Falkirk Council

Burial and Cremation (Scotland) Bill

Falkirk Council’s Governance section has determined that this consultation is a technical matter, and as such the response has been allocated to Bereavement Services (“The Relevant Service”), which is part of the Council’s Development Services.

A full range of issues relevant to Bereavement Services have been the subject of a Policy Development Panel, and approved by Falkirk Council’s Executive on 9th June 2015.

Our observations relating to the Bill’s general principles, and its specific contents relating to pregnancy loss, still-birth and infant loss are as follows:

**Section 1. General Principles**

Falkirk Council agrees that the existing legislation relating to burial and cremation should be repealed and replaced by a new legislative framework, and this should apply to all cemeteries and crematoria in Scotland. Falkirk Council does not seek any particular powers which are not provided for in the proposed legislation.

**Section 8. Applications to Carry Out Burials:** Falkirk Council supports this provision.

**Section 36. Meaning of Cremation and Ashes:** Falkirk Council agrees with these definitions.

**Section 38. Application for Cremation:** Falkirk Council supports this provision.

**Section 41. Duty to maintain Cremation Register:** Falkirk Council supports this provision.

**Section 47. Relative’s Decision on Disposal of Remains:** No comments, because these are (essentially) legal issues.

**Sections 50 to 55. Losses During Pregnancy:** No comments, because these are mostly provisions which will be implemented through Health Authorities.

Falkirk Council has a revised contract with NHS Forth Valley to cremate shared pregnancy losses, and the Bill’s provisions will be helpful in implementing this contract. At present Falkirk Council does not charge for cremation of pregnancy losses, and it would be helpful if this policy extended to other Crematorium providers. However there is provision to amend the terms of this contract if commercial pressures (competition) require a charge to be levied.
Falkirk Council has revised its protocols for the cremation of shared pregnancy losses in accordance with the revised Scottish Government guidelines.

Falkirk Council's detailed responses to other parts of the bill are submitted to The Local Government and Regeneration Committee and to The Finance Committee.

I hope that these comments are useful.

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