



Portfolio Holder Decision Making Session

Portfolio Holder for Health and Wellbeing

10:00 Friday 15th January 2016

Item

Public

REPORT TITLE Authority to adopt and implement a policy for personal tributes and memorials on shared graves at Longden Road Cemetery, Shrewsbury.

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1. Summary

In the absence of a current policy for tributes on shared graves, families have sought clarity on what type and how many tributes may be placed on shared graves, specifically in shared grave areas within the newer part of Longden Road Cemetery.

This decision report summarises the analysis of responses from the consultation with families. These responses have been utilised to form the new policy proposed within this report. This report seeks approval for the proposed new policy and the proposed process for its communication and implementation.

2. Recommendations

It is recommended that the Portfolio Holder for Health and Wellbeing:

A: Approves the adoption and implementation process of the policy proposed within this report specifically applicable to shared graves in shared grave areas at Longden Road Cemetery.

Reason(s) for decision: Shropshire Council has been petitioned to adopt and communicate a tribute policy for shared graves to give clarity to families on what types of tributes, if any are permitted on shared graves.

3. REPORT

There are 24 shared graves grouped in one area at Longden Road Cemetery. In each grave there may be up to 18 babies interred. Various customs and practices relating to the placement of headstones and tributes on these graves have evolved, many of these have not been sanctioned or challenged by the council.

The graves have been provided free of charge to the stillbirth and neonatal death charity (Sands) that has played a key part in the co-ordination of these graves in terms of burial administration, contact with the families and until recently the procurement and installation of memorial headstones.

During October 2014, unauthorised action took place to remove all tributes from shared graves in area 20 of the cemetery. This action, particularly because of the lack of prior notification led to considerable anguish and concern for a number of families. Due to significant media coverage of the tribute clearance, the national office of the Sands charity became involved and sought support from the council to identify and implement measures to address the situation.

Many families made contact with the council to express their view and officers tracked opinions and comments made on media websites. Subsequently, in consultation with the national Sands office and due to the proximity to Christmas, a temporary policy was introduced that permitted the placement of floral tributes on the shared graves. The intention being to allow families to place something on the graves whilst affording appropriate time to be given to consider the matter carefully and consult with parents, given the subject's sensitive nature.

Whilst consideration was being given to what families wanted to happen next with regard to tributes on the shared graves a petition was initiated. The petition collected over 2,000 signatures and attracted national media coverage. In a meeting with the petitioning family, the council offered to undertake consultation and develop and implement a tribute policy based on the feedback to the consultation. The consultation took place between June and August 2015 and sought views to a number of questions and proposals.

The consultation asked 7 questions. Questions 1 and 2 were about establishing whether the respondent was a parent of someone interred within a shared grave, a family member or neither of those. Questions 6 and 7 were about establishing whether they wished to receive further contact regarding the consultation outcome and obtaining their contact details. Question 3 was specifically about a proposal for a new memorial garden and questions 4 and 5 were about the number and types of tributes that respondents preferred. In total 52 responses were received.

3.1 Results of the consultation

The question, a summary of the responses, detail of the most preferred view and the proportion of the respondents that preferred that view is detailed in the below tables.

Q3 We are considering creating a small memorial garden for remembrance and tributes at the rear of the shared graves. Would you like this garden to be created?
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Response - The majority of respondents, 52% were in favour of this and so it is proposed, subject to subsequent agreement on the cost and how funded, for the creation of a remembrance garden where further tributes can be placed and make changes to improve the area for visitors so that it is more peaceful, attractive and private when visiting. The charity Sands has suggested it would help with funds towards this and an approach has been made by a potential private donor.
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Q4 Was about the number (if any) of tributes respondents would like to be permitted on a shared grave per family per baby interred and proposed a number of options.

Response – The response to this question was mixed across the range of options. Some respondents wanted no tributes, some wanted just floral tributes, some wanted just one non floral tribute and some wanted no limit on the number of tributes allowed. The most preferred option favoured by 18 of the 52 respondents (34.6%) is to permit one non floral tribute per family per baby interred in that grave. Because this response was given by the most respondents and because this is the closest

position for those respondents that wanted no non-floral tributes, it is proposed that the new policy permits one tribute per family per baby interred in that grave.

Q5 Do you agree with the following general principles for new tributes?

Tributes **must not**/be

- Likely to cause offence to other visitors
- Bigger than a footprint of 10cm by 10cm and not taller than 20cm in height
- Made of perishable material e.g. fabric/soft toys
- Made of material that may shatter e.g. glass, china/ceramic
- Include a naked flame
- Helium/gas filled balloons

Response - Of those that provided a response to this question (6 did not) the majority, 26, (56.5%) were in favour of the above principles. Therefore it is proposed for the above principles to form the basis of the new policy for tributes.

The consultation feedback responses detailed above have informed the proposed new policy below.

3.2 Proposed policy for tributes on shared graves - recommended for adoption

No more than one non floral tribute is permitted to be placed at any one time on a shared grave per family (to include the extended family) per baby interred in that shared grave.

