

Draft Statutory Guidance on Funeral Costs

Consultation

August 2018

Ministerial Foreword



The death of a loved one is a heart-breaking experience. Where it has not been possible to put aside money for the funeral in advance, worries about costs can add to the difficulties faced, potentially tipping people into poverty and making things even more difficult for those who are already facing hardship.

The Scottish Government is acting to tackle this issue. In August 2017, we published our Funeral Costs Plan which sets out a range of measures aimed at addressing funeral poverty.

We have already begun to make a difference in this area. We will invest over £3 million each year to widen eligibility for the Funeral Expense Assistance benefit that will replace the DWP Funeral Payment in Scotland by summer 2019. We will also uprate the flat rate part of this payment annually. Working with COSLA, we have committed to removing local authority child burial and cremation fees, recognising that the loss of a child is one of the most traumatic things any of us will ever face. Both these actions will provide improved support directly to people who have been bereaved.

This consultation asks for views on draft statutory guidance on funeral costs, which is Action 2 of the Funeral Costs Plan. While the setting of individual funeral charges is for local authorities and private businesses to determine, I want this guidance to help improve the availability and transparency of funeral charges information to help consumers understand, compare and choose the services that are right for them. This recognises that people buying a funeral are often distressed and need to make a purchase quickly, so they may not behave like a normal consumer. The guidance will complement other action the Scottish Government has already taken to help encourage people to talk about and plan their funeral, and we will continue our efforts in this area.

But the funeral market is complex. Crematoriums and cemeteries are operated by local authorities and by private providers. Most people arranging a funeral will use a funeral director, many of whom also sell funeral plans, which allow people to purchase most elements of their funeral and make funeral arrangements in advance of their death.

Given this complexity in the funeral market, we also want to work with the UK Government and Competition and Markets Authority (CMA) in relation to areas such as market regulation, consumer protection and regulation of pre-paid funeral plans.

The CMA launched a market study on 1 June this year, with the aim of assessing how competition works between crematoriums and between funeral directors. It will also look at transparency issues in the funeral market. I welcome the CMA's decision to conduct this market study, which covers many of the same issues that we are seeking to address through this draft guidance.

To develop the draft funeral costs guidance, the Scottish Government has worked with COSLA, local authorities and the funeral industry to try to identify areas of consensus; but also to explore areas where transparency and consumer choice might be improved through guidance.

This consultation is being launched at time of change for the funeral industry in Scotland. In my previous role as Minister for Public Health and Sport, I was responsible for the implementation of the Burial and Cremation (Scotland) Act 2016. I was impressed at the level of commitment that the funeral industry showed to working constructively with the Scottish Government over the implementation of the Act, sometimes in challenging circumstances.

As I take on my new role as Cabinet Secretary for Communities and Local Government, it has, therefore, come as no surprise to me to learn that the funeral industry, along with other stakeholders with an interest in funeral costs, have shown a similarly high degree of commitment to working with the Scottish Government to develop the draft guidance which we are now seeking your views on.

For the guidance to work in the way we want, it will need the support of the industry and other stakeholders. For that reason, I encourage all organisations and individuals with an interest to respond to this consultation on a draft of the guidance, to ensure that people will be able to embrace and implement the finalised guidance effectively, confident that it has been shaped using the best knowledge and information available.

Thank you for taking the time to give us your views.

A handwritten signature in black ink, appearing to read 'Aileen Campbell'.

**Aileen Campbell MSP,
Cabinet Secretary for Communities and Local Government**

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Section 1: About the consultation

What are we consulting about?

