nature of interest	Did Standards Committee give a dispensation for that conflict of interest? (If yes, give details and date of dispensation)	Did the Chief Executive give a dispensation for that conflict of interest? (If yes, give details and the date of the dispensation).

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The Mayor has been consulted on this decision



Signed C. Atkins

Date ...4/12/2018...

Name of Decision Taker ...Cllr Colleen Atkins (Portfolio Holder for Community Safety)

**This is a public document. A copy of it must be given to the Chief Officer Democratic and Registration Services as soon as it is completed.**

Date decision published: 14th December 2018

Date decision can be implemented if not called in: 14th December 2018

(Decision to be made exempt from call in.....YES or NO.....)

## **Report - Portfolio Holder for Community Safety and Regulatory Services**

**Date of Meeting – 04 December 2018**

**Report by Chief Officer for Environment**

**Subject - Saturday Burials at Norse Road Cemetery Pilot Scheme**

### **1. Executive Summary**

The Council has been requested to extend interment times to include Saturdays, Sundays and Bank Holidays which would allow differing faith groups to bury the deceased within the parameter of religious/cultural customs.

The report explores the feasibility of providing a trial weekend burial service (Saturdays only) for a period of six months, There are currently no plans to trial burials on either Sunday's or Bank Holiday's, although this could be considered at a later date if the Saturday service proves to be successful.

### **2. Recommendations**

**That the Portfolio Holder for Community Safety and Regulatory Services consider the following:**

**A six month pilot scheme to offer a limited service for burials (*one earth burial service plus one further burial chamber burial if requested*) to take place on Saturday's at Norse Road cemetery.**

**The charge for the interment fee for Saturday burials would be based on the standard fee (applied during the working week) plus the additional fee of £455.00 to cover costs.**

### **3. Reasons for Recommendations**

Currently the limited data available indicates that demand for this service would be low however certain parts of the Bedford community have said that they would welcome this service. A trial period will allow the level of demand to be accurately determined so that a more informed decision can be taken on whether or not the extended service would be feasible.

#### 4. **Key Implications**

##### **(a) Policy**

The Council has the discretion to determine whether to provide a higher service level than is currently operated for burials, based on the needs of the service and its users.

##### **(b) Legal**

The provision of cemeteries is a discretionary Local Authority service. The current Bedford Borough Council Cemetery Regulations 2005, made to ensure the proper management, regulation and control of cemeteries (Local Authority Cemetery Order 1977), permit burials during the normal working week, i.e. Monday to Friday. The notice of interment is required at least two working days prior to the burial. If interments are permitted outside these times the cemetery regulations will need amendment.

This six month trial “Saturday burials” has been discussed with the Institute of Cemetery and Crematorium Management who have agreed for the Council to gather the results of the trial and then if this is to be made a permanent service then the Cemetery regulations will need to be taken to the Councils Executive Committee for approval.

The Council would be required to have staff available on a Saturday to ensure the following legislation is complied with if the proposal to offer Saturday burials was provided:

- a. Births and Death Act 1926 requires the person disposing of the body to deliver the Registrar’s certificate for disposal or the Coroner’s Order for burial to the cemetery. Failure to do so is an offence.
- b. The Local Authority Cemetery Order 1977 (LACO 1977) places a number of duties on cemetery operators. They are summarised as follows:
  - i. Identify the correct grave for interment.
  - ii. Ensure the depth of interment is compliant with LACO 1977.
  - iii. The identity of the deceased is ascertained from disposal certificate and coffin plate.
  - iv. The grave is backfilled on the day of the interment.
  - v. The death is registered as soon as reasonably practical in the Register of Burials.

Bedford Borough Council has harmonised pay and employment conditions to ensure fair and consistent arrangements for all employees. As a result the Council has reviewed all employees in roles which fall under the National Joint Council for Local Government Services Conditions of Service and Joint Negotiating Committee for Local Authority Craft and Associated

\*(4)

Employees with the exception of those employed in schools. This review covered weekend working both as overtime and as part of the normal working week together with call out/standby payments for staff.

Legal advice has been obtained regarding the equality implications of this proposal. As a result it will not be possible to ring-fence Saturday services for only religious reasons. Therefore this trial service adjustment will be available to anyone who wishes to request it.

