

INFANT CREMATION COMMISSION: SUMMARY OF RECOMMENDATED ACTION PLAN

The following is a précis of the wording of each of Lord Bonamy's 64 recommendations and recommended Falkirk Council response. When finalising a Falkirk Council action plan, reference should be made of the actual detailed wording of the Lord Bonamy report for accuracy of response.

INFANT CREMATION COMMISSION RECOMMENDATION (SUMMARY)	PROPOSED FLAKIRK COUNCIL RESPONSE & ACTION NEEDED
<p>1. In legislating, devising policy, drafting information and guidance documents, and making arrangements for and conducting baby cremations, the baby and the interests of the family should be the central focus of attention. Parents and families should be given time and space to reach the correct decision for them. Arrangements should be in place at each hospital for on-going contact with parents, particularly mothers, where that contact is necessary.(11.34)</p>	<p>Falkirk Council will adopt this as a fundamental of practice in this area, so far as the Council's involvement with parents at any stage pre or post cremation is concerned. It should be noted that prior to cremation, the usual contact is between Undertakers and Bereavement Services staff only, however Falkirk Council will seek to engage with NHS FV in support of their clarifying NHS practice and processes.</p>
<p>2. The FBCA in the course of their "critical friend" visits to crematoria and the ICCM in their self-assessment questionnaire should address specifically the conduct of baby cremations and recovery of ashes.(5.6)</p>	<p>This is primarily for the FBCA and ICCM, but Falkirk Council supports this recommendation. FBCA and ICCM will be expected to amend practice in this way and Falkirk Council will remain members of appropriate trade associations and will support the Federation during critical friend visits to Falkirk Crematorium.</p>
<p>3. The "ashes" which the Cremation Authority is obliged to give into the charge of the person who applied for the cremation if he so desires should be defined in legislation as "all that is left in the cremator at the end of the cremation process and following the removal of any metal". That should not preclude the applicant from consenting in advance to the removal of metals, such as coffin nails and artificial joints, and their separate disposal, including as part of a metal recycling scheme. (7.21)</p>	<p>Falkirk Council has used this definition of ashes to ensure recovery of remains takes place where possible. The council will participate in the public consultation leading to the legislation which will be amended to reflect this definition and will review procedures in light of any new legislation.</p>
<p>4. Cremation Authorities should review their practices immediately to ensure that, in dealing with the "ashes" following cremation, they proceed on the basis that the "ashes" areas defined in the foregoing recommendation.(7.21)</p>	<p>Falkirk Council is content that it has and does comply with this clarified definition of ashes.</p>
<p>5. The Scottish Government should inform their counterparts in England and Wales and Northern Ireland about the changes in legislation in Scotland to enable them to consider clarification of the definition of "ashes" in identical terms.(7.23)</p>	<p>Accepted Falkirk Council notes that the Scottish Ministers will write to counterparts in the three UK Governments reflecting this point, and the work of the Commission more generally.</p>

<p>6. All Cremation Authorities at whose crematoria ashes are not always recovered should liaise with a crematorium or crematoria where ashes are recovered more regularly to share their experiences and information about their respective practices in order to identify changes in practice that should be introduced Immediately with a view to increasing the prospects of Recovering ashes.(8.13)</p>	<p>Falkirk Council's does recover ashes recoverable from the use of the gentler "overnight" cremation process. As such it is not normally necessary to use the capture tray recommended by the Commission. As the Council's position is to recover ashes where at all possible, it will explore the potential use of trays by liaising with other crematoria and exploring the possibility of finding an acceptable method of operation which meets health & safety needs.</p>
<p>7. The Cremation Authorities which have rejected the use of trays for baby cremations on health and safety grounds should urgently consider, in light of the experience of others, the introduction of a local protocol to allow trays to be used in a way that will expose one to undue risk.(8.14)</p>	<p>Falkirk Council's does recover ashes recoverable from the use of the gentler "overnight" cremation process. As such it is not normally necessary to use the capture tray recommended by the Commission. As the Council's position is to recover ashes where at all possible, it will explore the potential use of trays by liaising with other crematoria and exploring the possibility of finding an acceptable method of operation which meets health & safety needs, as a matter of urgency.</p>
<p>8. As an urgent interim measure, the ICCM and the Federation of Burial and Cremation Authorities(FBCA) should form a joint working group, which should also include two lay persons nominated by the Scottish Government and are presentative of Facultative Industries Ltd, to consider the various practices and techniques currently employed in baby and infant cremation in full- scale cremators with a view to identifying those practices which best promote the prospect of recovery of ashes inclusive of baby remains and compiling guidance for cremator operators. The working group should identify aspects of the cremation process which could conceivably be changed or improved and into which research ought to be commissioned by the Scottish Government.The working group's endeavours may be assisted by the fact that the majority of cremators in use in Scotland are produced by the same manufacturer, FacultatieveTechnologies Ltd.(8.36)</p>	<p>Recommendations 8, 9 and 10 are for ICCM and FBCA but Falkirk Council supports the establishment of such a working group, and will provide any assistance necessary to ICCM and the FBCA to take this work forward.</p>
<p>9. Following completion of its work in 8 above, that working group should also consider the operating systems and other features of the cremators in use in Scotland and the practices currently employed with a view to identifying those aspects of the cremation process which could conceivably be changed or improved and into which research ought to be commissioned by the Scottish Government. That should include the practice of cremating babies at the end of the working day and overnight with the cremator operating and monitoring equipment switched off in a way that will cause no material environmental damage and satisfies SEPA that it should be permitted, with a view to increasing the prospects of recovering ashes. (8.36and8.39)</p>	<p>As above.</p>