1. This consultation seeks views on draft statutory guidance on funeral costs for local authorities, burial and cremation authorities and funeral directors. The draft guidance is set out at section 3 of this document. Section 4 of this document sets out questions about the draft guidance. Responses to the consultation will be used to inform the final version of the guidance.
2. The focus of the consultation is on costs associated with arranging a funeral. We are not seeking views on regulation of the funeral sector. This is because the Scottish Government appointed Scotland's first ever Inspector of Funeral Directors in April 2017. The Inspector will make recommendations to Ministers on how funeral directors' businesses should be regulated by the end of 2018, including whether a licensing regime should be introduced. We have involved the Inspector during development of this draft guidance to ensure that it is clear that provision of lower-cost options should not result in poorer standards of care of the deceased. An Inspector of Crematoria has been in place since 2015 and an Inspector of Burials will be appointed in due course.

Who do we want to hear from?

3. We are keen to gather the views of local authorities, private burial or cremation authorities, funeral directors and any other groups or individuals with a working knowledge of, or interest in, burial and cremation or the funeral industry. We are also keen to hear from individuals and organisations with experience of tackling poverty or providing consumer advice.
4. To make this consultation as accessible as possible, we plan to undertake meetings with interested groups and individuals during the consultation period. This will help us to take into account concerns from specific groups, including islands and other remote communities, in the finalised guidance. If you are interested in being involved in this, please contact funeralcostsguidanceconsultation@gov.scot.

Who might be affected by the draft guidance?

5. The draft guidance has been written for burial and cremation authorities and funeral directors, and has a section with additional guidance for local authorities. The overall aim of the draft guidance is to support transparency in the funeral market to help consumers understand, compare and choose the services that are right for them. This consultation asks for views about the potential impact of the draft guidance on the public, private or third sector at section 5, which also asks for views about potential impacts on people with protected characteristics under the Equality Act 2010.

What comments are requested and by when?

6. We are inviting responses to this consultation paper by Thursday 8 November 2018. To submit your response online please visit:
<https://consult.gov.scot/social-security/statutory-guidance-on-funeral-costs>
7. If you would prefer, you can email your response to funeralcostsguidanceconsultation@gov.scot or send to:
Funeral Costs Guidance Consultation
Funeral Expense Assistance and Funeral Poverty Team
Social Security Policy
Victoria Quay
Edinburgh
EH6 6QQ

Comments and Concerns

8. If you have any comments about how this consultation exercise has been conducted please send them to: funeralcostsguidanceconsultation@gov.scot

Or

Funeral Expense Assistance and Funeral Poverty Team
Social Security Policy
Victoria Quay
Edinburgh
EH6 6QQ

Section 2: Outline and purpose of the draft guidance

Background

9. During the passage of the Burial and Cremation (Scotland) Act 2016 (the Act), issues were raised regarding the cost of funerals, charge setting by local authorities for burial and cremation, and transparency of pricing.
10. As a result, an amendment was made to the Act to introduce Section 98, which makes provision for Scottish Ministers to publish “guidance on the costs associated with making arrangements for a funeral”. Publication of statutory guidance on funeral costs is Action 2 of the Scottish Government’s [Funeral Costs Plan](#).
11. According to the [Cremation Society of Great Britain](#), more funerals in Scotland involve a cremation (68%) than a burial. Local authorities provide burial services in their local area, along with private cemetery providers. In addition, 12 local authorities in Scotland also run crematoriums. There are 16 non-local authority crematoriums currently operating in Scotland. One of these, at Glasgow Crematorium (formerly known as Maryhill), is a charity. The others are private businesses.
12. Cremation is generally less expensive than burial. In [The Cost of Saying Goodbye 2017](#), Citizens Advice Scotland (CAS) reported that the average charge for an adult cremation in 2017 was £738, compared with £1,428 for burial. Among crematoriums, prices ranged from £586 to £999 for an adult cremation.
13. People paying for a funeral usually do this through a funeral director, who will charge for their services and will usually collect fees on behalf of the cemetery or crematorium.
14. There are approximately 450 individual funeral director businesses in Scotland. This figure does not include the multiple branches of bigger businesses like Co-op Funeralcare or Dignity which are counted as one business. Funeral directors may be members of the National Association of Funeral Directors (NAFD) or the National Society of Allied and Independent Funeral Directors (SAIF). Some funeral directors are members of both trade organisations, while others are members of neither.
15. In April 2017 the Scottish Government appointed an Inspector of Funeral Directors. An Inspector of Crematoria has been in post since April 2015 and an Inspector of Burials will be appointed in due course. We are liaising with the current inspectors to understand any overlaps and impacts of our draft funeral costs guidance on their work.