**(c) Resource Implications**

Given the relatively small number of staff within Bereavement Services and Cemetery Grounds Maintenance, consideration will need to be given to additional pressures placed on existing staff.

The following costs associated with providing Saturday burials are based on existing salary costs, with any estimates based on current HR policies regarding overtime payments together with administration overheads of providing this service at the weekend. Therefore full costs would be recovered if a request was made for this service at the weekend.

Costs are based upon one member of Bereavement Services staff and 2 members of Grounds Maintenance staff being available on a Saturdays. The charge for the interment fee would be based on the standard fee plus the additional costs of £455.00.

**Saturday Supplement**

Additional charge for Saturday Interments (outside of standard operational hours- Monday to Friday) will be set at £455.00.

**(d) Risk Implications**

There is a risk that an on call Saturday burial service may not be able to be provided every weekend and would be subject to staffing levels and staff availability.

As there no standby fee is offered, there is a risk that when a request comes in for an interment on a Saturday staff may not be willing to carry it out due to alternative commitments having already been made. This would have a negative impact on the service due to the community being let down.

There is a further risk that as a consequence of allowing Saturday burials that Sunday and Bank Holiday burials may also be requested and also a weekend cremation service. Unless the present staffing resource is increased the Council would find it

\*(5)

difficult to meet such requests. Furthermore these additional costs would need to be added to all burials/ cremations across the week. .

There is a risk that should the available services be fully booked requests for Saturday services may have to be refused leading to the Council receiving complaints particularly if a request for burial under religious grounds has had to be refused.

**(e) Environmental Implications**

There are no environmental implications arising from this report.

**(f) Equalities Impact**

An Equalities Impact Assessment has been completed and is included in the Appendices to this report.

**5. Details**

The pilot scheme would offer one earth burial on a Saturday (a request will be dealt with strictly in the order in which they arrive) as long as the Council have received notification of the request by no later than 4pm the day before and that the required death registration procedure has been complied with. A further burial chamber burial could also be accommodated on a Saturday subject to the same requirements. Requests for burials in reserved graves could not be guaranteed to be accommodated if the reserved grave could not be accessed by the necessary plant/machinery to facilitate the digging of the grave.

Research undertaken regarding burials for out of hours indicate there were approximately 31 requests for burials during weekend/bank holidays over the last five years. This figure is equivalent to an average of 6 requests per year. A previous trial of weekend burials at Norse Road took place in 1999, the outcome of the trial resulted in zero requests over a six month period.

**Benchmarking of other Local Authorities**

A benchmarking exercise of other Local Authorities has been carried out as part of this review, the key results and comparator authorities have been summarised below regarding the activity of burial, including the interment fees for weekend burials:

Local Authority (Bedford's Comparator Groups)	Burial Saturday (Y/N) & cost		Burial Sunday		Total No of Weekend/Bank Holiday Services	Total No of Weekend/Bank Holiday Services	Total Population (ONS 2011)
			(Y/N) & cost		2016	2017	
Bedford	-	-	-	-	-	-	157,479
Braintree Cemetery (Essex CCI)	N	-	N	-	-	-	147,084
Cambridge	Y	£964	Y	£1,285	-	-	328,577
Hertsmere	N	-	N	-	0	0	100,031
Ipswich CC	Y	£1,160	Y	£1,160	1	1	133,384
Kings Lynn & West Norfolk	Y	£1,536.50	Y	£1,756	0	1	147,451
Luton	Y	£1,295	Y	£1,295	9	14	203,201
Milton Keynes	Y	£1,527.50	Y	£1,825	18	15	248,821
Peterborough	Y	£1,510	Y	£1,942	24	14	183,631
Southend-on-Sea	N	-	N	-	-	-	173,658
Thurrock	N	-	N	-	-	-	158,300

### **Views from Local Funeral Directors (FDs)**

Views were sought with the principal local Funeral Directors (FDs) regarding the necessity and need for weekend burials in the Bedford Borough locality.

The views of the FDs suggest that they do not recognise the need or demand for the provision of weekend burials in Bedford. Concern was also expressed in terms of their staffing level to provide the service and the additional costs that would be involved if this was the case.

### **Other Council services**

Currently the proposal for a Saturday burial service should not impact upon Registration Services as they will be able to complete their legal requirement to register the death on a Friday during normal working hours. This does presume that an available appointment is available on that Friday. The service will seek to support the pilot by taking steps design to retain a Friday appointment up to the day concerned. The impact of these steps on other customers and the timeliness of registrations will need to be evaluated during the pilot. In addition, if there were demand for registration of a death after normal working hours on a Friday and on a Saturday to allow a burial to take place on the Saturday this would be an additional cost to the registration service and would need to be scoped accordingly.

## 6. **Consultations**

The following Council Units or Officers and/or other organisations have been consulted in preparing this report:

Chief Officer for Democratic and Registration Services.  
Legal Services  
Finance  
Management Team

No adverse comments have been received.

## 7. **Ward Councillor Views**

*Report Contact Officer:* Paul Pace, Chief Officer for Environment, [paul.pace@bedford.gov.uk](mailto:paul.pace@bedford.gov.uk) / ext. 47275  
Samantha Smith, Team Leader Bereavement Services, [samantha.smith@bedford.gov.uk](mailto:samantha.smith@bedford.gov.uk) / ext. 44852

*File Reference:* \*

*Previous Relevant Minutes:* None

*Background Papers:* None

*Appendices:* Appendix A – Mortality Rate  
Appendix B – Equalities Analysis



974

88	
3	
<b>91</b>	<b>9%</b>

Requests per year for out of hours

## **Equality Analysis Report**

<b>Title of activity / Budget Proposal title and number</b> Pilot Scheme – Enhanced Burial Service - Saturday Burials	<b>Committee meeting (decision maker) and date</b>
<b>Service area</b> Bereavement Services	<b>Lead officer</b> Manager for Community Regulation
<b>Approved by</b> Chief Officer Environment	<b>Date of approval</b> 03 September 2018
<b>Description of activity:</b> Norse Road Cemetery currently offers burials Monday to Friday. A request has been made to have the service extended to accommodate burials at weekends. It is proposed a pilot scheme be introduced for six months to allow burials to take place on Saturdays for all users of the service before a decision is made whether to make the service permanent.	

**Please refer to the Equality Analysis Template Notes for guidance on completing this form.**

### **Relevance Test**

1. The outcomes of the activity directly and significantly impact on people, e.g. service users, employees, voluntary and community sector groups.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2. The activity could / does affect one or more protected equality groups.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
3. The activity could / does affect protected equality groups differently.	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4. One or more protected equality groups could be disadvantaged, adversely affected or are at risk of discrimination as a result of the activity.	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
5. The activity relates to an area where there are known inequalities.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
6. The activity sets out proposals for significant changes to services, policies etc. and / or significantly affects how services are delivered.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
7. The activity relates to one or more of the three aims of the Council's equality duty.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
8. The activity relates to the Council's Corporate Plan objectives, is a significant activity and / or presents a high risk to the Council's public reputation.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
9. An equality analysis of this activity is required.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
This activity has no relevance to Bedford Borough Council's duty to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations. An equality analysis is not needed.				<input type="checkbox"/>
<b>Explanation why equality analysis is not needed</b> <b>Not applicable</b>				

### **Scope of equality analysis**

<b>Who is / will be impacted by the activity's aims and outcomes?</b>	Users of the Service, Visitors to the cemetery, Council Staff, Funeral Directors, Clergy and Celebrants, Coroner's Office, Registration Service.
<b>Which particular protected equality groups are likely / will be affected?</b>	Relevant to all the protected groups, not affecting one more than another.

### Evidence, data, information and consultation

<b>What evidence have you used to analyse the effects on equality?</b>	Bereavement Services Burial Statistics for 2013-2017. Knowledge of certain religions requiring burial as soon as possible after death i.e. Muslim and Judaism faith. Legal advice with regards to Framework for Lawful Policy. Religion Statistics – ONS 2011
<b>What consultation did you carry out with protected equality groups to identify your activity's effect on equality?</b>	No consultation with protected groups. A request was raised by the MP and a Councillor requesting the service looks into the ability of offering an enhanced service for weekends. Consultation has taken place with local Funeral Directors with regards to possibility of arranging burials at weekends.
<b>What does this evidence tell you about the different protected groups?</b>	Certain faith groups – Muslim and Jewish state within their beliefs that burial should take place as soon as possible after death. Therefore requests could be received for a burial to take place within 24 hours of death. If death occurs late on a Friday, Bereavement Services are unable to offer a burial service until the next available working day which could be some 72 hours after death.
<b>What further research or data do you need to fill any gaps in your understanding of the potential or known effects of the activity?</b>	None at present. The pilot scheme will provide accurate data on the demand for the service and the impact upon staff so a decision can be taken on whether the service is made permanent.