10. That working group should consider and advise whether, in light of experience in England and Ireland, and having regard to their efficiency in recovering ashes and the costs of installation and operation, the Scottish Government should commission research into the design and development of small-scale cremators. (8.40)	As above.
11 Each Cremation Authority should publish a policy statement, which should include a commitment to the sensitive treatment of the baby throughout and to respecting the wishes and needs of parents and families, and also set out the Authority's policy on ashes. To ensure clarity and consistency the ICCM and the FBCA should form a joint working group to develop a model policy statement reflecting best practice and allowing for local variation as appropriate. (8.44)	Falkirk Council (as cremation authority) currently has no specific policy as it is normal practice for bereavement services staff to treat all person's remains and their families with the highest degree of dignity and respect. In the absence of such a stated policy statement, it is intended to formulate a formal policy to this effect for adoption by the Council and to respond to this recommendation as a priority, based on advice from ICCM and FBCA.
12 Funeral directors and healthcare staff should include appropriate extracts from the Cremation Authority policy in information and guidance material given to families. (8.45)	Falkirk Council will support healthcare staff and Funeral Directors by providing policy and information for inclusion in appropriate documents.
13 The cremation of non-viable babies should be the subject of legislative regulation. (9.4)	Falkirk Council will participate in any public consultation on new legislation and will review and comply with such legislation.
14 Appropriate forms of application for cremation should be prescribed for each of three categories of cremation of babies and infants: (a) stillborn baby; (b) shared cremation of non-viable babies; and (c) individual cremation of a non-viable baby. (9.7,9.23,9.40,9.42 and9.44)	Falkirk Council had also identified room for improvement in historic statutorily prescribed application forms. The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation used as part of the application process, as will be newly prescribed in law.
15 On each form of application for cremation there should be a clear warning, in terms appropriate to that form, that ashes may not be recovered, with provision for the applicant to acknowledge having read that warning. In the case of (b) shared cremations the warning should also state that any ashes recovered will either be scattered or interred, and specify which, at the crematorium. (9.10, 9.24,9.40,9.44)	Falkirk Council had also identified room for improvement in historic statutorily prescribed application forms. The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation used as part of the application process, as will be newly prescribed in law.
16 In the context of their introduction of a new death certification process, the Scottish Government should review the currently prescribed content of cremation application Form A to ensure that only essential questions are incorporated into the new prescribed forms for (a) and (c). (9.18,9.24and9.44)	Noted that .Form A will be reviewed by Scottish Government as part of the implementation of the Certification of Death (Scotland) Act 2011.
17 All forms of application prescribed should be designed by the Scottish Government with simplicity and clarity in mind, and all Cremation Authorities, Health Boards and other healthcare providers should be required to use the forms so prescribed and designed. (9.14and 9.16)	Falkirk Council had also identified room for improvement in historic statutorily prescribed application forms. The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation used as part of the application process, as will be newly prescribed in law.

<p>18 The forms prescribed for (a) and (c) should contain a question requiring the applicant to specify how the ashes should be dealt with following the cremation. The options available should include retention for a defined period pending a final decision and also later extending the period of retention.(9.10,9.24and9.44)</p>	<p>Falkirk Council had also identified room for improvement in historic statutorily prescribed application forms. The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation used as part of the application process and it's practice on retention of documentation, as will be newly prescribed in law.</p>
<p>19 There should be provision in forms for (a) and (c), or on a separate form, for the applicant to authorise a representative, such as the Funeral Director, to collect the ashes. Where the Funeral Director is the person authorised, the form should also provide for the consent of the applicant to the Funeral Director returning the Ashes to the crematorium in the event that the applicant does not collect them from the Funeral Director or give the Funeral Director instructions as to their disposal within a defined period.(9.11)</p>	<p>Falkirk Council had also identified room for improvement in historic statutorily prescribed application forms. The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation used as part of the application process and it's practice on retention of documentation, as will be newly prescribed in law.</p>
<p>20 There should be a specific legislative provision that the cremation should not be authorised to proceed if the application does not contain a clear direction as to how the ashes should be dealt with.(9.12)</p>	<p>Falkirk Council will review new legislation and amend operational procedures as necessary, including the training of staff on how to treat incomplete cremation applications with regard to ensuring clear stated intent for the destination of ashes recovered.</p>
<p>21 Where ashes are left in the care of the crematorium on the basis that they will be collected, or to await further instructions within a defined period, the Cremation Authority may not scatter or inter them unless 14 days' notice of their intention to do has been given to the applicant.(9.13)</p>	<p>Normal practice for Falkirk Council has been to follow instructions stated by the applicant on the application form. Scattering of ashes is not normal, however internment of ashes within the Crematorium Garden of Remembrance is normal practice where the applicant indicates this to happen. In the event where the applicant does not uplift ashes are per the application, procedures will be amended to ensure that 14 days notice is given by Falkirk Council of the intent to inter ashes within the garden of remembrance.</p>
<p>22 The forms prescribed for (a) and (c) should be completed and signed by the applicant personally, and the applicant's signature should be witnessed by a person who is not a member of the applicant's family and has no part in the arrangements for the cremation.(9.9,9.10, 9.21and9.44)</p>	<p>The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation used as part of the application process and it's practice on retention of documentation, as will be newly prescribed in law</p>

23 It should be provided in legislation that those entitled to apply for cremation are: (i) in the case of (a) and (c) the nearest relative as defined by section 50 of the Human Tissue (Scotland) Act 2006; and (ii) in the case of (b) a person authorised by the Medical Director of a Health Board or other healthcare provider, and that an application presented by a different person should be accepted only on cause shown, which should be recorded in the register referred to below. (9.19,9.20and9.42)	The Council will participate in any public consultation on new legislation and will review and comply with such legislation by amending documentation and authorised signatory forming part of the application process and its practice on retention of documentation, as will be newly prescribed in law.
24 Senior Cremation Authority staff should be responsible for the scrutiny of all cremation application forms to satisfy themselves that the applicant is entitled to make the application as mother, nearest relative or on cause shown. There should be legislative provision that, if the Cremation Authority is not satisfied of the applicant's entitlement to apply, then authority for the cremation to proceed may be refused. (9.20)	A duty Manager system of qualified and authorised Senior staff will be implemented to apply due scrutiny of all application forms to ensure that the application is valid and correct, ensuring that the applicant is entitled to apply.
25 Legislative provisions similar to those in Regulation20 of the 2008 Regulations (England and Wales) should be introduced requiring appropriate certification of a still birth. (9.22)	Falkirk Council note the Scottish Government's intention to introduce this legislation and will review and amend procedures as appropriate once in force.
26 The duty of Cremation Authorities as to the handling of ashes set out in Regulation17 of the 1935 Regulations should be extended to apply to stillborn and non-viable babies. (9.25)	Falkirk Council note the Scottish Government's intention to introduce this legislation and will review and amend procedures as appropriate once in force.
27 The provisions of Regulations 13 and 15A of the 1935 Regulations should be amended to apply to stillborn children. (9.26)	Falkirk Council note the Scottish Government's intention to introduce this legislation and will review and amend procedures as appropriate once in force.
28 NHS Scotland should review the provision of the facility of hospital-arranged cremation throughout Scotland with a view to making consistent provision in all Health Boards. (9.32)	Falkirk Council notes this recommendation and will work with Health Boards to advise and liaise as appropriate.
29 The Scottish Government should establish a working group comprising representatives of Health Boards, Funeral Directors, Cremation Authorities and miscarriage and child bereavement support organisations to consider evolving practices in the arrangement and conduct of shared cremations and to draw up a code of practice setting down minimum standards for shared cremations. (9.35)	Falkirk Council will make it known that it is willing to participate in a working group which will be established to consider these issues.
30 The 2012 CMO and CNO Guidance on sensitive disposal should be reviewed and consideration should be given to revising it to take account of the comments made in Section 9. (9.36to9.39)	Falkirk Council note that the CMO/CNO Guidance will be updated and will review and amend procedures with respect to applications for cremation made by health boards as appropriate, once available.

<p>31 Annex C to the CMO and CNO Guidance should be revised to: (i) set out specifically the options for disposal explained to the mother above the space for her signature;(ii)state that ashes may not be recovered following cremation, and that any which are recovered will be scattered or buried at the crematorium; and(iii) state specifically that the standard procedure to be followed where the mother declines to discuss disposal is cremation along with others.(9.40and9.41)</p>	<p>Falkirk Council note that the CMO/CNO Guidance will be updated and will review and amend procedures with respect to applications for cremation made by health boards as appropriate, once available.</p>
<p>32 The form of application for (b) should state that each mother has authorised the hospital to arrange a shared cremation, and that such authorisation is held in hospital records.(9.40)</p>	<p>Falkirk Council note that the CMO/CNO Guidance will be updated and will review and amend procedures with respect to applications for cremation made by health boards as appropriate, once available. The Council will look for evidence of the mother's consent in applications made by health boards.</p>
<p>33 Each application for cremation of a non-viable baby should be accompanied by a medical certificate that the pregnancy loss occurred before 24 weeks and showed no signs of life.(9.42)</p>	<p>Falkirk Council note that the legislation & guidance will be updated and will review and amend procedures with respect to applications for cremation made by health boards as appropriate, once available. The Council will look for evidence in the form of a medical certificate verifying pre 24 weeks pregnancy loss, in the case of applications for cremation made by health boards.</p>
<p>34 Cremation Authorities, Funeral Directors and Health Boards should review the contractual arrangements in place for shared cremations in light of ICCM guidance contained in Section 6 to satisfy themselves that the respective responsibilities of the parties are so defined as to ensure that such cremations are carried out in a dignified and sensitive manner.(9.48)</p>	<p>Falkirk Council note that such cremations should be carried out in accordance with the code of practice which will be developed as per recommendation 29 above. Procedures will be reviewed in light of this guidance and appropriate training on handling such cremations in a dignified and sensitive manner will be given to staff.</p>
<p>35 Each Cremation Authority should be required by legislation to record the cremation of each deceased baby, stillborn baby and non-viable baby carried out by the Cremation Authority in a register or registers comprising prescribed columns, everyone of which must be completed, including in particular, if the ashes were scattered or buried, the date and their location and, if collected, the date and by whom.(10.4and10.5)</p>	<p>Falkirk Council note that this requirement will be set down in legislation and will review and revise procedures once legislation has been passed.</p>
<p>36 The Cremation Register should be a public document and the Scottish Government should make legislative provision to that effect, subject to any restrictions necessary in the interest of privacy and to comply with data protection requirements.(10.6)</p>	<p>The current cremation register is a public document, however public access arrangements will be reviewed accordingly once new legislation is passed.</p>
<p>37 Each Health Board and other healthcare providers should maintain a register of authorisations in which the crematorium at which the baby was cremated is recorded in a way that will ensure traceability of the link between the baby and the ashes.(10.8)</p>	<p>Falkirk Council will issue a certificate of cremation (including whereabouts of ashes) to the applicant (in the case, the health board, allowing records to be kept by the health board.</p>