All tributes whether floral or non-floral must comply with all of the following principles;

- Must not be likely to cause offence to other visitors
- Must not exceed a footprint of 10cm by 10cm and 20cm in height
- Must not be made of perishable material for example fabric and/or soft toys
- Must not include a naked flame
- Must not include or comprise of a Helium or other gas filled balloon
- Must not be made of material that may shatter e.g. glass, china or other ceramic or include or comprise of sharp edges

All tributes must be placed either on the plinth of the memorial headstone or its base or within the current garden area for bedding plants or as close as possible thereto.

No kerbs or edging material may be installed around the grave.

Reasonable endeavour must be made to identify on the tribute to whom the tribute is placed in order that contact may be made with the family where necessary.

This policy applies to shared graves in the shared grave area at Longden Road Cemetery and may apply in new cemeteries in future as and when these are developed. The policy will co-exist with the current Lawn Graves Regulation for Shrewsbury General Cemetery adopted in 2008. Should a conflict arise between the policy and regulation the matter will be decided by the Shropshire Council.

3.3 Communication, implementation and enforcement of the proposed policy

Subject to approval, the new policy will be communicated to those consultation respondents that wished to receive further information on the outcome of the consultation. The new policy will further be communicated to Sands national and local contacts, the council's bereavement service provider and grounds maintenance service provider, local funeral directors, the bereavement midwife of Shropshire maternity unit and will be added to the council's website.

The new policy will be effective from the date it is made public, meaning those families wishing to, may add a non-floral tribute as soon as they are able. The new policy will be enforced from 1st April 2016 meaning tributes that may contravene the new policy may remain in situ until after Christmas 2015 and families will have time in order to make any alternative arrangements as necessary.

4. Risk Assessment and Opportunities Appraisal

(NB This will include the following: Risk Management, Human Rights, Equalities, Community, Environmental consequences and other Consultation). No risks or opportunities are foreseen as a consequence of the policy change proposed. An Equality and Social Inclusion Impact Assessment (ESIIA) part 1 initial screening assessment has been carried and is appended to this report. The impact of the proposed policy change is considered to have a neutral to slightly positive impact, particularly for the religion and belief criteria, enabling bereaved residents to pay more personal respects to loved ones interred in these graves. The proposed policy change also contributes positively to Article 10 of the Human Rights Act for Freedom of Expression. No negative environmental impacts are foreseen as a consequence of the policy change proposed. Consultation took place with a self-selected group of consultees and their views have directly formed the policy change proposed. Once implemented the policy change proposed will be reviewed from time to time with bereaved families and representatives from Sands to ensure it remains current and valid.

5. Financial Implications

The changes proposed regarding tributes will require officer time to convey but this resource is considered nominal. The creation of a memorial garden will require funding. The Sands charity has offered a contribution, as has a private donor. These contributions may fully fund or near fully fund the total cost of the memorial garden. Depending on the cost of a memorial garden (quotes being sought) a contribution from the council may be necessary, subject to a cap of £5,000. A separate decision report specific to the memorial garden will be produced if required.

6. Background

There is no further background information.

7. Additional Information

This decision report is supported by an Equality and Social Inclusion Impact Assessment (ESIIA) appended to this report.

8. Conclusions

The council was petitioned to permit families to place one non-floral tribute per family on a shared grave. The council undertook consultation to obtain views on this matter. The consultation

feedback has been analysed and has closely informed the new policy being proposed within this report. For these reasons the report recommends the adoption of the proposed new policy.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):

Lawn Graves Regulations 2008

Consultation regarding Tributes on Shared Graves at Longden Road Cemetery

Results of Consultation analysis.docx; Data_All_150922.pdf - anonymised version available upon request

Key Decision: Yes

Included within Forward Plan: Yes

If a Key Decision and not included in the Forward Plan have the General Exception or Special Urgency Procedures been complied with: Yes / No

Name and Portfolio of Executive Member responsible for this area of responsibility:

Cllr Karen Calder – Portfolio Holder for Health and Wellbeing

Local Member:

Belle Vue Ward – Cllr Amy Liebich

Appendices:

Equality and Social Inclusion Impact Assessment (ESIIA)

Declaration of Interest

- I have no interest to declare in respect of this report

Signed Date

NAME:

PORTFOLIO HOLDER FOR:

- I have to declare an interest in respect of this report

Signed Date

NAME:

PORTFOLIO HOLDER FOR:

(Note: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter.)

For the reasons set out in the report, I agree the recommendation(s) in the report entitled

Signed

Portfolio Holder for

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and pro-forma is returned to Democratic Services for processing.

Additional comment:
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Note: If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, Head of Legal and Democratic Services, Chief Executive and the Head of Finance, Governance and Assurance (S151 Officer) and, if there are staffing implications the Head of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Portfolio Holder: Your decision will now be published and communicated to all Members of Council. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication.