

10.00am, Thursday 5 February 2015

Mortonhall Action Plan: Update

Item number	8.1(b)
Report number	
Executive/routine	
Wards	City Wide

Executive summary

This report provides the Council with an update on progress made on actions from the Report from Mortonhall Investigation undertaken by Dame Elish Angiolini DBE QC, as previously reported to Corporate Policy and Strategy Committee on 4 November 2014, and driven by the Chief Executive's Multi-Agency Working Group which has met on six occasions to make sure good progress is being made.

Links

Coalition pledges	P27
Council outcomes	CO24 ; CO26 ; CO27
Single Outcome Agreement	

Mortonhall Action Plan: Update

Recommendations

The Council is asked to:

1. note the update on actions from the Report from Mortonhall Investigation undertaken by Dame Elish Angiolini DBE QC and Action Plan by Multi-Agency Working Group;
2. approve the Policy Document on Cremation Services;
3. note and accept the recommendation from the Chief Executive's Working Group on an interim basis to approve the revised Supplementary Guidance presented to Committee, pending the introduction of a new version of statutory Form A, which will be introduced through the Burials and Cremations Bill in 2016;
4. note thanks to Scottish Rugby Union, Murrayfield for support in facilitating space for meeting with affected parents in November 2014;
5. note thanks to independent garden landscape designers for waiving initial consultation fees in support of developing a memorial to affected babies, and note that initial design options have been available to parents from 29 January 2015; and
6. note that a further update report will be presented to the City of Edinburgh Council in June 2015, one year after original approval of the recommendations and action plan.

Background

- 2.1 Following the previous report to the Corporate Policy and Strategy Committee in November 2014, significant and positive progress has continued on a number of workstreams.
- 2.2 The Multi-Agency Working Group chaired by the Chief Executive and comprising representatives from Scottish Government, NHS Lothian, Funeral Directors, Edinburgh Crematorium Ltd, SANDS Lothians, SiMBA, Mortonhall Ashes Action Committee and Council officials continues to scrutinise and oversee programme delivery.
- 2.3 The current version of the ongoing Action Plan is included as Appendix 1.

- 2.4 The City of Edinburgh Council continues to be represented on the National Committee on Infant Cremation established by the Scottish Government to deliver the 64 recommendations from Lord Bonomy's Infant Cremation Commission. A fuller update on the work of this Committee is included in Section 3.56.
- 2.5 A letter dated 17 June 2014 from Michael Matheson MSP, then Minister for Public Health, has urged all Cremation Authorities in Scotland to give immediate consideration to the recommendations in Lord Bonomy's report and take steps to respond where it is possible to do so. In particular, Authorities were encouraged to give immediate consideration to the following recommendations:
- Recommendation 1- in terms of overarching principles for cremation;
 - Recommendations 3 and 4 - relating to the definition of ashes;
 - Recommendation 6 - relating to the recovery of ashes;
 - Recommendation 7 - relating to the use of cremation trays for baby cremation;
 - Recommendation 11 - relating to Cremation Authority policy statements;
 - Recommendation 34 - relating to shared cremations; and
 - Recommendation 39 - relating to retention of records and documents
- 2.6 The Council is now able to demonstrate a clear positive response to these recommendations. The production of a Policy Statement outlining the range and quality of services users can expect sets out the Council's commitment to providing a customer focused, quality service with the needs of the bereaved central to its ethos. This has been produced taking account of the national model Policy Statement and following positive engagement with staff.
- 2.7 The Corporate Policy and Strategy Committee agreed the definition of ashes as outlined in the previous update on 4 November, and this has now been incorporated into the Policy Statement and other documentation. The use of cremation trays to maximise recovery of ashes from infant cremations has been practiced at Mortonhall since 2011.
- 2.8 Recommendations 34 and 39 continue to be addressed by the National Committee and its relevant subgroups, and it is envisaged that the Council, as participants on the National Committee and subgroups, will be required to agree the adoption of approaches arising from these workstreams.

Project progress

- 3.1 Progress on implementation of actions is reported to the Chief Executive's Multi-Agency Working Group on a regular basis, allowing the opportunity for high-level scrutiny, multi-agency discussion and feedback on actions undertaken, and to inform and develop the way forward. In the last quarter, three meetings of this Group have been held, where a review of progress has been carried out and relevant managers held to account for delivery.
- 3.2 The implementation team, led by a Senior Manager in Services for Communities and including officers seconded to support the delivery of the action plan, staff at Mortonhall, Business Improvement (People Planning and Development), Business Intelligence, Asset Management, Procurement and the Health and Safety Team, continue to work jointly in implementing culture change at Mortonhall Crematorium.
- 3.3 Work has also been progressing to incorporate specific actions arising out of observations from the external scrutiny report carried out in June 2014 by the Federation of Burial and Cremation Authorities (FBCA) to create a comprehensive service improvement programme.

Policy Document

- 3.4 Following the Corporate Policy and Strategy Committee's approval in November 2014 of the definition of ashes, as recommended by Lord Bonomy, this has been shared with key partners and staff, included in the Supplementary Guidance for Form A (Application for Cremation) and incorporated into a wider Cremation Services Policy Document which is submitted to the Council for approval.

The Policy Document will

- a) ensure the Council complies with legislation, Council and Committee decisions, and applicable industry and national standards;
 - b) ensure a consistent approach to management of staff, and sensitive treatment of citizens and customers;
 - c) promote operational efficiencies, internal controls and minimise risk; and
 - d) state the guiding principles of the management and operation of the service.
- 3.5 The development of a Policy Document is a key recommendation of Lord Bonomy's Report on the Infant Cremation Commission. This is to include a clear definition of ashes in line with Lord Bonomy's recommendations, and a clearly articulated commitment to the sensitive treatment of the baby and family throughout the process. The document also clearly outlines operational practices which will be implemented to ensure that ashes are recovered wherever possible from baby and infant cremations, and an undertaking that there will be a clear recording procedure for the location of ashes if buried in the crematorium grounds.

- 3.6 This Policy Document has been developed with the active participation of the Mortonhall staff team, and takes into account good practice guidance and recommended policy approaches produced by the Institute of Crematorium and Cemetery Management (ICCM) and the Federation of Burial and Cremation Authorities (FBCA), and is based on the model Policy Statement agreed by the National Committee on Infant Cremation in January 2015. It is accepted by the Scottish Government that this model Policy Statement will form a base level document articulating minimum expected standards of practice and cremation authorities may wish to add supplementary supporting information or go further than the model statement.
- 3.7 This formal document will be made available to members of the public, industry and healthcare professionals. It is envisaged that key elements of this document will be incorporated into wider service information currently under development.
- The Policy Document is included as Appendix 2.

Legislative documentation

- 3.8 An update was provided to the Corporate Policy and Strategy Committee in November 2014, noting the intention to present a final draft of a revised Form A – Application for Cremation to the next Committee. The Chief Executive’s Multi-Agency Working Group considered the latest draft on 16 January 2015, and considered that, as positive progress in this area was clearly being made by the National Committee subgroups, it would be advisable to await the outcome of any statutory processes. The Working Group acknowledged the need to improve clarity and support for those completing this form, and therefore has requested that the existing statutory form be supplemented with refreshed explanatory guidance. This supplementary guidance is appended for approval.
- 3.9 As recommended by Dame Elish in her report, the supplementary guidance aims to clarify the process for those completing the form, and has been written in plain and sensitive language which clearly supports the applicants’ understanding of permissions asked of them, and actions which will be discharged by service providers on their behalf as a result of this permission. The supplementary guidance will support the next of kin of the deceased to understand their choices regarding disposal of ashes. This guidance takes account of examples nationwide, incorporating feedback from Mortonhall team members and members of the Chief Executive’s Working Group, and taking account of legal review.

The supplementary guidance is included as Appendix 3.

- 3.10 The Scottish Government will consult on the design and content of statutory Form A as part of its legislative process. The National Committee and the Chief Executive's Working Group will continue to contribute to this national process, in line with legal and industry advice, and it is envisaged that the Council will be required to adopt this and any other statutory paperwork in due course. This will be subject to reporting through Committee.

Management of Mortonhall Crematorium

- 3.11 The Mortonhall Action Team and local on site staff team have continued to work closely and positively together to ensure continued delivery of required improvement actions.
- 3.12 A Mortonhall Team discussion was held in November 2014 to enable the local staff group to focus specifically on the changes required. This was attended by the Chief Executive, Head of Service, Senior Manager and members of the Mortonhall Action Team.
- 3.13 The team worked in two groups to address two specific pieces of work required by the Dame Elish and Lord Bonomy recommendations.
- These were:
- a. The development of a clearly defined process map for handling of all remains, including consideration of improved documentation and record keeping; and
 - b. the development of a Policy Document.
- 3.14 The discussion event with local staff enabled them to be involved with the changes and local site meetings have allowed for further discussion and development of these workstreams. Follow on work is scheduled for February 2015.
- 3.15 In line with Lord Bonomy's recommendations, that Crematorium managers and staff are supported to undertake relevant industry qualifications, the Bereavement Services Manager will be supported to obtain the Diploma in Cemetery & Crematorium Management. This is the only specialised qualification currently available to those employed within the Burial and Cremation Service in the UK and recognises an individual's character and commitment to developing his or her own management competencies in what is a very specialised and sensitive field of work.
- 3.16 To support the Bereavement Services Manager to undertake this qualification while continuing to manage and deliver an operationally complex range of services, it is intended to recruit an additional experienced and qualified crematorium manager for a fixed term period, in an advisory and developmental capacity. The new post holder will work alongside the existing Bereavement Services Manager and in tandem with the Mortonhall Action Team, reporting to the existing Senior Manager in progressing service change, while ensuring that day-to-day operations continue to be effectively delivered.

- 3.17 An Organisational Review of Bereavement Services has been drafted. This will include an appraisal of service functions and delivery, organisational structures and staffing levels in order to ensure enhanced service management, incorporating a culture of continuous improvement and customer focus, within agreed timescales. This will be initiated in January 2015, now taking account of the Organise to Deliver Report.
- 3.18 A British Standards Institute (BSI) review session hosted on 12 September 2014 resulted in a compliant report, and a further visit was carried out in January 2015 to undertake a management review. This also resulted in a fully compliant report.
- 3.19 Positive progress has continued on the actions arising from the 5 day onsite external review of operations at Mortonhall, commissioned by the Council, and carried out in June 2014 by Rick Powell of the FBCA. Priority actions are now complete and the team are being supported to deliver the remaining actions through a collective approach.

Recent examples of progress include:

- Staff training on ongoing maintenance and technical awareness of cremator operation has been arranged with manufacturers;
- work is scheduled to commence in January 2015 to upgrade mercury abatement equipment; and
- the electronic Burial and Cremation Administration System (BACAS) has been upgraded to enable accurate recording of specific location of ashes once interred in the Garden of Rest.

Customer focus

- 3.20 With the support of the Council's Business Improvement Team and the active participation of staff teams, an improved customer focused culture is being developed at Mortonhall, using the guiding principles of the Customer Service Excellence (CSE) framework as a model. It is envisaged that the Crematorium will work towards CSE compliance standard by November 2015, to coincide with the next scheduled CSE assessor's visit, and prior to this will carry out an internal self-assessment in June 2015.
- 3.21 Additionally, the crematorium team is being supported to adopt elements of the existing Gold Standard model currently in use across Edinburgh Libraries. This combines a self-assessment approach undertaken by staff teams, followed by an external assessment by a third party, to assess the appearance, range and quality of the service on offer from a customer's perspective. Already well embedded in libraries citywide, this approach has helped to identify existing good practice in addition to key areas for improvement, and is particularly effective in the way it empowers local teams to take ownership of their own workplace and drive an enhanced quality of service.
- 3.22 Mortonhall Crematorium historically held a number of open days throughout the year which focused on informing the public of the services it offers and those

offered by the wider funeral profession. In the light of recent sensitivities these have been temporarily discontinued, however it is hoped to reinstate these in 2015 as a regular feature of the Service's public engagement approach. Additionally, the Crematorium holds an annual Christmas memorial service, allowing those who have lost a loved one to attend, reflect and pay their respects. This service was attended by around 70 people in 2014. These events help strengthen relationships with stakeholders and show the public that Bereavement Services continue to support them even after the service or interment has taken place.

Enhancing Performance

- 3.23 Extensive desktop research and benchmarking comparison with published policy and performance documents of other cremation authorities, and with suggested approaches published by ICCM and FBCA, has helped identify potential key performance criteria which could be adopted in the context of Mortonhall Crematorium. Relevant examples have been considered for adoption by the Council to demonstrate a robust and responsive approach to performance measurement, to establish parity of approach with other service areas within the Council, and to enable early identification and resolution of emerging issues.
- 3.24 Establishment of a performance measurement framework will also articulate clear links between strategic Council priorities and those of crematorium services.
- 3.25 Any proposed framework will incorporate staff, customer and stakeholder analysis.
- 3.26 This, together with the City of Edinburgh Council Cremation Services Policy Document and current legislation, will provide key reference framework to ensure robust, compliant and customer focused service.
- 3.27 Ongoing support from the Council Business Improvement Team has ensured that Crematorium Services has successfully achieved ISO9000 compliance, and will work to achieve compliance with CSE Standards by the time of the next scheduled assessment in November 2015.