### General Equality Duty

<b>Which parts of the general equality duty is the activity relevant to?</b>			
	Eliminate discrimination, harassment and victimisation	Advance equality of opportunity	Foster good relations
Age	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.
Disability	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.
Gender	All users of the service will be able	All users of the service will be able	All users of the service will be able

reassignment	to use the enhanced service.	to use the enhanced service.	to use the enhanced service.
Pregnancy and maternity	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.
Race	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.
Religion or belief	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	The Council has received periodic requests for burials out of hours from religious groups. By providing an extra service on Saturdays, it would foster good relations between the various communities within Bedford.
Sex	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.
Sexual orientation	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.	All users of the service will be able to use the enhanced service.
Marriage & civil partnership	All users of the service will be able to use the enhanced service.		

### **Impact on equality groups**

<b>Based on the evidence presented what positive and negative impact will your activity have on equality?</b>				
	Positive impact	Negative impact	No impact	Explanation
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their age.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their disability.
Gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their gender reassignment.
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their Pregnancy and Maternity.

Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their Race.
Religion or belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their religion or belief as the burial service will be for all faith groups however, there could be an impact on users of cremation services who may wish to be cremated rather than buried on a Saturday.
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their sex.
Sexual orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their sexual orientation
Marriage & civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to their marriage and civil partnership.
Other relevant groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discrimination against users in relation to other relevant groups.

### **Commissioned services**

<b>What equality measures will be included in Contracts to help meet the three aims of the general equality duty?</b>	Not applicable
<b>What steps will be taken throughout the commissioning cycle to meet the different needs of protected equality groups?</b>	Not applicable.

## Actions

	What will be done?	By who?	By when?	What will be the outcome?
<b>Actions to lessen negative impact</b>	Consultation via the Citizens Panel with users of cremation services to see if there is a demand for Saturday services.	Samantha Smith	Next available Citizens Panel survey	Not known at this time.
<b>Actions to increase positive impact</b>	Publicise additional Saturday burial services.	Samantha Smith	November 2018	Allow us to accurately gauge demand levels for Saturday burials.
<b>Actions to develop equality evidence, information and data</b>	Collect suitable data for requests for Saturday burials and whether the demand is for religious reasons or other reasons.	Samantha Smith	November 2018	Allow us to accurately gauge demand levels for Saturday burials.
<b>Actions to improve equality in procurement / commissioning</b>	N/A			
<b>Other relevant actions</b>	N/A			

## Recommendation

<b>No major change required</b>	<input type="checkbox"/>	
<b>Adjustments required</b>	<input checked="" type="checkbox"/>	Adjustments required to Burial Regulations and contracts for staff. Training for staff not currently involved in providing burial services.
<b>Justification to continue the activity</b>	<input type="checkbox"/>	
<b>Stop the activity</b>	<input type="checkbox"/>	

## **Summary of analysis**

In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

In 2011 Census, Bedford had a population of 157,479, out of which 5.5% were Muslim and 0.1% Jewish. Both faith groups require a body to be buried as soon as possible, within 24 hours from death. Both faith groups forbid cremation.

Bereavement Services data show that in the last 5 years, there has been 974 interments take place out of which 9% of burials belonged to the Muslim/Jewish faith groups. The remaining 91% are other religions or persons of no faith.

Statistics show out of the 9% Muslim/Jewish faiths, there were 34% of deaths occurred on a Friday or Saturday, and the Council was unable to accommodate a burial the next day, therefore Bereavement Services are able to offer burials at short notice and are currently able to offer 66% of burials within 24 hours.

Saturday burials cannot be ring-fenced for certain religions only. It should be open to everyone but a policy would be drafted whereby special representations could be made with regards to urgent burials and those with specific religious requests.

## **Monitoring and review**

### **Monitoring and review**

Produce a report for Committee at the end of the 6 month trial period and make:-

- (a) appropriate recommendations as to whether the service should become permanent or not and,
- (b) Whether additional services should be provided at weekends and Bank Holidays such as cremations.

### **Review date**

End of trial period.