

Appendix 3

Equalities and Diversity Impact Assessment

Durham County Council Bereavement Policy



Durham County Council – Altogether Better equality impact assessment form

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

You can find help and prompts on completing the assessment in the guidance from page 7 onwards.

Section one: Description and initial screening

Section overview: this section provides an audit trail.	
Service/team or section: Bereavement Services, Direct Services, Neighbourhood Services	
Lead Officer: Bereavement Services , Street Scene Area Manager North, Direct Services	Start date: 04/01/2011
Planning and Policy Officer, Planning and Policy, Neighbourhood Services,	Reviewed: 14/02/2011
	Reviewed: 01/08/2011
<p>Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)</p> <p>County Durham Bereavement Services – Cemetery Policies</p> <p>Durham County Council as a principal authority has a statutory duty to make provision for the committal of the deceased however the method is not prescribed. For example in some areas nationally this is solely achieved through crematoria. In County Durham Bereavement Services are responsible for 2 crematoriums (through joint committees), 47 open cemeteries and 83 closed churchyards. During 2009/10 the service carried out 3,543 cremations and 763 burials. The Council has a responsibility under the provision of the Local Authorities Cemeteries Order 1977 to ensure that cemeteries are reasonably clean, tidy and safe places to work and visit.</p> <p>Prior to Local Government Reorganisation and County Durham becoming a unitary authority in April 2009 the former districts that provided these services had varying local rules and regulations. Whilst the local customs and practices have been respected, there is a clear need for a unified approach. This of course is a highly sensitive and emotive area; accordingly, it is felt prudent to consult widely before any changes are adopted. Bereavement Services provide sympathetic, supportive and confidential advice on funeral service arrangements and can give assistance in co-ordinating the funeral process if required. Overall the Council provides a valued service and one that has achieved a Gold standard through the ICCM (Institute of Cemetery and Crematorium Management). There are also three green flags awarded to Council cemeteries, in recognition of their maintenance, and community involvement. The service has recently been rated by ICCM as the eighth best performing in the country.</p> <p>There have been several steps taken since the formation of the new unitary to bring a harmonised approach and include the single pricing structure for the cemeteries from the five former District Councils. This also applies to the two crematoria that are operated by the joint committees. Improvements have been made to bring a consistent standard in the way cemeteries are maintained including the number of times the grass is cut, the standard of grave digging and headstone testing.</p>	

As a step towards further harmonisation a Members Seminar “Grave Matters” was held on 15th November 2010. This was an opportunity to understand more about these important services, and through a process of electronic voting, to allow Members to express views on a range of policy options, for instance future cemetery provision, woodland burials, collapsed headstones, kerbside surrounds and adornments. This feedback has provided an opportunity to shape future proposals, which subject to Cabinet consent will be the basis of a wider consultation.

A number of Council documents already set out corporate principles of customer care and approach to achieving value for money. Building on these for bereavement services, the following principles are proposed:

- To provide a sensitive, respectful service fitting for the bereaved.
- To ensure that sympathetic, supportive and confidential advice is given to the recently bereaved on funeral service arrangements and give assistance in co-ordinating the funeral process if required.
- To provide consistent high quality standards of maintenance in cemeteries across County Durham, working to maximise value for money.
- To ensure the proper respect of all Council cemeteries with fair Rules and Regulations, which are explained to bereaved and cemetery visitors.
- Fair and sensitive enforcement where Rules and Regulations are not followed.
-

Who are the main stakeholders: **General public / Employees / Elected Members / Funeral Directors/ Monumental Masons/Religious representatives/ Town and Parish Councils and AAP’s.**

Is a copy of the subject attached? No

Contact bereavement Services, Street Scene, Direct Services Neighbourhood Services

Initial screening

The policy development has centred around areas of inconsistency. Proposals in this report cover the following areas:

- a. Capacity
- b. Unsafe Memorials (Headstones)
- c. Kerb Surrounds
- d. Adornments
- e. Municipal Funerals
- f. Family Searches
- g. Woodland Burial Site

Although this area of work is very specialist in nature it is a highly sensitive and emotive area of work that has the potential to impact on all in our communities. Consequently it is proposed to consult with a range of key stakeholders to ensure a balance and appropriate approach and include:

- The public through website and a press release to raise awareness

- The AAP's to support the approach to reach our ultimate users, contact to be made with Shealagh Pearce to discuss contacting the AAPs
- Town and Parish Councils, who may have their own cemeteries, contact to be made with Ann Armstrong, Vicky Prendergast or Steve Ragg to discuss contacting Town and Parish Councils.
- Funeral directors
- Religious representatives
- Monumental masons
- Cruse bereavement care
- Compassionate Friends (support & friendship by those similarly bereaved).
- Age Concern
- Foundation for the Study of Infant Deaths
- 24 Hour Cot death helpline
- Stillbirth & Neonatal Death Society (Sands).
- Child Death Helpline
- Elected members
- Employees
- Gypsy and travellers

Funeral Directors, Religious bodies and Stone Masons who have daily contact with the bereaved are a key contact to help provide the appropriate advice and support. We carry out burials regardless of religion or belief and access plans for both crematoriums are currently in place. , Where regulations stipulate that children under the age of 14 cannot visit with out a responsible adult it is because of health and safety reasons not ageism. The same applies to the banning of drinking or leaving alcohol at gravesides (a practise carried out by many including gypsies and travellers). The following highlights the proposals in the County Durham Bereavement Services – Cemetery Policies:

- **Provision of cemeteries:**

Currently the bereaved in County Durham are given a choice of which cemeteries they wish to be interred at, these cemeteries provide facilities such as toilet facilities, shelter, disability access, water facilities etc. We will continue to provide cemeteries so that we meet the needs of our local communities by respecting the wishes of many to be buried close to their relatives. Subject to funding, we will seek to extend or develop new / existing cemeteries where there is a demonstrable need. This will allow the bereaved a greater choice of locations in which they can be interred and also provide burial facilities in the area that they were born and bred. Further work will be undertaken in conjunction with Town and Parish Councils to establish areas of greatest need, and an operational strategy developed to establish further capacity in a cost effective way. The conditions to provide new cemeteries will be based on a number of factors including aspects of land availability, location, size, population, current death rate and cost of development.

- **Introduce an increased charge for those who wish to be buried in County Durham but live outside the area.**

Some local authorities like Darlington, Newcastle, South Tyneside and Gateshead charge more for those who do not come from the areas. This can be to protect the land for the use by the authorities' residents. Introducing a charge would provide a disincentive to those outside the County and extend the life of the cemeteries. Typically authorities charge double for the grave and 1.5 times for internment. For County Durham this proposal would mean for residents outside the area the cost would be £1725 for the grave and internment, compared to £968 for Durham residents.

- **Unsafe memorials**

It is ultimately the responsibility of the families of those buried to maintain the memorial or headstone. We will however ensure that all memorials are inspected every five years and that this will hopefully reduce any issues with regards to any memorial being unstable. It will help to maintain the standard of the work for the bereaved and will help to prevent future liabilities. Maintaining the safety of memorials or headstones benefits all regardless of gender, age, disability, race/ethnicity, religion/belief or sexual orientation.

- **Kerb Surrounds.**

Presently only the former City of Durham area allows installation of kerbside surrounds subject to an application process. If after consultation, the proposal to continue this practice in cemeteries (or parts) areas where there has been a tradition of their use and not in others is approved then access to these cemeteries will not be restricted.

- **Adornments**

A number of relatives adorn graves with personal effects and items such as solar lights, soft toys, wind chimes and football shirts. They may also leave gifts, including alcohol, at the graveside. This has a potential impact upon other users of the cemetery, on visual amenity, on the effective maintenance of the cemetery and also raises health and safety issues. Council staff are regularly asked about this issue as some visitors to the cemeteries are unhappy by the extent to which some bereaved families adorn graves. It is felt that their adornments encroach on other surrounding graves. This is clearly a highly emotive issue, especially around the anniversary of the death of their loved ones when bereaved families visit the grave to pay their respects. From the Council's perspective the proposals attempt to strike a balance between allowing adornments as part of the grieving process, but limiting their impact on other graves and cemetery users. It is proposed to allow adornments within the curtilage of the grave a period of up to two months, beyond which time the family will be requested to remove all but a couple of smaller items left at the base of the memorial. This was the approach supported by 92% of Members at the Seminar. It is proposed that beyond this period, items are carefully removed to a safe place for collection and any anniversary will be respected and time given to the family. As this is a health and safety issue and will be dealt with on an individual basis with empathy by Durham County Council the introduction of this part of the policy will benefit all.