Scope and audience

16. Section 98 of the Act states that “the Scottish Ministers may publish guidance on the costs associated with making arrangements for a funeral”, and that “the guidance may in particular cover the desirability of such costs being affordable”. Before issuing such guidance, Scottish Ministers must consult burial authorities, cremation authorities, funeral directors and any other persons they consider appropriate. This public consultation forms part of our consultation work to fulfil the Section 98 requirement to consult, and we are also engaging with those with an interest in the draft guidance in other ways.
17. On 1 June 2018, the Competition and Markets Authority (CMA) announced that it would undertake [a market study of the UK funeral market](#). This study includes a number of issues that the Scottish Government has already been considering as part of our work to develop draft guidance on funeral costs. We welcome the CMA market study and if any initial findings from the CMA’s work are available later this year then these will be used to inform further development of our guidance.
18. Also on 1 June 2018, the UK Government launched [a call for evidence in relation to the regulation of the pre-paid funeral plan sector](#). The Scottish Government has urged the UK Government to take action to improve consumer protection in this area and so we welcome this announcement.
19. The draft guidance in this consultation sets out steps that burial authorities, cremation authorities and funeral directors can take to improve transparency and availability of funeral pricing information. These steps are designed to help consumers to understand the costs associated with making arrangements for a funeral and choose the right option for them.
20. While recognising that local authorities are responsible for setting their burial and cremation charges and will take into account local circumstances, the draft guidance also includes a section specifically for local authorities on charge setting and tackling funeral poverty.
21. To produce the draft guidance, the Scottish Government established three working groups to explore issues associated with funeral costs and to provide expert knowledge. These working groups included local authorities (as public burial and cremation authorities), the Convention of Scottish Local Authorities (COSLA), private crematoriums, the Institute of Cemetery and Crematorium Management (ICCM), the Federation of Burial and Cremation Authorities (FBCA), the National Association of Funeral Directors (NAFD) and the National Society of Allied and Independent Funeral Directors (SAIF).
22. We have visited individual funeral directors, burial authorities and cremation authorities to better understand cost drivers, business processes and the practical considerations of their work. In producing this draft guidance, we have also engaged with the Scottish Government’s Funeral Expense Assistance and Funeral Poverty Reference Group and the Scottish Working Group on Funeral Poverty.

Section 3: The draft guidance

Background

23. There are four short sections of draft guidance: for burial authorities, for cremation authorities, for funeral directors, and a section for local authorities in relation to charge setting. These are set out below.
24. In section 4 of this document, we have set out questions about a range of themes that the draft guidance is designed to address. The themes are as follows:
 - Use of language and terminology (page 18)
 - Display of pricing (pages 19 and 20)
 - Transparency of cremation charges (pages 21 and 22)
 - Definition of a simple funeral (pages 23 to 25)
 - Transparency of pricing at point of sale (pages 26 to 27)
 - Burial or cremation without using the services of a funeral director (page 28)
 - Understanding local authority charges (pages 29 to 33)
 - Local authority measures to reduce funeral poverty (page 34)
25. Questions about potential impacts of the draft guidance on individuals, the public, private and third sectors are set out on page 35.
26. The finalised guidance will be published as part of a larger document that will include additional context and information about the issues that the guidance addresses. We also propose that this larger published document will include a glossary of terms alongside the finalised guidance.