- 3.28 Consultation or feedback methods specific to cremation services, will take into account the sensitivities surrounding this service area. Model surveys devised by the ICCM have been used as the basis for developing a bespoke survey for Mortonhall users.
- 3.29 Ongoing discussions with multi-faith communities and other equalities groups across the city, both at service planning stage and as part of continuous feedback, will ensure the service continues to be relevant and responsive to all beliefs and cultures and fully supports the Council in its equality and diversity work.

Benchmarking and good practice sharing

- 3.30 A programme of visits to other crematorium establishments involving staff and managers is ongoing. These have included site visits to Livingston, Inverclyde and Kettering Crematoria to inform the service improvements and the procurement process for new equipment. Two further crematoria have been contacted to develop local best practice.
- 3.31 A further visit has taken place to Seafeld Crematorium in December 2014 to compare use of the BACAS registration software.

Communications

- 3.32 The Action Team has developed a Communications Plan with support from the Communications Service. This Plan includes a commitment to ensuring that information on progress against the key actions is widely and publicly available in a range of platforms.
- 3.33 The Communications Plan acknowledges the need to provide clear and open information on progress in easily understandable language. The Communications Plan encompasses all key stakeholders, staff and partners, and also recognises the need to ensure that the wider public, not directly affected by historical practices, are aware of positive progress.
- 3.34 The plan also ensures that continuous engagement with the staff team is maintained.
- 3.35 The communications plan recognises the need to ensure that key partners, such as NHS Lothian, Funeral Directors and support organisations, are kept fully informed on any changes to operational practice at Mortonhall that would impact on the range of services to customers, and are in a position to share this information confidently and accurately with members of the public. The importance of this dialogue is also recognised at National Committee level.
- 3.36 The Council [web page](#) on the Mortonhall Investigation has been revised to incorporate updated information on progress to date.

Record keeping

- 3.37 In response to recommendations from both the Dame Elish and the onsite FBCA report, a clearly defined process map for handling of all remains has been developed with the active involvement of the Mortonhall team. This will be incorporated in records required for the ongoing BSI assessment, and will ensure clarity and consistency of processes for local staff around this sensitive work. This will also enable the cremation service to provide clear information to partners, such as Funeral Directors and NHS Lothian, on the sensitive handling of remains which can in turn be communicated to the bereaved.
- 3.38 A meeting has been held with the Council Information Governance Team, to discuss appropriate storage, archiving and retention policy of crematorium records.
- 3.39 A feasibility review carried out with the involvement of the Mortonhall team has provided a specific set of recommendations. These include suggested retention times for the following information:
- Register of Cremations and Burials;
 - applications (for a cremation, interment or monument erection);
 - exhumation orders (documentation regarding the process of regulation of exhumation);
 - records documenting the organisation of a burial or cremation of a deceased person, where the Council has a statutory duty to do so;
 - permits (for headstones, cemeteries and crematoria); and
 - financial, operational, health and safety and human resources records, in accordance with City of Edinburgh Council standard policy.
- 3.40 It is intended that these improvements will make it easier for relatives to find out about the last resting place of their loved ones, while ensuring compliance with all appropriate legislation and Council document retention policies. Recommended retention times can also be adapted in future to allow the adoption of nationally agreed legislative changes arising from the work of the National Committee.

Cremation Industry Policy, training and guidance

- 3.41 The Council is aware that the FBCA has produced revised training materials in October 2014, and this is being taken into account in the development programme for Council staff. It is anticipated that further guidance will be prepared and distributed from the National Committee working groups in the near future. These guidelines will inform the Council training programme.

- 3.42 The FBCA has agreed to adopt recommendations of the Lord Bonomy Report and has developed updated training and guidance. The Training and Examination Scheme for Crematorium Technicians (TEST) now incorporates specific elements dealing with baby, infant and foetus cremations. Relevant Council staff will be required to undertake refresher training on this module as part of the service review process. The FBCA is currently prioritising new candidates for this training, which involves monitored assessments carried out in the course of site visits to other crematoria in Scotland. The Council has made application to progress this training to the FBCA for one recently recruited member of staff, and is currently awaiting confirmation from the FBCA of scheduled training dates for this and for the upgrade of training certification for existing staff members.
- 3.43 The ICCM has also updated its training materials, available from December 2014, to incorporate updated modules on baby and infant cremations. Staff already holding the Diploma in Crematorium Management qualification have submitted an application to undertake this unit review module.
- 3.44 As part of an internal training review taking place in NHS Lothian, the City of Edinburgh Council has supplied training needs data to support this process. Key contacts have been established and it is envisaged that Council representatives will be invited to the next stakeholder session.

Memorial

- 3.45 The Council has continued to work collaboratively with SANDS Lothians and SiMBA in discussions with parents in regards to improving the landscaping around Mortonhall, and the design and location of a fitting memorial to babies affected by historical practices.
- 3.46 Following an initial meeting with parent representatives and affected parents in August 2014, at the suggestion of parents attending, a questionnaire designed to obtain suggestions on a range of potential memorial options was sent to affected parents on 13 September 2014.
- 3.47 Following receipt and analysis of survey responses by the Mortonhall Action Team, affected parents were invited to attend a further meeting at Murrayfield Stadium on 26th November 2014 hosted by SiMBA and supported by a Senior Manager from Services for Communities, with apologies from SANDS Lothians. Feedback on the survey had been received from 80 parents and reflected a wide range of views around the potential location, style and design of any memorial options. A summary version of the responses was provided to parents prior to the meeting. A copy of this summary and the invitation letter to this meeting are included as Appendix 4.

- 3.48 The agenda prompted in-depth discussion of the survey responses among the 40 parents attending. Following consideration of the responses it was agreed by those parents attending by a show of hands that a memorial should be developed at Mortonhall, in recognition of the significant feedback received in support of this. It was also agreed that, in acknowledgement of feedback received from parents who would find it difficult to return to Mortonhall, that an additional memorial be developed in an alternative location.
- 3.49 A statement of actions agreed at the meeting has been provided by the Council to SANDS Lothians and SiMBA, as formal hosts of the meeting. A copy of this statement is included as Appendix 5.
- 3.50 The Mortonhall Action Team has been working closely with independent garden landscape designers to develop a range of initial garden design options which were presented to the Chief Executive Multi-Agency Working Group on 16 January 2015. These were well received by this group, however it was recognised that the decision around options for creating fitting memorial must lie with affected parents.
- 3.51 Feedback from affected parents will inform subsequent work from designers in order to reach an agreed design of garden tailored to both the expectations of parents and to the specific locations. Initial designs are available to parents via an online survey (<https://www.surveymonkey.com/s/mortonhall>) and on paper by request. A series of consultation events has been jointly designed and hosted by SANDS Lothian, SiMBA and the Council. Details of these engagement opportunities are set out in Appendix 6.
- 3.52 Garden landscape designers have given their time and expertise, and have waived their initial consultation fees in support of this work.
- 3.53 A memorial bench has now been installed at SANDS Lothians offices at Craiglockhart, with preparatory infrastructure and support work being carried out by the Council's Parks and Green Spaces team. A date for the dedication of this bench is currently being agreed with SANDS Lothians.
- 3.54 As previously reported to the Corporate Policy and Strategy Committee, an offer of dedication has been received from the Church of Scotland Social and Community Interests Committee offering to rededicate land, should this be desired, when memorial options are agreed with affected parents and implemented on the chosen site. An initial meeting has been held with the Convener of the Church of Scotland Social and Community Interests Committee on 9 December 2014 to discuss the best approaches to this. In addition, this discussion identified further potentially important opportunities for dialogue with multi-faith communities across the City, to ensure that any actions currently being progressed are inclusive of all cultures and beliefs. This has also been incorporated into an updated Equalities and Rights Impact Assessment.

3.55 The Mortonhall Action Team, supported by colleagues in Parks and Greenspace Team, is currently exploring potential locations for the other memorial, and plans to work closely with SANDS Lothian, SiMBA and affected parents in identifying the best location and design of this. Ongoing dialogue with the Council Parks and Green Space Team will ensure that, in taking forward the development of any memorial, the Council will take into account factors such as access, site geography and patterns of use. It is also important to consider other existing activities on any proposed site, such as sports and games, to ensure that we are able to deliver the quiet and tranquil atmosphere that many parents asked for. Options will be presented to a further meeting of affected parents in February 2015.

Partner Contributions

3.56 *Scottish Government*

The Scottish Government is fully involved with the Mortonhall Working Group, and is supporting the delivery of recommendations from the Mortonhall Investigation. In particular the Minister for Public Health has confirmed in writing that the Government accepts responsibility for certain specific recommendations - largely those relating the legislation and national guidance.

The Scottish Government has established a National Committee on Infant Cremation to deliver the 64 recommendations from the Infant Cremation Commission (which will also address the specific points from the Mortonhall Investigation accepted by the Government). That Committee met for the first time on 9 October 2014, and was attended by the Minister for Public Health. Managers in Services for Communities represent the City of Edinburgh Council on this Committee. This Committee has established a series of sub-groups to deal with specific strands of working, including:

- a policy and code of practice subgroup which will develop an overarching code of practice for infant cremation (the City of Edinburgh Council is represented on this group)
- a cremation working practices subgroup, which will deal with recommendations on the process within crematoria (the Council is represented on this group)
- a shared cremation subgroup, which will deal with policy and practice in relation to shared cremations (for pregnancy loss or terminations), normally arranged by the NHS;
- a training and communications subgroup, which will deal with training and professional development across the NHS, cremation authorities and funeral director companies; and
- a records and forms subgroup, which will deal with the various recommendations to statutory forms and record-keeping (the Council is represented on this group)

These groups have all held at least one meeting (the cremation working practices group has met three times and have completed work) and will be expected to make substantial and swift progress on recommendations. The National Committee met again on 26th January 2015 to assess progress. The National Committee is required to produce a report to the Minister one year after its first meeting, and the expectation of the Government is that most of the recommendations from the Infant Cremation Commission should be completed or well progressed by that point.

Separate to the work of the National Committee the Scottish Government has also now commenced recruitment of an Inspector of Crematoria, with adverts placed in national press in early October 2014 and interviews of short-listed candidates on 22 January. It is expected that the Inspector will be in post from early 2015.

Updates on all of this work is available at the link below:

<http://www.scotland.gov.uk/Topics/Health/Policy/BurialsCremation/NCIC>

3.57 *Infant Cremation: National Investigation*

The National Investigation is currently investigating a total of 19 cases from parents who believe their child was cremated at Mortonhall. The Council is working closely with the National Cremation Investigation team on these cases, which range in date from 1978 to 2009, and therefore prior to initial concerns being raised.

Measures of success

- 4.1 In June 2015 the action plan will be revisited and reviewed as necessary, and reported to full Council as agreed. If the measures taken are successful, no bereaved parent in future will suffer the same experience as the parents involved in the investigation.
- 4.2 Affected parents feel reassured that actions are in place to carry out the recommendations highlighted in Dame Elish Angiolini's report, and that they have had an opportunity to influence the outcomes on behalf of the baby lost to them and their families.
- 4.3 A Policy Document will clearly outline the framework and standard to which cremation services will be delivered.
- 4.4. The Mortonhall team will have met the required standard on an internal self-assessment against CSE criteria, including the adoption of required culture change.
- 4.5 Robust performance measurement against identified performance criteria will provide management information on ongoing performance.
- 4.6 Delivery of a suitable and sensitively designed memorial.

Financial impact

- 5.1 The costs of this project will be established following consultation and once details have been agreed. The project costs should complement other capital investment, in Bereavement Services to deliver against the above actions, and ensure infrastructure at Mortonhall continues to be fit for purpose, in line with legislative requirements.

Risk, policy, compliance and governance impact

- 6.1 Risks and issues of non compliance were identified by Dame Elish Angiolini, DBE, QC during her original investigation and have been addressed in her recommendations and subsequent Chief Executive's Multi-Agency Working Group action plan. The suite of improvement actions will be delivered with clear oversight from the Council's Chief Executive, and within a strong governance framework and action plan incorporating clearly delineated milestones and responsible parties identified.

Equalities impact

- 7.1 The activities listed in this report will contribute to a significant enhancement of rights, particularly in relation to Health, Individual, Family and Social Life, Participation, Influence and Voice, and Productive and Valued Activities.

Sustainability impact

- 8.1 Any change to process and equipment at Mortonhall will be fully discussed and agreed with the Scottish Environmental Protection Agency, to ensure compliance with all relevant environmental legislation.

Consultation and engagement

- 9.1 Ongoing consultation and engagement has continued through the Chief Executive's Working Group with a wide range of affected stakeholders, including affected parents, parent representative bodies SANDS Lothians and SiMBA, NHS Lothian, Scottish Government, Funeral Directors and Edinburgh Crematorium Ltd (Seafield and Warriston crematoria); Mortonhall staff team, industry professional bodies FBCA and ICCM.

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Links

[Report from Mortonhall Investigation and Action Plan, City of Edinburgh Council 26 June 2014](#)

[Report of Infant Cremation Commission June 2014](#)

[Scottish Government National Committee on Infant Cremation](#)

[Infant Cremations: National Investigation](#)

[Online Survey on Memorial Designs](#)

Coalition pledges	P27 - Seek to work in full partnership with Council staff and their representatives
Council outcomes	CO24 - The Council communicates effectively and internally and externally and has an excellent reputation for customer care CO26 - The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives. CO27 - The Council supports, invests in and develops our people
Single Outcome Agreement	
Appendices	Appendix 1 – Mortonhall Action Plan update Appendix 2 – Policy Statement Appendix 3 – Supplementary Guidance for Form A Appendix 4 – Invitation letter to parents and summary of survey responses Appendix 5 – Update provided to parents after Meeting on 26 November 2014 Appendix 6 – Letter to affected parents for memorial options

	Summary of Recommendation	Decision(s)/Discussion	Action By	Actions	Supplementary Action	Update(s)	Open / Closed
1	The Council should review how Mortonhall Crematorium is managed.	City of Edinburgh Council Officers to expand upon recommendation 1 and assign timescales as to when the review of how the crematorium is managed will be completed.	City of Edinburgh Council - Natalie McKail	05.06.2014 To develop and roll out a management and leadership programme (LM1 & LM2) and tailored Personal development Programme.		<p>03.09.2014 Managers have been encouraged to engage with the Council's Leadership Matters development programme, and to play a key role in local implementation of changes to working practices arising from the investigation and actions.</p> <ul style="list-style-type: none"> • A detailed training needs analysis has been developed for staff and managers. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report</p> <p>14.11. 14 A formal request has been logged with ICCM for frontline operative staff to undertake refresher training in revised modules on infant cremation, and are awaiting confirmation of available dates. CEC likely to be first local authority to undertake this training. Bereavement Services Manager to undertake appropriate certified training. Continued dialogue with staff team about embedding culture of continuous improvement and customer focus.</p> <p>Team discussions held 12.11.14 to develop and enhance team involvement in ongoing action planning, including positive input into Policy Statement and Journey of ashes</p> <p>16.01.15 British Standards Institute review carried out 15 January 2015, and a compliant report achieved.</p>	<p>Open</p> <p></p> <p></p> <p></p>

				<p>05.06.2014 To establish an Implementation Team, to include officers from Mortonhall, Business Improvement, Asset Management and the Health and Safety Team.</p>		<p>03.09.2014</p> <ul style="list-style-type: none"> An Implementation Team, to include officers from Mortonhall, Business Improvement (People Planning and Development), Asset Management and the Health and Safety Team, will be working jointly in implementing a culture change incorporating the PROSCI Change Management approach. The Mortonhall Action Team has carried out an extensive mapping exercise identifying cross-linkages between the CEC, Dame Elish and Lord Bonomy recommendations and subsequent action plans. Work is also underway to incorporate specific actions arising out of observations from the external scrutiny report to create a comprehensive service improvement programme. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Continued active participation from Mortonhall Action Team and other service teams within CEC to ensure good and continual progress is being made on delivery of actions. Weekly updates shared between teams, joint discussions with Learning and Development around delivery of staff away day sessions, site visits to other locations. Team also taking ownership and responsibility to improve and enhance customer experience, legislative compliance and best practice e.g. storage of ashes and document retention.</p>	<p>Complete</p> <p></p> <p></p> <p></p>
				<p>05.06.2014 To establish a rolling programme of staff engagement.</p>		<p>03.09.2014 Regular team meetings have been held to develop local staff engagement and awareness of service standards.</p> <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 staff workshop held on 12.11.14 focusing on achievements to date and concentrating on specific workstreams for moving forward. These include team input to wording of a draft Service Policy Statement, and agreeing best approach to ensure optimum methodology for identifying and recording location of ashes. These actions will be taken forward as part of an ongoing programme of staff away days and Tuesday morning discussion</p>	<p>Open</p> <p></p>

				<p>05.06.2014 To establish a 5 day review external scrutiny workplan, to identify best practise and inform revised practices.</p>	<p>06.06.2014 To share the outcomes of the 5 day review external scrutiny work plan with relevant stakeholders.</p>	<p>03.09.2014</p> <ul style="list-style-type: none"> • 5 day on-site external review of operations at Mortonhall was carried out in June 2014. • A report was subsequently submitted to the City of Edinburgh Council on 21 July 2014. As part of the staff engagement programme, this has been Issued to MH managers and staff and they are being supported to develop and deliver an action plan in response. • To date 2 priority actions have been implemented; a deep clean of the cremulator room and enhanced data recording on BACAS administration software. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Good progress is underway to address actions identified as part of the inspection report. Work underway to deliver commissioning of small scale cremator and procurement of 2 replacement cremators. Review of Safe Working Practice and Health and Safety documentation is substantially complete</p> <p>16.01.15 Update provided (attached)</p>	<p>Open</p> <p></p> <p></p>
				<p>05.06.2014 To review staffing in Bereavement Services, to include capacity appropriate levels of technical and administrative resources. The review to include discussions with staff and Trade Unions.</p>		<p>03.09.2014</p> <ul style="list-style-type: none"> • An Organisational Review of Bereavement Services is being initiated. This will include an appraisal of of service functions and delivery, organisational structures and staffing levels in order to ensure enhanced service management, incorporating a culture of continuous improvement customer focus, within agreed timescales. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Draft remit prepared for discussion with staff team and</p>	<p>Open</p> <p></p>

					<p>Trade Unions, initial analysis of job descriptions underway. Initial staff engagement sessions to be delivered December 2014.</p> <p>16.01.15 Postponed to January 2015 pending publication of Council's 'Organise to Deliver' report.</p>	
			<p>05.06.2014 To develop and implement a bimonthly benchmarking and best practise comparison visit schedule.</p>		<p>03.09.2014</p> <ul style="list-style-type: none"> • Senior Manager visit to Seafield and Warriston Crematoria in July 2014 followed by visit to H & W Harkess, Funeral Directors and a programme of visits to other establishments involving staff and managers is ongoing. • The Service Manager is in process of arranging further visits to Livingston and Inverclyde. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Visits completed to Livingston, Kettering and Inverclyde to obtain wider industry feedback on different models and use of cremators; future visits to involve wider staff team and to examine other areas of good practice. Other local authorities have been keen to demonstrate support for these visits.</p> <p>Mortonhall Action Team members visited Maggie's Centre in Dundee to see example of good customer practice of creating a welcoming environment in a sensitive setting.</p> <p>Learning from these visits will feed into development process for Mortonhall., and for memorial discussions.</p> <p>Bereavement Services Manager to maximise networking with Benchmarking Group to enhance opportunities for shared good practice</p> <p>16.01.15 Visit to Seafield Crematorium to compare effective use of BACAS software</p>	<p>Open</p> <p></p> <p></p>

				<p>05.06.2014 To explore, develop and establish a model of customer input to inspect and support the service, for example, Lay Advisers and customer led inspections.</p>	<p>11.06.2014 NMc to meet with Police Scotland during the week beginning 16.06.2014</p>	<p>03.09.2014</p> <ul style="list-style-type: none"> • Senior Manager met with Tom Galbraith, Police Scotland and received positive feedback on benefits of lay advice and ways in which this can be used to improve service delivery. • Meeting held with CEC lead and Convenor of Lay Advisors in Edinburgh to discuss whether a model could be developed for the use of lay advice internally within the Council, with the potential for Bereavement Services to be a pilot. • Senior Manager have also had discussions with Willie Reed from Mortonhall Ashes Action Commiteee in relation to his suggestion that this approach could be used at a national level. • Meeting also held with CEC Tenant-led inspection programme manager to discuss use of this type of approach within a Bereavement Services context. Also have taken expert on application of libraries Gold Standard model to Bereavement Services context. • Closer work with Parks and Greenspace on landscape quality standards and quality assessments planned for the Autumn. <p>07.10.2014 To note the Scottish Government intend to have a Inspector of Crematoria appointed by December 2014.</p> <p>14.11.14 Work ongoing to develop framework for lay advisor model for Mortonhall to be piloted from Spring 2015.</p> <p>16.01.15 A member of staff with previous experience of lay advisor work in a previous role has indicated a willingness to support this workstream, and it is intended that this will be progressed over the next few months.</p>	<p>Open</p> 
				<p>05.06.2014 To develop a communications plan to demonstrate change and to improve the reputation of Bereavement Services.</p>		<p>03.09.2014 October date planned to include identification of clear descriptions of improvements required</p> <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11. 14 Work ongoing to audit current information resources to develop comprehensive communications strategy for the improvement programme, reflecting range of customer contact ranging from day to day customer engagement to wider, strategic-</p>	<p>Open</p>

					<p>level communications</p> <p>11.12.14 Draft comms strategy produced in co-operation with Corp Comms,</p> <p>16.01.15 Web content updated to outline progress to date (attached)</p> <p>Sourced plasma screen for Mortonhall to improve customer journey based on staff suggestions at away day</p>	
			<p>05.06.2014 To establish a quarterly industry forum with practitioners, industry leaders and technical experts.</p>		<p>03.09.2014</p> <ul style="list-style-type: none"> National working groups to be expanded <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 National Committee and sub groups established and underway. Sub-group meetings scheduled for January 15.</p>	<p>Complete</p> 
			<p>05.06.2014 To encourage regular cross team discussions through team meetings and a Quality and Action Group (QAG)</p>		<p>03.09.2014 Regular team discussions and engagement taking place in tandem with identified action plans around service quality and customer focus. External scrutiny report actions agreed with managers and staff.</p> <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Staff away day held 12.11.14 including cremation technicians and office based staff; ongoing work with Learning and Development to enhance team input into wider service standard discussions. Cross Service away day also planned for early 2015.</p> <p>16.01.15 Initial meeting with Crematorium Team and Business Improvement Team around support needed to ensure CSE compliance by November 2015, with plan to carry out internal self-assessment Summer 2015. Crematorium Team Leader identified to attend city-wide Quality Action Group to learn from good practice and support implementation of approach at Mortonhall which is in line with citywide standard...</p> <p>Further discussions around implementing version of Libraries Gold Standard Model in early 2015.</p>	<p>Open</p>   

				<p>05.06.2014 To encourage staff to visit and establish networks at other premises.</p>		<p>03.09.2014 • See above 7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 See above</p>	<p>Open</p> 
2	<p>The Council should put in place systems of audit and inspection to ensure safe working practices that provide high quality services to next of kin</p>	<p>The City of Edinburgh Council to make representations to the Scottish Government that 'There should also be robust systems of audit and inspection to ensure safe working practices that achieve best practice in providing quality of service to next of kin. Such audits should be part of a system for ensuring greater accountability and transparency in determining whether the Crematorium is fulfilling its statutory obligations.'</p>	<ul style="list-style-type: none"> • City of Edinburgh Council • Scottish Government 	<p>05.06.2014 The focus of the ongoing review of audit and inspection practises to include.</p> <ul style="list-style-type: none"> • Business Continuity Plans. • Current Safe Working Practises (SWP). • Risk Assessment process (RAs). • Health and Safety inspections • Management of actions. <p>Actions associated with Recommendation 1 will also be considered against Recommendation 2</p>	<p>11.06.2014 Officers to update SEPA on the work and resulting actions of the Multi-Agency Working Group.</p>	<p>03.09.2014</p> <ul style="list-style-type: none"> • Bereavement Services Contingency Plan and Risk Register revised and to be approved by SFC SMT - piloting a new model of management response across an integrated range of services. • Targeted Staff workshops planned on Risk Assessments and current safe working practices in October 14. • Community Safety Divisional Health and Safety Improvement Plan being actively managed and up to date. • A BSI auditor meeting was held on 1st September to discuss future review and audit, with a review scheduled for 12th September. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Positive BSI Assessment carried out September 2014 with no new non-conformities identified.</p> <p>Model to develop lay advisor input into service delivery currently being scoped with plan to deliver pilot in Spring 2015.</p> <p>16.01.15 BSI Assessment follow-up visit due Jan 15</p> <p>Policy on Ashes agreed by Corporate Policy and Strategy Committee 4 Nov 14</p> <p>Policy Statement drafted to submit to C Ex WG in Jan 15 and to Corp P&S on 24 Feb 15.</p>	<p>Open</p>    

3	The Council should lead and support a change of culture and attitude at the Crematorium towards providing services to next of kin.	<p>City of Edinburgh Council Officers to identify action and delivery timescales re a change of working culture within crematorium. Action to include:</p> <ul style="list-style-type: none"> Revision to the system, structure, training and governance arrangements. Staff to be better supported. Staff to be made aware of means of raising concerns regarding working practises, e.g. Whistleblowing Policy, Pride in Our People Staff to be encouraged to have regular meetings. 	<p>City of Edinburgh Council - Natalie McKail</p>	<p>05.06.2014 Actions associated with Recommendation 1 will also be considered against Recommendation 3</p>		<p>03.09.2014</p> <p>This workstream will include an audit and review of current information provided to parents at Mortonhall and within the Bereavement Services team, in addition to targeted work with the Mortonhall team on Customer Care quality standards.</p> <p>A mapping exercise is currently underway by the Mortonhall Action Team and will involve input from the communications team to improve resources. This culture change will also be embedded through the service review process.</p> <p>A policy refresh is underway, all staff have read relevant CEC policies and procedures and are aware of the whistle blowing policy.</p> <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 as above</p> <p>16.01.15 Policy Statement drafted with active team input; including ERIA</p> <p>Specific Location of ashes once interred to be recorded from Jan 15</p>	<p>Open</p> <p></p> <p></p>

					on BACAS Form A redrafted in line with legislative and industry guidance	
4	The Scottish Government should commission research to ascertain the most effective, practical and safe practices for the future to provide reassurance to next of kin that their ashes of their child will be recovered.	The City of Edinburgh Council to ask the Scottish Government to instruct comprehensive national research to ascertain the most effective, practical and safest practises for the future that will provide greater assurance to next of kin that the ashes of their child will be recovered.	City of Edinburgh Council - Sue Bruce	03.06.2014 Letter of representation sent to the Scottish Government. 05.06.2014 Scottish Government response received and is under consideration.	7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 Baby trays have been used as standard practice from Dec 2012, this has been formally described to SEPA May 14 and will sit as part of National Committee to ensure take account of best practice elsewhere 16.01.15 Policy Document makes clear and unambiguous statement to this effect, to be shared with partners and professionals to support their dialogue with affected parents, and included in any information and communications provided Clear process map in progress with team input outlining journey of ashes to ensure consistency of practice and clear recording mechanisms to enable relatives to be confident of the location and treatment of their loved ones Specific Location of ashes to be recorded on BACAS from Jan 15 if buried in Garden of Remembrance Supplementary Guidance for Form A drafted to clarify choices and outcomes for affected relatives Draft industry policy statements under review at National Committee	Open    

						level Response supplied as requested to Scottish Government confirming that City of Edinburgh Council is maximising likelihood of recovery of ashes by: <ul style="list-style-type: none"> • Clear definition of ashes in place • Use of baby trays • Expectation that ashes will be recovered from infant cremations in majority of cases 	
5	The cremation of non viable fetuses (pre 24 week gestation period) should be regulated by legislation	The cremation of non-viable fetuses to be regulated by legislation and any new financial obligations of crematoria recognised in the financial memorandum to the legislation.	City of Edinburgh Council - Sue Bruce	03.06.2014 Letter of representation sent to the Scottish Government. 05.06.2014 Scottish Government response received and is under consideration.		7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 To be progressed by National Committee	Open 
6	The Council should amend the Application for Cremation form (Form A)	City of Edinburgh Council to make representations to the Scottish Government highlighting the statutory element to the recommendation 'that the City of Edinburgh Council take urgent steps to revise the Application form for cremation to make it absolutely clear to all what the consequences of an application by another for their baby's cremation may imply'	<ul style="list-style-type: none"> • Scottish Government • City of Edinburgh Council 	02.06.2014 The statutory part of Form A to be revised and implemented by 31 March 2015 (SG)		03.09.2014 <ul style="list-style-type: none"> • Updated version of Form A drafted incorporating recognition of customer journey, plain and sensitive language which clearly support parents understanding of permissions asked of them and actions which will be discharged by service providers on their behalf as a result of this permission. • Initial discussions held involving staff team input to encourage ownership. • Circulated at Chief Executive Working Group for feedback and comment before finalising. 07.10.2014 Revised Form A to be submitted to the next meeting of the Working Group (14 November 2014) for comment. 7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy	Open  

					and Strategy Committee Report.		
					<p>14.11.14 Version 6c updated taking account of legal and industry input</p> <p>16.01.15 Version 6D of Form A incorporating further legal input, FBCA and service managers feedback, presented to Chief Executives Multi Agency Working Group on 16th January 2015. Decision taken to await outcome from National Committee Sub Groups and for supplementary guidance only to be revised. Supplementary guidance presented to Committee for approval.</p> <p>To ensure alignment with Nationally agreed form once adopted</p>		 
				<p>02.06.2014 To draft and implement a revised, non-statutory, Form A (CEC)</p>	<p>11.06.2014 Officers to explore possibility of establishing a service whereby bereaved parents are asked to confirm, with the support of a specialist, the arrangements for the cremation of their infant.</p>		Open

7	<p>All partners should develop training and guidance for those taking parents through the process of arranging their baby's funeral</p>	<p>Pre-service and refresher training to be rolled out to those taking parents through the process.</p>	<ul style="list-style-type: none"> • City of Edinburgh Council • NHS • Funeral Directors 	<p>05.06.2014 Multi-agency working group, including parents and the private sector, to be established to initiate the revision of training and guidance material for those taking parents through the process.</p>	<p>11.06.2014 To ensure that refresher training is available for those taking parents through the process.</p>	<p>03.09.2014</p> <ul style="list-style-type: none"> • CEC have initiated internal training needs analysis, a draft of which has been provided to the Chief Executive's Working Group. • Discussion held with NHS Lothian to discuss multi partner approach with a view to establishing forum in September/October 2014. • The Institute of Cemetery and Crematorium Management have recently drafted an initial guidance note in an attempt to bring some consistency to the cremation technique, and to enable informed and reliable guidance to be offered to parents. • CEC are aware that FBCA are revising training materials and this will be taken into account in the development programme for CEC staff. • It is anticipated that further guidance will be prepared and distributed from the Scottish Government working group in the near future. These guidelines will inform internal CEC training programme. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Ongoing dialogue with NHS Lothian in relation to developing this programme.</p> <p>16.01.15 Policy Document makes clear and unambiguous statement to this effect, to be shared with partners and professionals to support their dialogue with affected parents, and included in any information and communications provided</p>	<p>Open</p>     
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8	The Scottish Government should review Cremation Regulations including clarifying the legislative position of stillborn babies within the Regulations.	The City of Edinburgh Council to make representations to the Scottish Government to review and clarify the Regulations to ensure that parents cannot be deprived of their legal rights through the obscurity of the drafting of the Regulations and/or a lack of understanding by the professionals.	City of Edinburgh Council - Sue Bruce	03.06.2014 Letter of representation sent to the Scottish Government. 05.06.2014 Scottish Government response received and is under consideration.		7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 To be progressed by National Committee	Open 
9	The Scottish Government should make statutory the section of the Form A dealing with instructions for disposal of any ashes.	The City of Edinburgh Council to make representations to the Scottish Government to consider making the section of the Form A which relates to the instructions for the disposal of ashes a statutory part of the Form.	City of Edinburgh Council - Sue Bruce	03.06.2014 Letter of representation sent to the Scottish Government. 05.06.2014 Scottish Government response received and is under consideration.		7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 To be progressed by the National Committee. This element has been incorporated in redrafted supplementary guidance on Form A.	Open 
10	The Council should address the condition of land adjacent to the Garden of Rest at Mortonhall.	Map of Mortonhall to be circulated in advance of the next meeting. Other parties to be involved in the preparation of proposals for the redevelopment of the land adjacent to the garden of rest.	City of Edinburgh Council - Natalie McKail	05.06.2014 Consideration to be given to the location of the compound yard. Actions associated with Recommendation 10 will also be considered against Recommendation 22.		7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 Phase 1 of works completed. On-site meeting and follow up letter to local residents to inform completion of Phase 2 of works early 2015, to include installation of new fencing around compound yard. 16.01.15 Installation of fencing commenced December 2014	Open 
11	The Scottish Government should provide a legal definition of ashes	The Chief Executive to make representations to the Scottish Government with regards to the definition of ashes.	City of Edinburgh Council - Sue Bruce	03.06.2014 Letter of representation sent to the Scottish Government. 05.06.2014 Scottish Government response received and is under consideration.		03.09.2014 • CEC has accepted and adopted recommendations from Lord Bonomy's report on the definition of ashes, and this will be presented for formal approval by Committee in November, and included as part of a policy statement developed in September/October. 7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. 14.11.14 To be progressed by National Committee	Open 

12	The Scottish Government should ensure proper, accountable and transparent regulation of the cremation of pre 24 week fetuses	The Chief Executive to make representations to the Scottish Government re position of pre 24 week fetuses. The City of Edinburgh Council to then ensure that working practises reflect Scottish Government Regulation.	City of Edinburgh Council - Sue Bruce	<p>03.06.2014 Letter of representation sent to the Scottish Government.</p> <p>05.06.2014 Scottish Government response received and is under consideration.</p>		<p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 To be progressed by National Committee</p>	Open 
13	The Council should discuss overnight cremation with the Scottish Environmental Protection Agency (SEPA) to ensure compliance with the permit	Record of ongoing engagement with SEPA to be included in the Matrix.	City of Edinburgh Council - Natalie McKail	<p>05.06.2014 To continue dialogue with SEPA regarding existing permit, current and developing working practises and the introduction of an infant cremator.</p> <p>To request SEPA offer further detailed information on the capacity and functionality of the infant cremator.</p> <p>To await potential instruction on the use and practicalities of using the infant cremator from Lord Bonomy.</p>		<p>03.09.2014</p> <ul style="list-style-type: none"> The practice of overnight cremation of infants at Mortonhall formally ceased by CEC in May 2014. Notification of this change was formally provided as requested to SEPA in May 2014. This change of working practice is articulated through a submission to SEPA, revised Safe Working Practices and Risk Assessment, and a staff workshop has been held to ensure full understanding of the process and implications. A clear description of current practice, to be provided to Funeral Directors and NHS Lothian, is currently being drafted, to be available in September/October 2014. This can also be made available to bereaved families if requested. A formal approach was made to SEPA on 20 August requesting an update on the draft application for Variation of Permit in relation to the Small Scale Cremator. They have stated that this process involves a period of around 3-4 months consideration, after which a statement will be made to City of Edinburgh Council. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>16.01.15 The Policy Document will be made available to members of the public, together with a summary statement to be drafted including plain and sensitive language.</p> <p>19.01.15 An update was requested from SEPA who have indicated the revised crematoria permit template is still at draft status.</p>	Open   

					<ul style="list-style-type: none"> • Appropriate training and safe working practices and Risk Assessments will be in place prior to commissioning of Small Scale Cremator. On site visits from Asset Management, Building Standards and Fire Service to agree joint specification for required works to enable commissioning of Small Scale Cremator. • Further building work will be required to ensure a high quality and sensitive level of service for this new process. <p>07.10.2014</p> <ul style="list-style-type: none"> • Officers are continuing to work with SEPA in regards to the variation of the cremation permit to allow the use of the small scale cremator at Mortonhall. We are awaiting an update from SEPA in this regard. <p>Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Bereavement Services Manager and Environmental Health/Scientific Services and Local Community Planning Manager developing commissioning plan in dialogue with key partners including SEPA</p> <p>11.12.14 Response provided to National Committee on above practices</p>	   
14	The Council should urge the Federation of Burial and Cremation Authorities (FBCA) and the Institute of Cemetery and Crematorium Management (ICCM) to review their policy and guidance documents	The Chief Executive to make representations to FBCA and ICCM seeking assurances that policy and guidance flowing from Lord Bonomy's Commission will be implemented.	City of Edinburgh Council - Sue Bruce	<p>05.06.2014 Representations to FBCA and ICCM seeking assurances that policy and guidance flowing from Lord Bonomy's Commission will be implemented to be made 06.06.2014</p> <p>09.06.2014 ICCM response received and is under consideration.</p> <p>09.06.2014 FBCA response received and is under consideration.</p>	<p>03.09.2014</p> <ul style="list-style-type: none"> • See Recommendation 7. • Communications ongoing with ICCM w/c 18th August and meeting with FBCA scheduled for 2nd September. • Meeting with representatives of the Institute to be set up in October 14. CEC response to Scottish Government regarding representation on National Committee on Infant Cremation being sent to confirm participation. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Updated guidance documents now available on respective websites to be shared with staff teams. To be further progressed by</p>	<p>Closed</p> 

						National Committee.	
15	The Council should ensure adequate training for its staff	<p>To continue the review of work practise, process and training.</p> <p>Importance of multi agency training within the local area to be highlighted and promoted.</p> <p>The use of DVDs as a training tools to be further investigated.</p>	<p>City of Edinburgh Council - Natalie McKail</p>	<p>05.06.2014 In conjunction with multi agency partners, including The NHS and Private Sector, the Council is to ensure adequate training for staff.</p> <p>Actions associated with Recommendation 1 will also be considered against Recommendation 15</p>	<p>11.06.2014 City of Edinburgh Council Officers and NHS Lothian Officers to meet in July to discuss synergies in regards to work practises, processes and training.</p>	<p>03.09.2014</p> <ul style="list-style-type: none"> • See Recommendation 7. • Conference call held with NHS Lothian on 1st July 2014 (Fiona Mitchell) <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 See above</p>	<p>Open</p> 
16	The Scottish Government should make changes to its guidance on the subject of ashes informed by scientific or medical evidence and research.	<p>The City of Edinburgh Council to make strong representations to the Scottish Government to have the term “ashes” defined in legislation to remove any continuing confusion and that the broader interpretation should be preferred in the meantime.</p>	<p>City of Edinburgh Council - Sue Bruce</p>	<p>03.06.2014 Letter of representation sent to the Scottish Government.</p> <p>05.06.2014 Scottish Government response received and is under consideration.</p>		<p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 To be progressed by National Committee</p>	<p>Open</p> 

17	NHS Lothian should further train its staff in working with bereaved families and develop clear and simplified policy and guidance	User friendly Policy and Guidance that can be delivered in various formats to be developed.	NHS	05.06.2014 NHS Lothian has established a Working Group. This Working Group will report through the NHS Board to the Multi-Agency Working Group.		<p>03.09.2014</p> <ul style="list-style-type: none"> • CEC Policy statement developed in September/October, plus all revised information letters, leaflets and resources for the bereaved to be shared with NHS Lothian to inform support they provide to bereaved families. • Further, this information will be shared with all key stakeholders such as SANDS Lothian, SiMBA and Funeral Directors. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 To be progressed by NHS Working Group and National Committee. CEC Policy Statement to be provided to NHS in November 2014.</p> <p>11.12.14 Draft policy documents and form A shared with NHS to inform team discussions around progressing agreed approach to supporting bereaved parents</p>	Open  
18	The FBCA and the ICCM should develop training specifically for the cremation of foetuses and young children	The Chief Executive to make representation to FBCA and ICCM encouraging participation in the review process. The letter of representation to be forwarded to responsible Officer (Gareth Brown) within the Scottish Government – for information.	City of Edinburgh Council - Sue Bruce	05.06.2014 Representations to FBCA and ICCM encouraging participation in the review process made on 06.06.2014		<p>03.09.2014</p> <ul style="list-style-type: none"> • See Recommendation 7. • A Formal letter has been sent to FBCA requesting an update. <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 See above.</p>	Closed 
19	Communication between all agencies should be carried out on a more formal basis.	To be reviewed as part of training/comms actions. Language and terminology to be used that can be commonly understood.	<ul style="list-style-type: none"> • City of Edinburgh Council • Funeral Directors • NHS 	05.06.2014 To improve upon existing partnerships, forum etc to establish formal communication networks. Also, to refer to child protection protocol regarding the sharing information.		<p>03.09.2014</p> <p>Informal internal dialogue has taken place with colleagues from Health & Social Care and Children & Families. Awaiting the establishment of the National Committee followed by developed understanding of the landscape and assess what additional aspects might be needed.</p> <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p>	Open 

						<p>14.11.14 To be progressed by National Committee.</p> <p>11.12.14 See Comms Plan</p>	
20	<p>The Council should ensure that parents understand the importance of Form A and see and sign it in all cases</p>	<p>To be reviewed as part of training/comms actions.</p>	<ul style="list-style-type: none"> • City of Edinburgh Council • Scottish Government • NHS 	<p>05.06.2014 All staff to be trained to stress the importance of Form A.</p> <p>Actions associated with Recommendation 1, particularly those referring to training, will also be considered against Recommendation 20.</p>		<p>03.09.2014</p> <ul style="list-style-type: none"> • Engagement session held with key staff around current and revised Form A, including active team input into redesign of Form. • Further engagement/training to ensure staff understanding of policy statement and guidelines. • Need formal communications with NHS and Funeral Directors once agreed, plus agreed approach to training on use. <p>07.10.2014</p> <p>Work is continuing to revise Form A. A finalised Form A will be submitted to the next meeting of the Working Group (14 November 2014) for sign off.</p> <p>Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 See above.</p> <p>16.01.15 Ensure partner training and familiarisation with new policy statement including key messages to share with the bereaved</p> <p>Version 6D of Form A incorporating further legal input, FBCA and service managers feedback, presented to Chief Executives Multi Agency Working Group on 16th January 2015. As good progress being made at National level, decision taken to await outcome from National Committee Sub Groups and for supplementary guidance only to be revised. Supplementary guidance presented to Committee for approval.</p>	<p>Open</p> <p></p> <p></p>

21	The Council should ensure that the location of interment of remains is recorded in future	Record management system to be reviewed and improved.	<ul style="list-style-type: none"> • City of Edinburgh Council • Scottish Government 	02.06.2014 Lord Bonomy's Commission will likely address this aspect	11.06.2014 Officers to clarify what the local/national record retention policy is and how these records are stored. Furthermore, Officers to investigate possibility of digitising all records.	<p>03.09.2014</p> <ul style="list-style-type: none"> • Audit trail for handling of remains being developed, including follow through of recommendations from Rick Powell's report. • Meeting held with Kevin Wilbraham, CEC Information Governance Manager, to discuss appropriate storage, archiving and retention policy of crematorium records. A feasibility exercise will be carried out commencing in October to provide recommendations to the service team in relation to all appropriate legislation and CEC policies. This will take account of the recommendations from the Lord Bonomy report and will incorporate the feasibility of retrospective and ongoing digestion of records. • Initial improvements introduced on the recording procedure at Mortonhall. <p>07.10.2014</p> <ul style="list-style-type: none"> •The BaCAs system is currently undergoing further refinement Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report. <p>14.11.14 key workshop action at Team Away Day on 12.11.14 will be to develop and establish agreed process to record journey of ashes. Further information audit carried out by Information Governance Team in October 2014 with set of recommended actions outlined in line with legislative and operational good practice. Team progressing initial packaging and storage of records.</p> <p>16.01.15 Agreed new process for specifically recording location of interred ashes started in Jan 15 will be linked to recording on BACAS</p>	Open     
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22	<p>The Council should discuss options for memorials with parents taking into account the range of views expressed in particular about its location.</p>	<p>Going forward City of Edinburgh Council Officers to explore and observe best practise at Seafield and Warriston in regards to how ashes and mementos are presented to parents.</p> <p>City of Edinburgh Council Officers to engage with parents as to what they would like to see as a fitting memorial to their children.</p>	<p>City of Edinburgh Council - Natalie McKail</p>	<p>05.06.2014 To discuss with SANDS & SIMBA as to when the time is right to open discussions with parents in regards to improving the landscaping and the design of a fitting memorial to their child.</p> <p>Actions associated with Recommendation 22 will also be considered against Recommendation 10.</p>	<p>06.06.2014</p> <ul style="list-style-type: none"> To identify a date in August 2014 to open discussions in regards to a proposed memorial with SIMBA & SANDs. (NMc) SIMBA & SANDs to be intimately involved in the location and design of any memorial. (NMc) Suggestions for the design and location of the memorial to developed in advance of discussions with SIMBA & SANDs. (NMc) Consideration to be given to The Meadows as a location for the memorial. (NMc) To work with Planning Officers to introduce Private Bill to allow for a 	<p>03.09.2014</p> <ul style="list-style-type: none"> City of Edinburgh Council have supported SANDS Lothian and SiMBA to host a meeting with parent representatives and affected parents on 14 August 2014. The invite letter for this meeting noted that written representations could be made and these would be read out in full at the meeting. It was noted by the chair at the start of the meeting that a verbatim minute would not be taken, however informal notes would be scribed which could be made available to those who were unavailable to participate. Notes of this meeting are appended. A number of key actions were agreed including the development of a questionnaire to be sent to all parents within 2-3 weeks in consultation with SANDS/SiMBA. A draft version of this questionnaire was sent to SANDS/SiMBA in w/c 25th August. Feedback has been received for this and it is intended this will be circulated to affected parents w/c 8th September. An Survey Monkey version is available for those who wish to complete online. Notes of the meeting show that two favoured options were identified by parents in attendance, these being a memorial at Mortonhall and a memorial to be placed within the Royal Botanic Garden Edinburgh. An initial approach was made to the Regis Keeper of the RBGE on 18th August 14. A meeting was held on 2nd September with residents who stay in properties at the boundary of the Mortonhall site overlooking "the land adjacent to the skips." to brief them on the views of affected parents, to hear their views, and to agree the scope of landscaping improvements. <p>07.10.2014</p> <ul style="list-style-type: none"> An engagement exercise in partnership with SiMBA and SANDs Lothian to canvass views on the shape and location of a memorial was completed on 13 October. The responses received are under consideration. City of Edinburgh Officers to meet with bereaved parents in mid November to discuss the proposed design of the memorial <p>7.10.14 Comprehensive update on actions presented to Chief Executive Working Group reported through draft Corporate Policy and Strategy Committee Report.</p> <p>14.11.14 Survey now completed and key responses analysed. Further meeting to be held with parents 26 November 2014 at Murrayfield to discuss responses and agree options for moving</p>	<p>Open</p> <p></p> <p></p> <p></p> <p></p>
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					advance of wider consultation and engagement.		
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Action Points						
C E C 1	06.06.2014 Scottish Government and City of Edinburgh Council (GB & CS) to examine and map linkage(s) between actions being taken forward by the City of Edinburgh Council and the recommendations contained within Lord Bonomy's report.	<ul style="list-style-type: none"> • City of Edinburgh Council • Scottish Government 		Mapping exercise completed September 2014		
C E C 2	11.06.2014 Customer surveys to be carried out with bereaved families, funeral directors and NHS Lothian to assess the impact of the changes made to the services provided.	<ul style="list-style-type: none"> • City of Edinburgh Council 				
C E C 3	11.06.2014 Multi-Agency Working Group to continue to meet to ensure that the Action Plan is fully discharged and to review the success of the Action Plan in 12 months.	<ul style="list-style-type: none"> • City of Edinburgh Council 				
C E C 4	11.06.2014 To explore the cost of producing Mortonhall Investigation Report commissioned by the Chief Executive from Dame Elish Angiolini DBE QC.	<ul style="list-style-type: none"> • City of Edinburgh Council 				Closed

Mortonhall Crematorium Policy

Implementation date:

Control schedule

Approved by	Natalie McKail
Approval date	9 January 2015
Senior Responsible Officer	Natalie McKail
Author	Ewan McCormick
Scheduled for review	11 January 2016

Version control

Version	Date	Author	Comment
1.1	10/11/14	Ewan McCormick	
1.2	19/11/14	Ewan McCormick	Following team input
1.3	23/11/14	Ewan McCormick	
1.4	24/11/14	Ewan McCormick	Incorporating amendments from partners
1.5	25/11/14	Ewan McCormick	
1.6	10/12/14	Ewan McCormick	Incorporating amendments from Natalie McKail
1.7	18/12/14	Ewan McCormick	Kevin Wilbraham
1.8	20/1/15	Ewan McCormick	Natalie McKail – taking account of Scottish Government draft model policy statement provided on 19/1/15
1.9	22/1/15 & 23/1/15	Natalie McKail/Ewan McCormick	Comments from Chief Executive Working Group members

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
5/2/15	City of Edinburgh Council	Mortonhall Update reports	

Mortonhall Crematorium Policy Statement

Policy statement

- 1.1 This Policy Statement sets out the range and quality of service that the bereaved can expect from services delivered at Mortonhall Crematorium, and outlines a commitment from the City of Edinburgh Council to deliver cremation services to the specified standards.
- 1.2 This Policy Statement takes into account good practice guidance produced by the Institute of Crematorium and Cemetery Management (ICCM) and the Federation of Burial and Cremation Authorities (FBCA).
- 1.3 This Policy Statement sets out key principles to achieve these aims, and details the Council's corporate and employee responsibilities required to ensure compliance.
- 1.4 This Policy Statement will be regularly revised to reflect legislative changes.

Scope

- 2.1 This Policy applies to Cremation Services currently delivered at Mortonhall Crematorium.
- 2.2 This Policy will be implemented by staff at Mortonhall Crematorium, supported by managers and industry partners, within an ongoing performance monitoring framework.
- 2.3 In working with third parties, we will promote the adoption of practices and arrangements consistent with the principles set out in this policy.

Definitions

- 3.1 **Cremation records** include all legislative documentation supplied to the crematorium, mainly but not solely by Funeral Directors, which ensure that the cremation can legally take place. These also include electronic and hard copy records maintained by crematorium staff of each cremation.
- 3.2 The **Cremation Authority** means the local authority with responsibility for the maintenance, operation and upkeep of Council-run crematoria in that area, in this case the City of Edinburgh Council. This excludes privately operated crematoria.
- 3.3 **Ashes** mean “**all remains that are left in the cremator at the end of each cremation process and following the removal of any metal**”. **Recovered ashes from any cremation may include remains of the coffin and other materials from within the coffin.** There might be a small number of cases where there are no ashes remaining at the end of the cremation process. If this is the case our staff will contact the Applicant for Cremation and advise them of this.
- 3.4 The **Cremation (Scotland) Regulations 1935**, and subsequent amendments, provide the legislative framework for the cremation process in Scotland.

As of October 2014, the legislative framework in Scotland is under review by the Scottish Government as part of the suite of recommendations arising from Lord Bonyon's Report of the Infant Cremation Commission (June 2014). This work is being progressed by the National Committee on Infant Cremation and its various subgroups. The subgroups were agreed as: Policy and Code of Practice; Cremation Practice; Shared Cremations; Records and Forms and Training and Communications. The National Committee recognises the distressing impact historical cremation practice has had on many families in Scotland, and that a key Committee objective is to ensure that future policy, practice and law prevents any re-occurrence of such distress.

Recommendations which are legislative will be subject to consultation and Bill timescales.

- 3.5 The **Federation of Burial and Cremation Authorities (FBCA)** represents approximately 90% of all cremation authorities in the United Kingdom. Membership of the Federation is open to all burial and cremation authorities and is the sole organisation dedicated to representing and furthering the interests of burial and cremation authorities.

- 3.6 The **Institute of Cemeteries and Crematorium Managers (ICCM)** has represented professionals working in burial and cremation authorities and companies throughout the UK since 1913. Their aim is to improve standards of services to the bereaved by providing professionals, authorities and companies with Policy and Best Practice Guidance and Educational and Training programmes.
- 3.7 The **Garden of Remembrance** is a tranquil, grassed area within the Crematorium grounds.
- 3.8 The national **Code of Cremation Practice** was first produced in 1945 and periodically updated and revised, is essential in the maintenance of standards at crematoria and the observance of the Code is an obligation of membership of the Federation.

Policy content

4.1 Service Commitment statement

- 4.1.1 The City of Edinburgh Council recognises that the cremation of a human body is a highly emotional occasion. Our team will provide a professional and dignified cremation service supported by competent, caring staff, to meet all religious, secular, ethnic and cultural needs.
- 4.1.2 Our staff will support members of the public in a sympathetic, courteous and helpful manner, in line with professional industry guidelines, national and local Codes of Practice and the City of Edinburgh Council's policies.
- 4.1.3 Our staff recognise that this is the final service that the City of Edinburgh Council will provide for the deceased, and we will carry this out in such a way as to demonstrate our respect for the wishes of the deceased and their family.
- 4.1.4 The City of Edinburgh Council will ensure that complete and accurate records are maintained for all cremations carried out at Mortonhall Crematorium within legislative requirements, including the recording of final location of ashes when these have been buried in the Crematorium grounds.
- 4.1.5 The City of Edinburgh Council will ensure accurate and current information on the services we provide are available to members of the public, Funeral Directors, NHS and other partners, and on the City of Edinburgh Council website. This can also be provided in a variety of languages if requested.

- 4.1.6 Our staff will work closely with members of the public and all relevant health services, Funeral Directors and support groups in order to create a culture of continuous improvement in the services we offer and an understanding of the experience of the bereaved.
- 4.1.7 In line with the City of Edinburgh Council's policies, we will provide a clear complaints and suggestions procedure to enable us to improve our service based on feedback received from users.
- 4.1.8 We will measure customer feedback and our performance against agreed targets to ensure we continue to deliver a high quality, responsive service
- 4.1.9 We will ensure that in developing and delivering cremation services we will take the needs of ethnic and other minority groups into consideration.
- 4.1.10 We will regularly compare our quality of service with that of other crematoria to ensure that we deliver the best possible quality of service.

4.2 Cremations

- 4.2.1 All cremations **shall** be carried out according to the provisions of the Cremation (Scotland) Regulations 1935, and any amendments thereof. No cremation can take place without receipt of required legislative documentation and the written authority of designated Senior Cremation Authority staff and the Medical Referee.
- 4.2.2 **No** cremation shall take place unless clear, signed, instructions regarding the disposal of ashes has been received from the next of kin of the deceased.
- 4.2.3 All cremations in Mortonhall are carried out in accordance with all relevant Codes of Practice (including those produced by the Scottish Government and FBCA) and guidelines produced by the FBCA and ICCM as nationally recommended standards of best practice. A copy of relevant Codes of Practice will be publicly displayed in the Crematorium.
- 4.2.4 Each coffin given to the care of the Cremation Authority shall be cremated separately.
- 4.2.5 Families can witness the committal of their loved one to the cremator, by prior arrangement, if they desire to do so.

4.3 Policy Statement on Ashes

4.3.1 Whilst our employees might use the terms 'ashes' and 'cremated remains' we deem these to be one and the same and defined as '*all that is left in the cremator at the end of the cremation process and following the removal of any metal*'. There might be a small number of cases where there are no ashes remaining at the end of the cremation process. If this is the case our staff will contact the Applicant for Cremation and advise them of this.

4.3.2 We will offer relatives of the deceased a choice on what they would like to happen to the ashes of their loved ones. These are:

(a) to be taken away in a Casket within 28 days by designated representatives of the family

(b) buried in the Garden of Remembrance at Crematorium; or

(c) retained to await instruction (Period 28 days).

If, at the end of 28 days, no instructions have been received as to the disposal of these ashes, we will write to relatives giving them a further 14 days notice. If no clear instructions have been received after this time, the ashes will be respectfully buried in the Garden of Remembrance. The Garden of Remembrance is a tranquil, grassed area within the Crematorium grounds.

4.3.3 If ashes are scattered or buried within the grounds of the crematorium the final resting place will be registered along with any details of any person authorised by the applicant to remove/collect the ashes.

4.3.4 If applicants have indicated they wish to collect ashes the details of any person authorised by the applicant to remove/collect the ashes will likewise be recorded.

4.3.5 The policy of this Cremation Authority is designed to provide an audit trail from the receipt of initial funeral instructions to the final disposal of ashes, either by collection from the crematorium or by burying within the Gardens of Remembrance at Mortonhall.

4.4 Babies and infants

- 4.4.1 In distressing situations where a baby has died, our staff will do everything possible to assist bereaved parents and families to support them in the decisions they have made.
- 4.4.2 As with adult cremations, the City of Edinburgh Council will ensure that our staff approach the cremation of a baby with sensitivity, and will take account of, and respect the wishes and needs of parents and families at this very difficult time.
- 4.4.3 The City of Edinburgh Council, in conjunction with industry representatives, has developed an approach to the cremation of babies and infants that is designed to maximise the recovery of ashes. This includes the use of a cremation tray designed to retain ashes, and the maintenance of operational conditions that will maximise the recovery of any ashes during the process of cremation.
- 4.4.4 Our staff will be vigilant during the cremation process and adjust operational conditions when necessary in order to protect the ashes of babies and infants and maximise the recovery of ashes. We will adhere to our identification procedure that guarantees that the ashes resulting from individual cremations returned to parents are those of their baby.
- 4.4.5 Where a shared cremation has been chosen by parents, and hence ashes are not individually identifiable, we will take the same care throughout the cremation process and will scatter/bury the ashes within the designated area. The location will be recorded for future reference.
- 4.4.6 In the case where a memorial service has been arranged for a shared cremation, we will work with partners to ensure that wherever possible, and if requested, affected parents are given the opportunity to attend.
- 4.4.7 In relation to the disposal of ashes in the case of a private cremation, this Cremation Authority will only act upon the written instruction of the parent who is acting as the "Applicant for Cremation". In the case of shared cremations we will only act on the written instruction of the designated person at the relevant hospital, who is acting as the "Applicant".
- 4.4.8 All cremations of babies and infants will be registered at the crematorium, with all forms and documents being retained according to agreed legislative and regulatory requirements and the City of Edinburgh Council's Document Retention Policies.

4.5 Paperwork

4.5.1 The City of Edinburgh Council will work with partners to ensure that all forms and paperwork are clearly explained to applicants and that they understand what choices they are being asked to make. Those who have suffered loss will be given time to consider what is best for them and their family. They will also be provided with information on support agencies who can help them at this difficult time.

4.6 Environmental statement

4.6.1 As required by law we will work to minimise the impact of bereavement upon the environment. We will comply with statutory and legislative requirements including control of crematorium emissions, and support the deceased and their families should they wish to choose earth friendly materials (eg coffin materials) and environmentally friendly practices, in the cremation process.

4.6.2 To ensure operational efficiencies in line with environmental requirements, there may be occasions when a cremation is not carried out on the same day as the funeral. In line with guidance produced by the ICCM, and except in exceptional circumstances, all cremations will be carried out within 24 hours of the service taking place. If it is required that a cremation is carried out on the same day as the funeral, then a written request to this effect should be provided. This can be indicated on the Application for Cremation form.

4.7 Equipment

4.7.1 Cremators and all other equipment used in the Crematorium shall be kept in good repair, and regularly maintained and cleaned to ensure they are kept in good working order.

Implementation

5.1 This policy will be implemented through Bereavement Services Annual Service Plan, and adopted through discussion and engagement with partners, stakeholders and public.

Roles and responsibilities

- 6.1 The Director of Services for Communities has a general responsibility to ensure that the terms of above policy are managed according to statutory responsibilities and Council policies. The Director must do this by ensuring that:
 - 6.1.1 relevant Service Managers ensure that the policy is disseminated and adopted within Mortonhall Crematorium; and
 - 6.1.2 the terms of the above policy are clearly disseminated among partner organisations, public and stakeholders to ensure clarity of understanding
- 6.2 Designated Managers must:
 - 6.2.1 ensure that the terms of this policy and all associated procedures, policies, practice and guidance are understood by all staff and managers within the crematorium and that these are incorporated in routine practices;
 - 6.2.2 ensure that successful implementation of the Policy is supported by following agreed City of Edinburgh Council approaches to record keeping, customer care, correspondence management, maintenance and reporting of performance data and active participation in quality standard measurement tools such as Customer Service Excellence and ISO9000.
 - 6.2.3 ensure that emerging changes in legislation or professional industry guidance are communicated to staff teams and embedded in ongoing team practices, pending their inclusion in future reviews of this Policy.
- 6.3 Employees must:
 - 6.3.1 read, understand and follow this policy and any associated procedures and guidance that are relevant to their work;
 - 6.3.2 read, understand and follow any manuals or guidance that are relevant to their work;
 - 6.3.3 complete and follow any training that is relevant to their work that will support them in the successful delivery of this Policy; and
 - 6.3.4 identify and report any risks to Council to their line manager.

Related documents

7.1 Council Policy

7.1.1 Information Governance Strategy

7.1.2 Information Governance Policy

7.1.3 Employee Code of Conduct

7.1.4 Data Protection

7.1.5 Managing Work Performance

7.2 Legislation & Statutory Codes of Practice

7.2.1 Cremation (Scotland) Regulations 1935

7.2.2 Cremation (Scotland) Regulations 1952

7.2.3 Cremation (Scotland) Amendment Regulations 1967

7.2.4 Cremation (Scotland) Amendment Regulations 1985

7.2.5 Cremation (Scotland) Amendment Regulations 2003

7.3 Non-statutory Guidance and Practice

7.3.1 [Code of Cremation Practice \(FBCA\)](#)

7.3.2 [Sensitive Disposal of Fetal remains \(ICCM\)](#)

7.3.3 [Baby and Infant Funerals Policy and Guidance \(ICCM\)](#)

7.3.4 [Baby and Infant Cremations - Policy Statement - Working Group Scotland](#)

7.3.5 [Baby and Infant Cremations -Practice Guidance -Working Group Scotland](#)

Equalities impact

8.1 The activities listed in this report will contribute to a significant enhancement of rights, particularly in relation to Health, Individual, Family and Social Life, Participation, Influence and Voice, and Productive and Valued Activities.

Sustainability impact

9.1 Any change to process and equipment at Mortonhall will be fully discussed and agreed with the Scottish Environmental Protection Agency, to ensure compliance with all relevant environmental legislation.

Risk assessment

10.1 Risks and issues of non compliance were identified by Dame Elish Angiolini, QC during her original investigation and have been addressed in her recommendations and subsequent Chief Executive's Multi-Agency Working Group action plan. The suite of improvement actions will be delivered with clear oversight from the Chief Executive, and within a strong governance framework and action plan incorporating clearly delineated milestones and responsible parties identified.

Review

11.1 In line with the Council's Policy Framework, this policy will be reviewed annually or when required by significant changes to legislation, regulation or business practice.

Application for cremation of the body of a person who has died

What is this form?

This form is an application for cremation of the body of a person who has died. This includes babies of pre-24 week gestation, any baby who was stillborn after 24 completed weeks of pregnancy or any baby who was born alive at any stage of the pregnancy and then died.

The parent, executor, near relative or person authorised to act in that capacity must send a Cremation Application form – sometimes called Form A in Scotland – to the Cremation Authority, in this case Mortonhall Crematorium, at least 24 hours prior to time of cremation. This is to make sure that the Cremation Authority has authorisation to cremate the remains of the person who has died. This must be lodged with the principal officer and Cremation Registrar at Mortonhall Crematorium.

The Funeral Director, Mortonhall principal officer or designated hospital personnel will help you to complete this form. A Certificate of Registration of Death must be lodged with this application, or a Certificate of Registration of Stillbirth (if after completed 24 weeks of pregnancy)

Note to the nearest relative or executor completing this form

The form will ask you for instructions on what you wish to happen with the cremated remains (ashes) of the person who has died. It is important to note that if someone else is completing and signing this form **on your behalf**, they are then responsible for decisions written on this form for the cremation of the person who has died. This includes saying **on your behalf** what is to happen to the cremated remains (ashes) on completion of the cremation.

It is vitally important that you let the person completing the form know **what you would like to happen on your behalf**. Anyone helping you to complete this form will make sure that you are given time to make the decision that is right for you.

If you decide that you do not wish to have the ashes returned to you staff at Mortonhall Crematorium will bury the ashes sensitively in the cremation grounds within 72 hours of the cremation.

If you are unable to make the decision at this time, we will retain the ashes at the Crematorium for 28 days. After this time, you will be given 14 days written notice from the Crematorium, and the cremated remains will be buried in a designated area of our grounds. This is a communal area, provided for the reverent disposal of cremated remains, and is used specifically for this purpose.

You will also be asked various questions relating to the person who has died, and whether the near relatives have been informed of the proposed cremation. You will also be asked whether the person who has died had any implant placed in their body which may be hazardous when the body is cremated; for example, a pacemaker or radioactive device.

City of Edinburgh Council: Policy Statement on recovery of Babies' Ashes

The City of Edinburgh Council, in conjunction with industry representatives, has developed an approach to the cremation of babies and infants that is designed to maximise the recovery of ashes. This includes the use of a cremation tray designed to retain ashes, and the maintenance of operational conditions that will maximise the recovery of any ashes during the process of cremation.

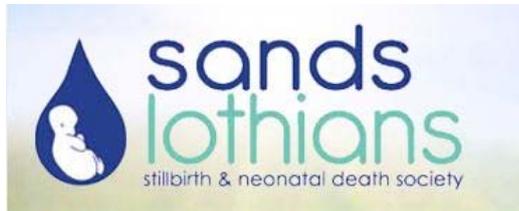
Ashes mean “all remains that are left in the cremator at the end of each cremation process and following the removal of any metal”. Recovered ashes from any cremation may include remains of the coffin and other materials from within the coffin. There might be a small number of cases where there are no ashes remaining at the end of the cremation process. If this is the case our staff will contact the Applicant for Cremation and advise them of this.

Environmental Policy

There may be occasions due to the need to reduce environmental emissions by using equipment efficiently, or due to operational circumstances, when a cremation is not carried out on the same day as the funeral. In line with guidance produced by the Institute of Cemetery and Crematorium Management, cremations will always be carried out within 24 hours of the service taking place and all Saturday funerals will be cremated on the same day. British crematoria have been legally obliged to reduce mercury emissions by 50% with effect from 1st January 2013

Appendix 4

Letter sent to parents inviting them to meeting on 26 November 2014



10 November 2014

Dear

Memorial for those babies affected by Mortonhall

We are writing to update you on the recent questionnaire that was sent in September 2014 to parents affected by events at Mortonhall Crematorium. This questionnaire was the result of a request made by parents during a meeting held at Murrayfield Stadium in August 2014 to discuss future memorial, and aimed to allow all affected parents to be involved in the development of options for future memorial, as it was recognised that not everyone could attend this meeting.

We understand that not all parents will have wished to contribute to the questionnaire, however those attending the meeting were in agreement that all affected parents should be provided with an opportunity to reflect and input their views.

A total of 80 responses have been received and we would like to thank all those who contributed to this. Please find enclosed a summary of the results of the questionnaire, setting out a breakdown of the feedback around suggested location, form and information to be included on the memorial, together with a summary of the key common comments submitted by parents.

Sands, SiMBA and the City of Edinburgh Council would like to invite all parents to a further meeting so we can discuss the results of the survey, and consider options moving forward. Copies of all responses can be made available at this meeting. This

meeting will take place on **Wednesday 26th November 2014, 7pm-9pm at Murrayfield Stadium (Smith & Wallace Suite) Edinburgh EH12 5PJ**. If you please make your way to the main gate at Murrayfield Stadium via Roseburn Street then go to 1925 suite entrance, you will be directed to the venue for our meeting.

Car Parking

North Stand Car Park

Directions and travel guidance to Murrayfield can be found via the following link:

<http://www.murrayfieldexperience.com/directions>

We would like to make sure that everyone has a chance to voice their thoughts.

If you are unable to attend this meeting and you wish for a representative to speak on your behalf please contact either:

Sands Lothian info@sands-lothian.org.uk or 0131 622 6263

SiMBA team@simbacharity.org.uk or 01368 860141

Natalie McKail natalie.mckail@edinburgh.gov.uk or 0131 529 7300.

We would be happy to read out a statement on your behalf at the meeting, or to take account of your views if you like to have a discussion with us in advance of, or after the meeting.

Yours Sincerely

Dorothy Maitland
SANDS
Council

Sara Fitzsimmons
SiMBA

Natalie McKail
City of Edinburgh

Mortonhall Survey Analysis

Broad outline

Total of 80 responses received

Not all respondents answered every question

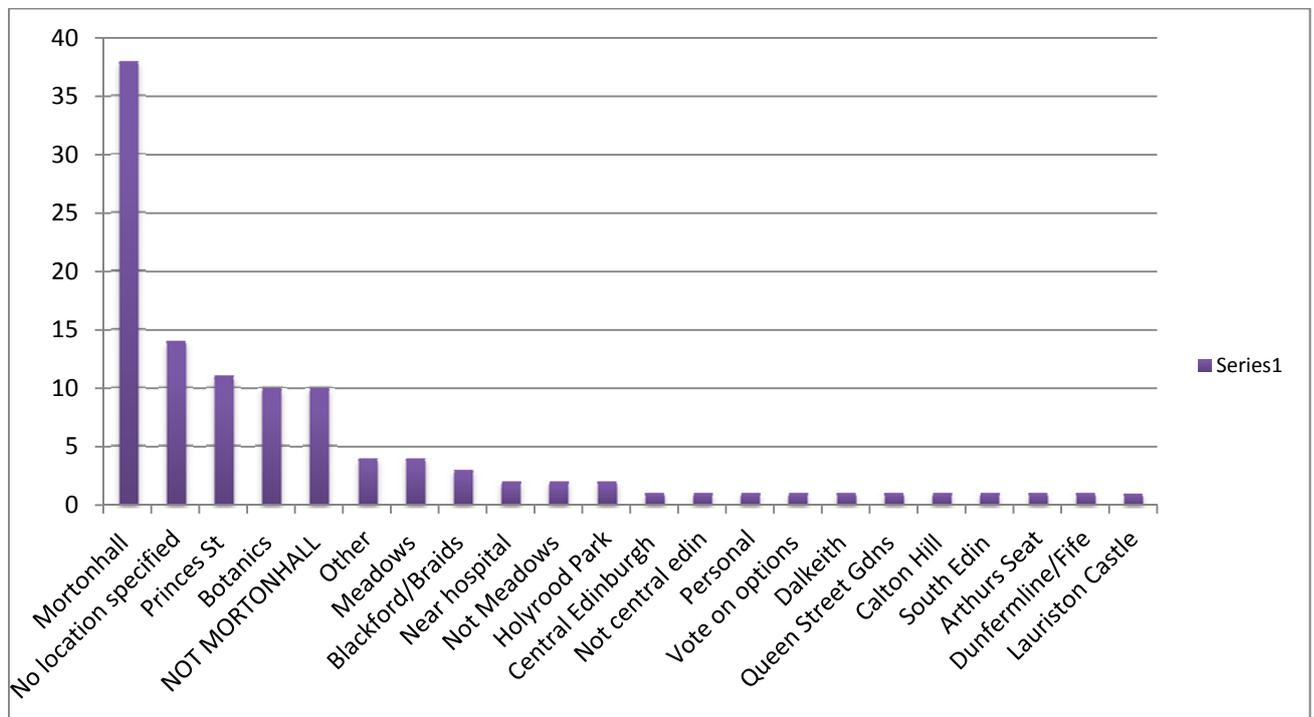
Analysis of individual questions

1. Where would you want a permanent memorial to be located?

76 responses received for this question

Some respondents suggested more than one location

- 38 respondents indicated Mortonhall would be preferred location
- 13 respondents did not specify a location
- 10 respondents suggested Princes Street Gardens
- 10 respondents suggested Botanic Gardens
- 10 respondents specifically stated they did NOT wish Mortonhall as a location
- 24 respondents suggested variety of locations, eg Braids, Dalkeith, Meadows, Holyrood, with a small number of individual votes received for each

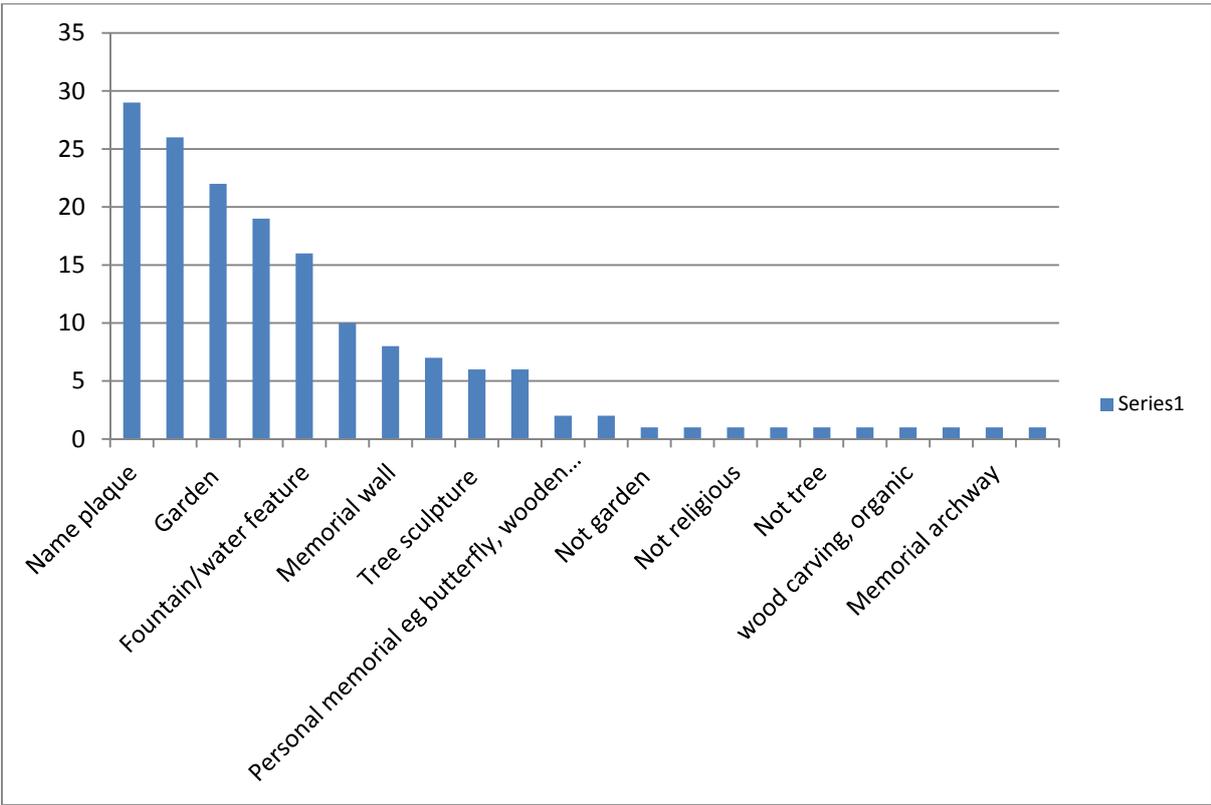


2. What form would you like any memorial(s) to take?

73 responses received for this question

Many respondents suggested more than one option

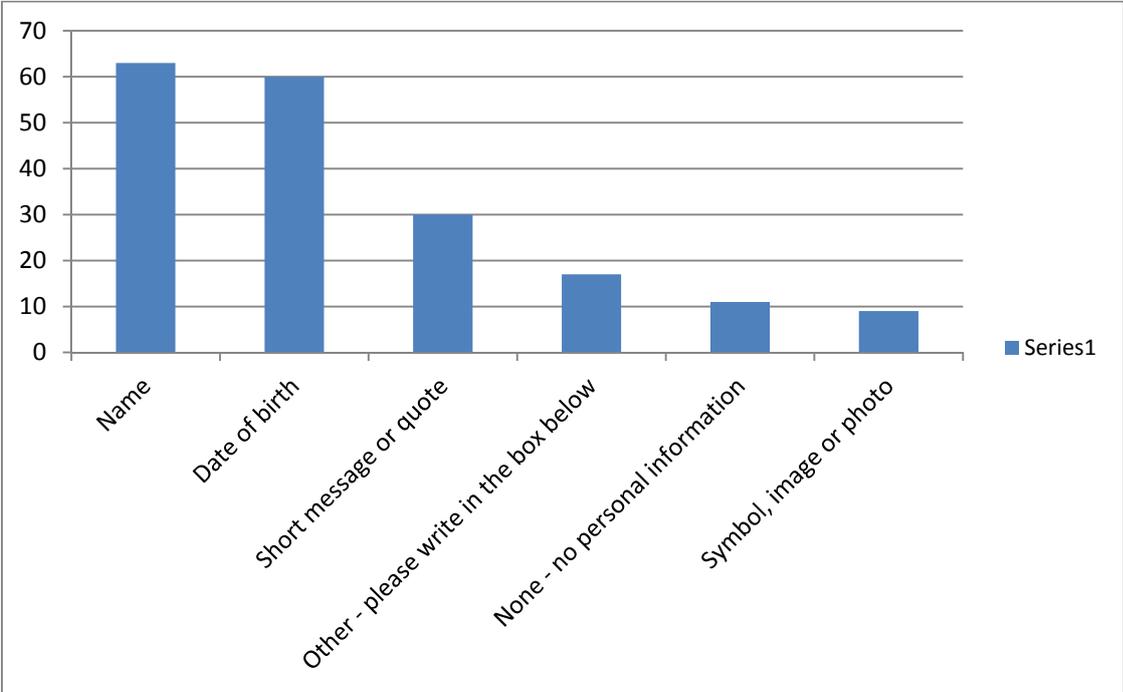
- 46 respondents suggested a physical memorial such as a sculpture, memorial wall, statue, archway or tree sculpture
- 22 respondents suggested a garden
- 19 respondents suggested benches would be valuable to allow affected parents to sit and reflect
- 15 respondents suggested a water feature
- 10 respondents suggested tree planting
- 28 respondents wanted a plaque incorporating their baby's name and date of birth as part of any memorial (but see Q.3 below)
- 2 respondents suggested creating a personal memorial eg butterfly, wooden hearts
- 10 respondents suggested a variety of options, including wind chimes, path of remembrance and donation to hospitals, with a small number of individual votes received for each



3. What information about your baby would you want to be shown on the memorial?

79 responses received for this question

- 64 respondents suggested they would like their baby’s name to be included
- 61 respondents suggested they would like their baby’s date of birth to be included
- 30 respondents would like a short message or quote
- 11 respondents did not want any personal information
- 10 respondents wanted a symbol, image or photo
- 17 respondents suggested other options including having a generic rather than individual message, and the date that the baby passed away



4. Is there anything else you feel could be done to help provide a suitable memorial for your baby?

A number of individual comments (38) were received in response to this open-ended question.

Most common concerns centred round

- Need for memorial, once completed, to be well-maintained
- Need for memorial to be in a private and peaceful location for parents to grieve and reflect
- A number of contrasting views were expressed about the location of the memorial. Several parents felt strongly that Mortonhall was the best location for this, despite negative connotations around the Crematorium, as this was the last resting place of the babies affected. Others expressed strong views that from a personal perspective this would be the worst possible location and suggested there was a need for memorial to be situated somewhere with positive connotations, eg Botanics, Princes Street Gardens, where parents would feel comfortable bringing family
- To be located in a place where risk of vandalism would be minimised
- A memorial in the shape of a Christmas tree where parents donate money for a light for their child, and money goes to charities to support similarly affected parents
- To be accessible to those travelling from variety of locations, not just in Edinburgh; a personal memorial might be one way of addressing this
- To support purchase of new hospital equipment for unwell babies
- To ensure further support provided by hospitals/SiMBA/SANDS
- Request that parents be invited to any dedication service
- Request for public apology naming each child affected
- That the memorial contain some kind of explanation of why it is there
- Overall, there has been a wide range of views and feelings from parents. Some parents acknowledge the efforts being made to address the situation. Others remain deeply distressed at the way they have been treated and do not feel the Council would ever be able to make amends for this, but are able to gain some consolation in hoping this never happens to anyone else.

Appendix 5

Update provided to SANDS Lothian and SiMBA after Meeting on 26 November 2014

This is to update you on progress towards creating a memorial(s) for babies cremated at Mortonhall Crematorium.

A survey of affected parents, carried out earlier this year, resulted in a wide variety of views being expressed and a meeting was held on 26 November to consider option for a memorial(s). Approximately 40 parents attended.

Parents were given;

- a report on the results of the survey
- a collection of design images from memorial gardens elsewhere in Scotland
- photographs sent in by parents, of individual mementos.

Some parents who couldn't attend had their views read out at the meeting.

A variety of opinions were expressed during a wide ranging discussion. These included the location and nature of the memorial, the need to ensure it was of a high quality and well maintained, and how quickly progress should be made.

It was recognised that a number of affected parents would not wish to return to Mortonhall but a number of parents also felt that as this was the last place they left their baby it would be an appropriate location for a memorial. It was therefore agreed that more than one memorial should be developed in order to respect and reflect these different views.

After a show of hands in the room, it was agreed that one of these memorials should be located within the grounds of Mortonhall. It was also agreed that further work be carried out to develop memorial options in one of the range of alternative locations suggested by parents, for example Princes Street Gardens, Lauriston Castle or The Meadows.

At the previous meeting in August 2014, the Royal Botanic Gardens in Edinburgh had been suggested as a potential location for a memorial. The RBGE has however noted, with deepest regret, that this would not be possible. Parents suggested that contact be made with the other suggested sites to establish if a memorial would be possible. This feasibility work is now underway.

Parents discussed the type of memorials which could be developed. It was suggested that two or three designs be developed for the Mortonhall site and be published online for consultation with parents. It was agreed that the designs would be influenced by the views expressed by parents who responded to the survey. These designs will be made available by the end of January 2015.

It is recognised that progress needs to be made as quickly as possible and it was agreed that communication and engagement was paramount.

Parents will continue to be consulted and opportunities provided for all to express their views in a means and manner that they can cope with, bearing in mind the emotional impact of the Dame Elish investigation report.

It was agreed further meetings would be helpful, but also that information should be available online so those people who could not attend meetings could access the information.

Appendix 6



Date

Dear

We are writing to update you on progress towards creating fitting memorial for babies affected by historical practices at Mortonhall Crematorium.

As you will be aware, a survey of affected parents was carried out in 2014. This resulted in a wide variety of views being expressed and a meeting was held on 26 November 2014 at Murrayfield Stadium by SANDS Lothians and SiMBA, supported by the City of Edinburgh Council, to consider memorial options. Approximately 40 parents attended, and others responded by email.

At this meeting parents were given;

- a report on the results of the survey
- a collection of design images from memorial gardens elsewhere in Scotland
- photographs sent in by parents, of individual mementos as suggestions for memorial.

Some parents who couldn't attend had their views read out at the meeting.

A variety of opinions were expressed during a wide ranging discussion. These included the location and nature of the memorial, the need to ensure it was of a high quality and well maintained, and how quickly progress should be made.

It was recognised that a number of affected parents would not wish to return to Mortonhall but a number of parents also felt that as this was the last place they left their baby it would be an appropriate location for a memorial. It was therefore agreed that an alternative memorial should also be developed in order to respect and reflect these different views.

It was agreed by parents attending the meeting that one of these memorials should be located within the grounds of Mortonhall. It was also agreed that further work be carried out to develop memorial options, where possible, in one of the range of alternative locations suggested by parents.

Parents discussed the type of memorials which could be developed. It was suggested that three or four designs be developed for the Mortonhall site and be published online for consultation with parents, recognising that not all affected parents can attend a meeting. It was agreed that the designs would be influenced by the views expressed by parents who responded to the survey.

The City of Edinburgh Council, on behalf of affected parents, SANDS Lothians and SiMBA have been in close discussion with a number of landscape designers, who have produced a range of initial design options for a memorial garden at Mortonhall.

We would like to make sure that everyone has a chance to voice their thoughts, so have arranged a variety of ways in which parents can view and comment on the designs if they wish. In each of these, parents will be given the opportunity to indicate which of the options most closely matches their idea of a suitable memorial garden design.

In person

Parents will be able to view and comment on these first stage designs at any of the following locations and times:

- **SANDS Lothian Offices, Craiglockhart Centre, 177 Colinton Road, Edinburgh**, at the following times:
 - Tuesday 3rd February until Thursday 5th February 2015, 9.30am-2.30pm
 - Tuesday 10th February until Thursday 12th February 2015, 9.30am-2.30pm

Should parents wish an evening viewing, please call and discuss this on 0131 622 6263, or email nicola@sands-lothians.org.uk.

SANDS Lothian staff will be available if needed to provide support.

- **SANDS Lothian Office, Craigsfarm, Maree Walk, Craigshill, Livingston** at the following times:
 - Monday 9th February 2015, 7.00-9.00pm. Please email nicola@sands-lothians.org.uk if you need any more information.

SANDS Lothian staff will be available if needed to provide support.

- **SiMBA Offices, Dalmatian House, Spott Road, Dunbar** on the following dates:
 - Between 2nd February and 28th February 2015, Monday-Friday 9.00am-5.00pm, evenings or weekends by arrangement.

Please call in advance to arrange to view the designs (01368 860141) or email team@simbacharity.org.uk

- **Dalkeith Arts Centre, 2 White Hart St, Dalkeith** on the following dates:
 - Tuesday 10th February between 2.00pm and 6.00pm

Please be aware that there will be no staff from SANDS Lothian, SiMBA or City of Edinburgh Council at this session, however information and support materials will be available.

- **Royal Infirmary of Edinburgh Chaplaincy Sanctuary** at the following times:
 - Between 2nd February and 28th February 2015 from 6.00pm-8.00pm.

Please call in advance to arrange to view the designs (0131 242 1990). Staff will be available to provide support if needed.

- **Pendolino Room, City Chambers, High Street Edinburgh** at the following times:

- Between 2nd February and 6th February 2015, from 9.00am-5.00pm

Please call in advance to arrange to view the designs (0131 529 7300) or email mortonhallenquiries@edinburgh.gov.uk. Staff will be available to provide information if needed.

Online

These designs will be available to view and comment between **31st January** and **28th February 2015** at the following link <https://www.surveymonkey.com/s/mortonhall>

The City of Edinburgh Council Mortonhall Investigation webpage also includes a more general update on progress against the recommendations of the Dame Elish investigation report. It is planned that this information will be refreshed on 30th January 2015 to take account of this additional information.

You can also access the survey via the SANDS Lothian and SiMBA Facebook pages. Please contact SANDS Lothian and SiMBA using the contact details above.

The result of this further feedback from parents will then inform the design of the actual garden which will be developed at Mortonhall, and will allow the City of Edinburgh Council to move into a formal procurement process for this work. To support this process our designers hope to work with a focus group of parents to ensure that the garden creates a high quality, unique and memorable space with a sense of peace and dignity.

If you are interested on being part of this group and representing other parents in this regard, you can state this at one of the drop in sessions, or by contacting us at any of the phone numbers or email addresses below.

We are working closely with CEC colleagues, agencies and partners to identify a site for the second memorial, where possible taking into account the locations that affected parents suggested in the survey, and will keep you updated with progress. The range of alternative locations suggested by parents included, for example, Lauriston Castle or a location near the Royal Infirmary.

At the previous meeting in August 2014, the Royal Botanic Gardens in Edinburgh had been suggested as a potential location for a memorial. The RBGE has however noted, with deepest regret, that this would not be possible. Parents suggested that contact be made with the other suggested sites to establish if a memorial would be possible. This work is now underway and includes approaching landowners of a variety of sites suggested by parents, to assess their readiness to host memorials on their land.

Ongoing dialogue with the City of Edinburgh Council Parks and Green Spaces Team will ensure that in taking forward the development of any memorial we take into account factors such as access, site geography and patterns of use. It is also important to take into account other existing activities on any proposed site, such as sports and games, to ensure that we are able to deliver the quiet and tranquil atmosphere that many parents asked for.

We recognise that progress needs to be made as quickly as possible and will continue to consult and work with affected parents, bearing in mind the emotional impact of the Dame Elish investigation report.

A follow-up meeting for affected parents will be held at **Murrayfield Stadium, Edinburgh**, on **Wednesday 11th February 2015, 7.00-9.00pm**. Support will be provided by representatives from SANDS Lothian, SiMBA and City of Edinburgh Council.

If you are unable to attend any of these sessions, and are unable to use the online option, please contact either:

Sands Lothian info@sands-lothian.org.uk or 0131 622 6263

SiMBA team@simbacharity.org.uk or 01368 860141

Natalie McKail natalie.mckail@edinburgh.gov.uk or 0131 529 7300

Yours Sincerely

Nicola Welsh
SANDS Lothians
Council

Sara Fitzsimmons
SiMBA

Natalie McKail
City of Edinburgh