- **Municipal Funerals**

The Council has a statutory duty to dispose of a deceased body under the provisions of the National Assistance Act 1948 and the Public Health (Control of Disease) Act 1948, if the person who died has no assets or if there are no relatives who can make funeral arrangements. Hospitals and care homes may also be able to help if the person dies while in their care. Initial contact is usually through the Coroner. If the next of kin is known, contact will be made to establish if they will accept responsibility. Legal responsibility for married couples rests with the spouse, for civil partnerships with the civil

partner, and for children it rests with the parents. When carrying out Municipal Funerals Durham County Council do not provide notices in local newspapers, flowers, funeral cars or a church service / Minister. However we could provide for a religious or non-religious (e.g. humanism) representation to attend municipal burials if the religion or belief of the deceased can be ascertained.

- **Family Searches**

There has been an increasing trend to develop our personal family tree and trace long lost relatives. Much of Durham County Council's information is currently in record book format and requires transferring to an electronic format to allow for a website facility. Currently this information is being transferred onto a new database that will improve the services efficiency. The majority of North East local authorities currently charge for this service, including Durham County Council. We charge £15 for searches, in line with the average for North East Councils. By using this system families wishing to carry out a search can go to our website and make a single credit card payment for several "credits" enabling them to perform a number of searches.

- **Woodland Burial**

Woodland burial first appeared in the UK some years ago since which time over 160 sites throughout Britain have been established, with two privately operated sites within County Durham. A considerable amount of interest has been shown in this "return to nature" expressed either directly from the public or through funeral directors. The site is established with tree planting creating glades which are progressively filled with burials. Once a glade is full, trees are planted over the top and the glade becomes continuous with the wider woodland. The approach does not provide a visible memorial for a specific burial but if requested by relatives, a 'data chip' can be buried with the deceased that enables precise location of the deceased in future years. (This model is proposed by the Arbory Trust and considered the best approach to woodland burial as in reality it is not possible to establish a tree as a permanent marker – the tree might die or the woodland might require thinning). An area for a council operated woodland burial site has already been identified at South Road Cemetery, Durham. The site has already been largely prepared by the former City Council with input from a local resident together with a community organisation. To take forward such a development, the only issues are to prepare a method statement and carrying out final landscaping. We are therefore looking to develop a business case for a proposed woodland burial site at the Durham South Road Cemetery. This will allow us to provide more choice for the bereaved.

The introduction of a harmonised County Durham Bereavement Services Cemetery Policy will benefit all regardless of gender, age, disability, race/ethnicity, religion/belief or sexual orientation. By changing the way that we provide some of the services we offer, we will be increasing the choices that we provide for the bereaved. This should be a positive impact for all. We will also be able to produce booklets for the bereaved families, Monumental Mason's and Funeral directors which will give them more detail about the services that we can provide. It is proposed that the following timetable

- 13 April 2011 Cabinet consider this report and formal consultation to commence
- 03/May/2011 Consultation starts
- 25/July/2011 Consultation ends
- 01/August/2011 policy report to back to NSMT

- 17 August/2011 policy to report to CMT
- 22 Sept /2011 report to Cabinet to ratify policy

Reviewed 2 August 2011

This EqIA screening was reviewed after the public consultation closed on 25 July 2011. Our aim was to involve as many people as possible in local decision making and, as such, we would wanted to make sure everyone had the opportunity to become involved. We also have specific responsibilities to ensure that certain groups protected by equality legislation are included. Equalities profiling was included in the questionnaire and respondees were asked if they could answer a few optional questions about themselves to help us to monitor our performance. Equality monitoring data from this is included in section 2 of this assessment.

Prompts to help you:

Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? Is there any specific targeted action to promote equality?

Is there an actual/potential negative or positive impact on specific groups within these headings?

Indicate :Y = Yes, N = No, ?=Unsure

Gender	Y	Disability	Y	Age	Y	Race/ethnicity	Y	Religion or belief	Y	Sexual orientation	Y
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How will this support our commitment to promote equality and meet our legal responsibilities?

Reminder of our legal duties:

- Eliminating unlawful discrimination & harassment
- Promoting equality of opportunity
- Promoting good relations between people from different groups
- Promoting positive attitudes towards disabled people and taking account of someone's disability, even where that involves treating them more favourably than other people
- Involving people, particularly disabled people, in public life and decision making

What evidence do you have to support your findings?

Decision: Proceed to full impact assessment – Yes	Date: 4/01/2011 , 14/02/2011, 2/08/2011
If you have answered 'No' you need to pass the completed form for approval & sign off.	

Section two: Identifying impacts and evidence- Equality and Diversity

Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.

