

Finance and Resources Committee

10.00am, Thursday, 11 October 2018

Removal of Charges for Child Burials and Cremations

Item number	7.14
Report number	
Executive/routine	
Wards	All
Council Commitments	None

Executive Summary

Current Council policy is to waive charges for burial (interment) and cremation of a child under 16 and to apply discretionary charges for new lairs (burial plots). An agreement has been made between CoSLA Leaders and the Scottish Government for the removal of all charges for burial or cremation of a child under 18. This report recommends approval to extend the waiving of burial and cremation charges for children under 16 to children under 18 and to stop discretionary charging for new lairs for children under 18 years of age. The report also recommends Council goes further and waives burial and cremation charges for still born baby's and 'looked after children' under 26 years of age.

Extending the policy of waiving some burial and cremation charges will help address funeral poverty by ensuring that all families in Edinburgh that suffer the tragic loss of a child have free access to a dignified and respectful funeral without the additional worry of financial cost.

Removal of Charges for Child Burials and Cremations

1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 Notes the contents of this report outlining an agreement between CoSLA and Scottish Government;
 - 1.1.2 Approves a change to Council policy of not charging for burial (interment) and cremation of children under 16, by extending this to children under 18 years of age;
 - 1.1.3 Agrees to end the provision of discretionary charging for new lairs (burial plots) for child interment;
 - 1.1.4 Agrees to waive Council burial and cremation charges for family arranged funerals of a still born child; and
 - 1.1.5 Agrees to waive Council burial and cremation charges for “looked after children” under 26 years of age where the Council has a duty of after care.

2. Background

- 2.1 Charging policy for child burial and cremation across Scotland varies, with some providers levying significant charges, some levying a nominal charge and others making no charge at all. Burial and cremation services in Scotland generally, and in Edinburgh specifically, are provided by a mixture of private businesses and local authorities.
- 2.2 The Council does not currently charge for burial (interment) or cremation of a child up to 16 years. Appropriate discretion on charging is applied for children aged 16-18. In common with many local authorities a charge is made if a new adult size lair is to be used for burial, on the basis that this lair could be further used in the future, perhaps by the parents or siblings of the child.

3. Main report

- 3.1 To provide support to families at a time of need, the Scottish Government announced on 30 May 2018 a joint funding agreement with CoSLA to remove local authority burial and cremation charges for children under 18 years of age.

- 3.2 The Scottish Government will provide annual funding of £310,000 to Local Authorities for an initial three years to implement the agreement across Scotland. CoSLA Leaders agreed on 29 June 2018 that funding will be distributed pro-rata, based on the number of children in each local authority area.
- 3.3 Funding from Scottish Government will not be ring-fenced, leaving each local authority to determine the appropriate allocation to internal budgets.
- 3.4 This Scottish Government policy does not apply to stillbirths and pregnancy loss shared funerals, which are normally NHS funded.
- 3.5 It is proposed that the Council's current policy of not charging for burial (interment) and cremation of children under 16 is extended to children under 18, and that discretionary charging for a new lair, for a child under 18, cease.
- 3.6 The Scottish Government expects that local authorities will ratify this agreement and policy change by 12 October 2018 at the latest, for implementation soon after.
- 3.7 Funeral poverty in general and the cost of child funerals in particular is a developing area of public concern. Therefore, it is recommended that Council go further than required by the CoSLA agreement and agree that charging discretion currently utilised by officers be converted into policy in the following areas.
- 3.8 The Council has a duty under the Children and Young People (Scotland) Act 2014 to provide after care to 'looked after children' until their 26th birthday. It is proposed this duty will include the waiving of Council burial and cremation charges.
- 3.9 The Council currently supports families that choose to make their own individual private funeral arrangements for a still born baby by waiving Council burial and cremation charges. It is proposed Council adopt this action as policy.
- 3.10 In Edinburgh there are typically 30 child deaths per annum. Since the Council did not previously charge for children under 16, raising the age threshold from 16 to 18 is likely to assist an additional one or two families per year.
- 3.11 The Scottish Government and CoSLA agreement stated there should be no differential charging between residents and non-residents of the local authority. Unlike some local authorities, this Council does not operate a differential charging policy for burial or cremation of non-residents so no changes to charging policy are required.
- 3.12 As child funeral services in Edinburgh are provided by both the Council and privately-operated crematorium and burial grounds, officers will put in place operational arrangements to ensure that private operators receive a pro-rata payment for any services undertaken by them.
- 3.13 Similarly, arrangements will be made with neighbouring local authorities to meet any costs incurred where a family chooses to use a facility in a neighbouring area.

4. Measures of success

- 4.1 Provision of a dignified funeral service for all children.

5. Financial impact

- 5.1 A pro-rata distribution of the £310,000 funding from Scottish Government would suggest that funding of circa £30,000 per annum will be allocated to City of Edinburgh Council for three years following implementation of the policy.
- 5.2 It is anticipated that there will be a small increase in costs and similar reduction in income to the Council as a result of implementing this change in policy. The funding allocated by the Scottish Government funding is expected to offset this initially.
- 5.3 The cost of waiving burial and cremation charges for still born babies and 'looked after children' will be met from existing service budgets.
- 5.4 Arrangements for payment to private operators and transfers between local authorities are still to be developed.

6. Risk, policy, compliance and governance impact

- 6.1 The actions and outputs described in this report adhere to the risk compliance policy and governance arrangements. The recommendations in the report require a minor change to the existing policies of the Council.

7. Equalities impact

- 7.1 This policy will allow all families suffering the death of a child under 18 years of age access to a dignified funeral without the additional worry of the financial implications. There are no other significant equalities implications arising from this report.

8. Sustainability impact

- 8.1 There are no significant sustainability implications arising from this report.

9. Consultation and engagement

- 9.1 The Scottish Bereavement Benchmarking Group of local authorities, COSLA and Scottish Government have been involved in developing this agreement.

10. Background reading/external references

None

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