<p>38 Permitting the overnight cremation of infants</p>	<p>Falkirk Council should pursue a variation of the PPC permit to legitimise the current practice of allowing slow cremations using residual heat overnight.</p>
<p>39 The registers kept by Cremation Authorities, Health Boards and other healthcare providers should be preserved indefinitely. All forms of application, certificates and other official documents relating to a cremation should be preserved for a minimum of 50 years.(10.10and10.11)</p>	<p>Falkirk Council note the intent to extend the length of time for record retention and will follow any new statutory requirement arising from this recommendation.</p>
<p>40 The Scottish Government should form a working group drawn from Cremation Authorities and providers of software to crematoria to review the available facilities for electronic processing and storage of cremation documents and records, to consider and recommend appropriate improvements to achieve the objects of the recommendations of this Commission, and to consider what additional features and facilities the software manufacturers should be invited to develop, all with a view to ensuring that the systems in use by Cremation Authorities are as efficient and secure as possible. The working group should also consider and advise on the appropriate requirements for back-up systems. Having regard to the importance of keeping records secure, the working group should also consider and advise whether additional security measures are necessary and what back-up storage systems should be provided.(10.12)</p>	<p>Falkirk Council is willing to participate in this IT working group and is aware of the limited remaining shelf life of the current IT bereavement records system used by Bereavement Services. The software will be reviewed and updated with cognisance given to the recommendations of this working group.</p>
<p>41 In the case of deceased and stillborn babies, on completion of the entry by recording the ashes location or collection and the date thereof, the Cremation Authority Registrar should be required to send a notice to the applicant confirming which occurred and, if scattered or interred, where that was, along with an extract of the full register entry. In the case of the individual cremation of a non-viable baby the Registrar should issue such a notice and extract on request and the form of application should provide for such a request to be made.(10.13)</p>	<p>Falkirk Council has recently put in place an interim “receipt” system in the form of a new form of “certificate of cremation”, which indicates the destination of ashes. This format and procedure will be reviewed in light of any new legislative requirement and developments in records software to ensure that there is no uncertainty with regard to the final destination of ashes.</p>
<p>42 The ICCM and FBCA should review their respective technical training programmes in accordance with the requirements identified in Section11.(11.12to 11.16)</p>	<p>This is for ICCM and FBCA to lead, but Falkirk Council notes this recommendation and will amend its Crematorium staff training programmes accordingly.</p>

<p>43 The FBCA should review all published guidance documents to provide clear and fully informed guidance on the prospects of ashes being recovered based on knowledge of skeletal maturity rather than gestational age alone. (11.14)</p>	<p>This is for the FBCA but Falkirk Council supports this recommendation and will adopt any subsequent guidance or legislation with respect to recovery of ashes.</p>
<p>44 The ICCM and FBCA should each introduce into their respective technical training programmes provision requiring the trainee technician and his mentor to attend and undertake, in the course of the training period and at a crematorium identified by the Institute or the Association as excelling in the conduct of baby and infant cremations, a full day of training in the conduct of baby and infant cremation on two separate occasions. The trainee should be required to satisfy the examiner of his knowledge and understanding of the methods and techniques of the conduct of baby and infant cremations that enhance the prospects of recovering ashes. (11.16)</p>	<p>This is for ICCM and FBCA to lead, but Falkirk Council notes this recommendation and will amend its Crematorium staff training programmes accordingly.</p>
<p>45 The ICCM should revise their management training scheme to include an element dealing with baby and infant cremation and to make that a compulsory part of study for the certificate in cremation management. (11.18)</p>	<p>This is for ICCM and FBCA to lead, but Falkirk Council notes this recommendation and will amend its Crematorium staff training programmes accordingly. It should be noted that Bereavement Services currently do not have any managerial staff holding the Certificate in Cremation Management.</p>
<p>46 The person with direct management responsibility for the operation of a crematorium should hold either a qualification in crematorium management or the FBCA certificate of competence to operate cremators or the ICCM intermediate certificate for crematorium technical operations. (11.19)</p>	<p>It should be noted that Bereavement Services currently do not have any managerial staff holding the Certificate in Cremation Management As the requirement to hold such certification is expected to be included in the Code of Practice (in recommendation 61), consideration needs to be given to the status of the Code of Practice and any legal requirement for staff to be qualified to this level. Recruitment and/or training of existing managerial staff may be required to fulfil this obligation and in any event, it would be advisable that appropriate staff hold this qualification to ensure a minimum certified level of technical competence for the Crematorium operation.</p>
<p>47 The FBCA should develop and introduce a training programme for continuing professional development. (11.20)</p>	<p>This is for FBCA to lead, however Falkirk Council will make CPD opportunities available for relevant staff, taking into account any legislative or guidance requirements for CPD which follow.</p>

<p>48 Mothers of non-viable babies and families of stillborn babies and very young deceased babies considering cremation should be advised where there is a possibility that ashes will not be recovered and reminded of the availability of the option of burial. (11.24and11.34)</p>	<p>Falkirk Council will amend appropriate documents and information leaflets to ensure that the applicant is advised of the possibility of the non-recovery of ashes, and the option given for burial. It should be noted that this recommendation refers to the mother, and Falkirk Council staff are only in a position to advise the applicant (who may not always be the mother). This recommendation is also intended for Undertakers and/or medical staff, and so in the (majority) of cases where Council staff are not in a position to advise the mother, evidence of such advice being given will be sought from the applicant. The Council will follow the Code of Practice proposed in Recommendation 61.</p>
<p>49 All providers of training programmes for Funeral Directors should review them in the light of any legislative changes affecting the cremation of non-viable and stillborn babies and associated administrative procedures. (11.26)</p>	<p>This is primarily for Funeral Directors but Falkirk Council supports this recommendation. The policy development panel process recommended the setting up of a local bereavement industry stakeholders liaison forum. New legislation should be a standing agenda item for discussion to ensure that the Council plays a (non statutory) role in disseminating information and ensuring a common understanding of legislative requirements and any procedural changes the Council makes in response to legislative (or guidance) changes.</p>
<p>50 All providers of training programmes for Funeral Directors should devise modules designed to give Funeral Directors an understanding of the cremation process, the effect it has and the prospects of recovering ashes in Baby and infant cremations. (11.26)</p>	<p>This is primarily for Funeral Directors but Falkirk Council supports this recommendation.</p>
<p>51 Each Health Board, as part of continuously improving the quality of the service, should identify staff who will have responsibility for communicating with families about arrangements for disposal and liaising with Funeral Directors and crematoria and, as part of their continuous professional development, arrange for their further education and training in the necessary skills, including developing their communication skills, improving their understanding of the roles and responsibilities of colleagues, and providing an appreciation of the capabilities of modern cremation equipment and contemporary cremation practice and the effect of cremation on babies and infants. (11.35)</p>	<p>This is an action for Health Board, however, Falkirk Council will participate fully with Health Boards to assist their staff in gaining this knowledge and skills.</p>
<p>52 Health Boards should support staff in initiating the formation of local multi-disciplinary working groups comprising all with a role in dealing with the fate of the baby from hospital to crematorium to exchange information, knowledge, understanding, practice and experience, as well as promoting joint training programmes, with the aim of ensuring that all involved are familiar with the facilities available and practices followed locally. (11.36)</p>	<p>This is primarily for Health Boards but the Scottish Government supports such an approach and would expect all Health Boards and other organisations to establish local multi- disciplinary groups.</p>

<p>53 Health Boards, organisations providing advice, support and guidance to grieving families such as SANDS UK and the Miscarriage Association, Funeral Directors, the ICCM and FBCA, and any other body providing advice, support and guidance to grieving parents and families should review all publications dealing with cremation that are likely to be distributed to, or seen by, the public to ensure that they include accurate information that is expressed clearly and consistently, including in particular information about the prospects of recovering ashes, and that they contain a reminder of the availability of the option of burial.(11.37)</p>	<p>Falkirk Council recognise that it is important that consistent and accurate information is provided to bereaved families and undertakes to participate fully in the provision of information and guidance relating to cremations and recovery of ashes.</p>
<p>54 The Scottish Government should establish a working group comprising a representative from each Health Board and chaired by a Scottish Government official to review all guidance documents and information leaflets in use overall Health Boards and private healthcare providers, including those compiled by, or in conjunction with, bodies such as SANDS and the Miscarriage Association, relating to management of pregnancy loss and infant bereavement and arranging disposal, with a view to ensuring consistency in that guidance and information, and endeavouring to reduce the proliferation of different documents in use. (11.38)</p>	<p>Noted as a Scottish Government led working group for Health Boards</p>
<p>55 Where invited to do so by affected parents, local councils/ authorities should facilitate discussion for plans for local memorials.(12.7)</p>	<p>Falkirk Council notes the recommendation for consideration of local memorial(s) and the potential inappropriateness of the Crematoria site as suggested in the report. The Council will give further consideration to initiating the erection of such memorial(s) and/or will discuss with relevant parties any requests for local memorials by support groups.</p>
<p>56 The Scottish Government should form a working group, to include representatives of affected parents and bereavement support groups to consider whether there should be a national memorial dedicated to the babies whose ashes were mishandled or mismanaged and, if so, the form that it should take.(12.8)</p>	<p>Notes as a Scottish Government led national initiative. Falkirk Council would give consideration to hosting such a national memorial if requested, however it is understood that the majority of affected families will be located in the area served by Mortonhall and/or Aberdeen .</p>
<p>57 The Scottish Government should establish a National Committee with responsibility for baby and infant cremations.(13.4)</p>	<p>Falkirk Council will observe the work of this committee and is willing to participate as an authority with experience of the issues.</p>
<p>58 The National Committee should be chaired by a senior Scottish Government official. Its membership should be drawn from authorities, organisations, professions and other bodies with a role in baby and infant cremation, and should include representation from groups or organisations representing affected parents and providing bereavement support.(13.5)</p>	<p>Falkirk Council will observe the work of this committee and is willing to participate as an authority with experience of the issues.</p>

<p>59 The National Committee should have power to establish working groups of its membership, with co-opted members where appropriate, to consider specific recommendations from this report. Each of the working groups recommended above would be sub-groups of the National Committee. It would be open to the National Committee to assign to one working groups the tasks assigned in more than one recommendation, for example recommendations relating to technical matters and cremation technology could be dealt with by a professional sub-group reporting back to the full Committee. The National Committee should also have the power to establish working groups to consider other issues identified by the National Committee and to report back to the National Committee.(13.6)</p>	<p>Falkirk Council will observe the work of this committee and is willing to participate as an authority with experience of the issues</p>
<p>60 The National Committee should report to Scottish Ministers annually on progress against the recommendations made by this Commission. That annual report should be published on the Scottish Government website.(13.7)</p>	<p>Falkirk Council will observe the work of this committee and is willing to participate as an authority with experience of the issues. Updates on progress and any information requests will be responded to.</p>
<p>61 The National Committee should, as a priority, develop a national Code of Practice for baby and infant cremation. Such a Code, which should be informed by the recommendations of this Commission, should set down the minimum requirements for organisations to adhere to when supporting bereaved parents and families through the baby and infant cremation process, and seek to identify best practice to be followed by all bodies involved in baby and infant cremation. The Code of Practice should include general principles and guidance as well as specific technical and operational guidance for Cremation Authorities, Health Boards and Funeral Directors, with a view to achieving consistently high standards of practice among all with a role in baby and infant cremation.(13.8)</p>	<p>An overarching Code of Practice for all organisations involved in infant and baby cremation will be a welcome development. Falkirk Council supports the Scottish Government view that the Code of Practice should be the first priority for the National Committee.</p> <p>The Council will review the new code of practice and revise any procedures as necessary in due course.</p>
<p>62 The Code of Practice should be a live document that is not only responsive to developments, but also instrumental in promoting improvements, in practice, technology, policy and legislation. The National Committee should therefore continue to monitor developments in all aspects of activity related to baby and infant cremation and review the Code annually to ensure that it reflects contemporary standards and best practice. (13.9)</p>	<p>It is noted that the Code of practice will evolve and Falkirk Council will review practices each time the Code is revised to ensure validity.</p>

<p>63 Scottish Ministers should appoint an independent Inspector to monitor working practices and standards at crematoria, provide feedback to Cremation Authorities on how they are performing and to report to the Scottish Ministers as required. The independent Inspector should have authority to investigate complaints from the public about working practices and standards at crematoria, to adjudicate upon these complaints and report findings to the Scottish Ministers. The role of the Inspector should be extended to the funeral industry in respect of which there is no current provision for inspection.(13.10and13.11)</p>	<p>Falkirk Council notes that an Inspector is to be appointed during2014 and will participate fully in any inspections.</p> <p>It is particularly welcomed that the inspection process will include the wider funeral industry, as gaps clearly exist in the regulation of some practices of the funeral industry as a whole, which has contributed to the circumstances in Falkirk and is evident in the Mortonhall enquiry report.</p>
<p>64 The Scottish Ministers should keep the cremation and funeral industries under review and should consider whether further regulation of either is required.(13.13)</p>	<p>Falkirk Council welcomes the on-going consideration of additional regulation of the cremation and funeral industries, and will participate in any consultation on this ahead of the Burials and Cremation Bill.</p>