	Identify the impact: does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)																								
Gender	No gender sepecific issues were raised during the consultation	Equality profile of consultees: Female: 103 (53.6%) Male: 89 (46.4%)																									
Age	No age sepecific issues were raised during the consultation Where regulations stipulate that children under the age of 14 cannot visit with out a responsible adult it is because of health and safety reasons not ageism.	Equality profile of consultees: <table border="1"> <thead> <tr> <th></th> <th>Frequency</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>18-24</td> <td>5</td> <td>2.9%</td> </tr> <tr> <td>25-34</td> <td>15</td> <td>8.7%</td> </tr> <tr> <td>35-44</td> <td>29</td> <td>16.9%</td> </tr> <tr> <td>45-54</td> <td>31</td> <td>18.0%</td> </tr> <tr> <td>55-64</td> <td>56</td> <td>32.6%</td> </tr> <tr> <td>65+</td> <td>36</td> <td>20.9%</td> </tr> <tr> <td>TOTAL</td> <td>172</td> <td>100.0%</td> </tr> </tbody> </table>		Frequency	Percentage	18-24	5	2.9%	25-34	15	8.7%	35-44	29	16.9%	45-54	31	18.0%	55-64	56	32.6%	65+	36	20.9%	TOTAL	172	100.0%	
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65+	36	20.9%																									
TOTAL	172	100.0%																									
Disability	Disabled respondents, which accounted for 88% of consultees, did not raise any specific issues in relation to disability. Both crematoriums currently have access plans. If cemeteries are locked pedestrian gates remain open to	Equality profile of consultees: Do you consider yourself to be a disabled person? Yes: 23 (12%) No: 169 (88%)																									

	gain access. We can arrange to have gates or bollards removed to improve accessibility if requested.		
Race/Ethnicity	<p>Specific issues for GRT communities can be overcome by early liaison with the family, community representatives, undertaker and member of the clergy taking the service. Bereavement services can give assistance in co-ordinating the funeral process if required. Travellers Liaison Manager, Durham County Council can also act as a point of contact .</p> <p>Banning of drinking or leaving alcohol at gravesides (a practise carried out by many including gypsies and travellers) is prohibited on health and safety grounds.</p>	<p>Equality profile of consultees: White British: 173 (98.3%) White Other: 1 (0.6%)* Gypsy Roma: 1 (0.6%) Traveller of Irish descent: 1 (0.6%)</p> <p>Funerals of Gypsies and Travellers are traditionally very large, public events. They are seen as a public display of both status and respect for the dead. Normally the deceased is buried rather than cremated.</p>	
Religion or belief	<p>We work closely with representatives and/or family in providing assistance with regards to funeral arrangements/type of service. This may be more relevant to certain religious communities such as the Muslim community.</p> <p>In terms of municipal funerals we may provide for a religious or non-religious (e.g. humanism) representation to attend burials if</p>	<p>Equality profile of consultees: Christian: 78% Jewish: 19% None: 18% Other: 3% NB: Of the other category, 3 were Humanist, 1 Jehovah's Witness and 1 Atheist</p> <p>Islamic law requires wherever possible burial within 24 hours of death. The Muslim community is probably the largest single religious community in England and Wales for whom burial is mandatory. Many local</p>	

	the religion or belief of the deceased can be ascertained.	authorities with Muslims living in their locality provide special areas and services to make rapid burial possible for them.	
Sexual Orientation		Equality profile of consultees: Hetrosexual/straight: 95% Gay man: 3% Bisexual: 1% Other: 1%	

How will this promote positive relationships between different communities? N/A

Section three: Review and Conclusion

Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.			
We contacted various groups and organisations including liaison with Durham County Council's Travellers Liaison Manager . No negative comments were received in connection with the protected equality characteristics. Again it is felt that the introduction of a harmonised County Durham Bereavement Services Cemetery Policy will benefit all regardless of gender, age, disability, race/ethnicity, religion/belief or sexual orientation. And it was recognised that by changing the way that we provide some of the services we offer, we will be increasing the choices that we provide for the bereaved.			
Action to be taken	Officer responsible	Target Date	In which plan will this action appear
When will this assessment be reviewed?	Date: September 2014		
Are there any additional assessments that need to be undertaken in relation to this assessment?	No		
Lead officer - sign off: Head of Direct Services			Date: 23 March 2011
Head of Direct Services			Reviewed:
Service equality representative - sign off: Policy, Performance and Communications Manager			Date: 23 March 2011
Policy, Performance and Communications Manager			Reviewed:

Please ask us if you would like this document summarised in another language or format.

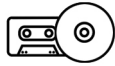
العربية (Arabic) (中文 (繁體字)) (Cantonese) اردو (Urdu)
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Braille



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