Draft guidance for burial authorities

1. In order to help people understand the costs of arranging burial, burial authorities should use clear, easily understood language to describe the services being offered.
2. In order to support consumer choice, burial authorities should display all their prices clearly, in the following ways:
 - At the premises of the burial authority, displayed in a public and prominent place to be determined by the burial authority
 - Ensuring that anybody visiting the premises is able to take away a paper copy of this price list
 - Ensuring that members of the public can be sent a price list on request, either in paper form or by email
 - For burial authorities with a website, all pricing information should be available on the website and this pricing information should be clearly signposted
 - For burial authorities with a website, pricing information should be displayed in a format that will allow it to be downloaded by a member of the public, such as in pdf format
 - Local authorities are required under Section 20 of the Burial and Cremation (Scotland) Act 2016 to publish their fees in paper form and online. Local authorities should ensure that burial pricing information published online is displayed in the bereavement services (or equivalent) section of the local authority's website and that this pricing information is clearly signposted.
3. In order to support the public in understanding the cost of different components of a funeral, burial authorities should explain alongside their pricing information that any funeral director fees will be in addition to the costs payable to the burial authority, such as burial fees and lair purchase charges.
4. As some burial authorities charge different fees according to the day of the week, if it is a public holiday, or due to the time of day at which the burial service takes place, each burial authority should display clearly any variation in charging due to the day or time of the burial.
5. In determining services to be offered, burial authorities should keep in mind that it is desirable that a person can afford to pay for them, and ensure that where lower-cost options are available, these are clearly displayed in the burial authority's pricing information.
6. Where direct burial is offered as a lower-cost option, burial authorities should be clear in describing what this includes and what it does not include, so that people can consider if this option is suitable for them.
7. If someone wishes to bury the person who has died without using the services of a funeral director and a burial authority is able to support this request, burial authorities should make reasonable efforts to accommodate the person's wishes.

Draft guidance for cremation authorities

1. In order to help people understand the costs of different components of the funeral, crematoriums should use clear, easily understood language to describe the services being offered.
2. In order to support consumer choice, crematoriums should display all their prices clearly, in the following ways:
 - At the crematorium, displayed in a public and prominent place to be determined by the crematorium
 - Ensuring that anybody visiting the premises is able to take away a paper copy of this price list
 - Ensuring that members of the public can be sent a price list on request, either in paper form or by email
 - For crematoriums with a website, all pricing information should be available on the website and this pricing information should be clearly signposted
 - For crematoriums with a website, pricing information should be displayed in a format that will allow it to be downloaded by a member of the public, such as in pdf format
 - Local authorities are required under Section 63 of the Burial and Cremation (Scotland) Act 2016 to publish their fees in paper form and online¹. Local authorities should ensure that cremation pricing information published online is displayed in the bereavement services (or equivalent) section of the local authority's website and that this pricing information is clearly signposted.
3. In order to support the public in understanding the cost of different components of a funeral, crematoriums should explain alongside their pricing information that any funeral director fees will be in addition to the crematorium's published pricing.
4. In order to help consumers understand the services included in a standard cremation service and compare this fee across different providers, the charge displayed for a standard cremation service should comprise of the following components:
 - Cremation fee
 - Mercury abatement fee (where applicable)
 - Provision of container for ashes
 - Cremation certificate
 - Provision of chapel / service room
 - Administration and processing of forms
5. The price of additional components to the funeral service, such as provision of music, webcasting, dispersal of ashes or the purchase of a casket or urn, should be displayed separately from the standard cremation service fee, in order to

¹ At the time of the launch of this consultation (August 2018), Section 63 of the [Burial and Cremation \(Scotland\) Act 2016](#) has not yet come into force. The guidance has been drafted in anticipation of Section 63 coming into force in future.

Draft guidance for cremation authorities (continued)

support people in understanding which costs are optional and which costs are mandatory.

6. As different crematoriums offer different lengths of time slot for services, each crematorium should display the length of the time slot for their standard cremation service and the additional fees for extending this time slot.
7. As different crematoriums price differently according to the time of day that the service slot occupies, each crematorium should display clearly what time slots their standard cremation service is available within.
8. In determining services to be offered, crematoriums should keep in mind that it is desirable that a person can afford to pay for them, and ensure that where lower-cost options are available, these are clearly shown in the crematorium's pricing information.
9. Where direct cremation is offered as a lower-cost option, crematoriums should clearly describe what this includes and what it does not include, so that people can consider if this option is suitable for them.
10. If someone wishes to have a cremation without using the services of a funeral director and a crematorium is able to support this request, crematoriums should make reasonable efforts to accommodate the person's wishes.

Draft guidance for funeral directors

1. In order to help consumers understand the costs of different components of the funeral, funeral directors should use clear, easily understood language to describe the services being offered.
2. Funeral directors should use common descriptors where possible to enable consumers to make pricing comparisons more easily between funeral directors.
3. In order to support consumer choice, funeral directors should display all their prices clearly, in the following ways:
 - At the funeral director premises, displayed in a public and prominent place
 - Ensuring that anybody visiting their premises is able to take away a paper copy of this price list
 - Ensuring that all clients are provided with a copy of this list to keep when visiting clients at home
 - Funeral directors with a website should make their pricing information available on their website and this pricing information should be clearly signposted.
4. When talking people through their options for a funeral, funeral directors should ensure that where appropriate, the full range of price options available is presented for each purchasing decision to ensure that people are able to consider costs throughout the process and can base their decisions on cost if they wish to do so.
5. Funeral directors should make sure they are clear about what services are being requested by the client and should provide every client with a clear written confirmation of funeral arrangements. This written confirmation should include an itemised estimate of all the charges to be incurred, based on the arrangements that have been agreed, and should explain clearly why each charge has been included.
6. To help clients understand the funeral costs, the written estimate should state clearly which costs are attributable to the funeral director and which costs will be paid to a third party by the funeral director on the client's behalf. The third party should be named wherever possible.
7. Funeral directors should provide clients with a detailed itemised final account that is comparable with the written estimate provided.
8. Funeral directors should clearly and sensitively describe their services for care of the deceased, to ensure that people have an accurate understanding of how the deceased will be cared for, and the costs associated with this care, while in the funeral director's care.

Draft guidance for funeral directors (continued)

9. In determining services to be offered, funeral directors should keep in mind that it is desirable that a person can afford to pay for them. Where lower-cost options are offered these could include a clearly-priced simple funeral which includes the following components:
 - The funeral director's services;
 - Attending to the necessary arrangements, such as completion of necessary certification, taking instructions and providing guidance on registration and legally-required procedures;
 - Provision of the necessary staff for care of the deceased and support for the bereaved;
 - Provision of an appropriate and robust lined coffin suitable for burial or cremation;
 - Transportation of the deceased person from the place of death during normal working hours (normally within ten miles but taking into account local circumstances);
 - Appropriate arrangements for the uplift of the deceased and care of the deceased person prior to the funeral, in appropriate facilities;
 - Viewing of the deceased person, by appointment;
 - Provision of a hearse or other appropriate vehicle direct to the nearest crematorium or cemetery at a date and time agreed with the funeral director and clearly described to the client;
 - The opportunity to hold a service at the cemetery or crematorium;
 - If burial is specified (where this is available locally) this may involve an additional charge.
10. The definition of a simple funeral set out above does not include the following services:
 - Embalming;
 - Provision of a limousine; or
 - Any third party fees or disbursements payable on the client's behalf.
11. Funeral Directors should ensure that where they offer this simple funeral, their pricing information sets this out and also includes a clear description of any other lower-cost options they offer, such as direct cremation, to support consumer choice.
12. If a client chooses a simple funeral, a funeral director should still be able to recommend embalming, for an additional charge, if the funeral director offers this as part of their services and assesses that this may be necessary.
13. If a client chooses a simple funeral, a funeral director should still have discretion to recommend against viewing if the funeral director assesses that viewing may not be suitable.

Draft guidance for funeral directors (continued)

14. Funeral Directors should ensure that if a client chooses to modify or upgrade any particular aspect of a simple funeral, the increase in price should be proportionate to the request for additional services.
15. Where direct cremation or direct burial is offered as a lower-cost option, funeral directors should be clear in describing what this includes and what it does not include, so that people can consider if this option is suitable for them.

Note: In this draft guidance for funeral directors, the term 'simple funeral' refers to a funeral which includes the opportunity to have a commemorative service at the time of the cremation or burial. In this draft guidance, the term 'direct cremation' refers to a cremation that does not include any commemorative service element and is not attended by friends or relatives of the deceased person.

Draft additional guidance for Local Authorities

1. When setting charges for burial and cremation, local authorities should, where possible, take account of local and national strategies for poverty reduction and obligations under poverty and equality legislation, such as the Child Poverty (Scotland) Act 2017 and, where appropriate, the new Fairer Scotland Duty as set out in Part 1 of the Equality Act 2010. In addition, local authorities will want to ensure that any decisions taken are in line with their statutory equality responsibilities.
2. Local authority strategies for poverty reduction should recognise that funeral costs contribute to poverty and should, where possible, include measures aimed at addressing funeral poverty.
3. To ensure greater transparency of the charge setting process, local authorities should consult the public when developing charging proposals. In this process of consultation, local authorities should consider a range of ways to engage with the public, such as public meetings, and provide the opportunity for members of the public to provide a written response. Ideally, consultation with people with direct experience of poverty and disadvantage would be a central part of any consultation programme.
4. Local authorities should explain the reasons for any proposed changes to charges in order to help the public understand the drivers behind the cost of these elements of a funeral.
5. To increase public understanding of the costs associated with local authorities' provision of burial and cremation services, local authorities should publish information annually on their websites showing income generated and expenditure incurred through the provision of these services. This information should be based on the local authority's data that is already submitted to the Scottish Government via the Local Financial Returns.
6. When setting charges for burial and cremation, local authorities should keep in mind that it is desirable that a bereaved person can afford to pay for them, and should have regard to the rate of inflation and consider whether above-inflation charge increases can be avoided.
7. Local authorities should consider putting in place measures to support and assist bereaved people who are unable to or struggling to meet the costs of arranging a funeral, such as providing advice to the public, or working with funeral directors to provide support to people who would struggle to pay for a funeral.
8. If pre-purchase of burial lairs is offered by a local authority, the local authority should consider allowing payments to be made in stages over a number of months or years, in order to make this cost more affordable and to reduce the possibility of financial shock to relatives of the deceased person at the point of bereavement.

Draft additional guidance for Local Authorities (continued)

9. Local authorities should work together, using existing mechanisms and forums where possible, to identify and share best practice in the setting and presentation of charges for burial and cremation.

Section 4: The consultation

27. A number of common themes occur across the four sections of the draft guidance. We have therefore structured this section of the consultation document by theme, so that we can seek views on the draft guidance as a whole, rather than focusing in specifically on each section of draft guidance in turn.
28. The following sections of this consultation document examine each of these themes in turn. Questions on each theme are presented at the end of each section.

Theme 1 - Use of language and terminology

29. We want clear and simple language to be used to describe funeral choices so that people understand their options, what they are purchasing and what the cost implications are. This is particularly important as people are likely to be distressed and need to make a decision on the funeral quickly.
30. Some of the language used by parts of the funeral industry to describe services has developed over generations, often to help put bereaved people at ease. There are also geographical variations in the terms used to describe some parts of a funeral director's services. This variation in language and terms could make it more difficult for people to understand what they are buying. We do not want to remove local traditions but we do want people to be able to understand processes and associated costs. We have set out measures in each section of the draft guidance to encourage clear use of language by funeral directors and burial and cremation authorities.
31. We also plan to produce a glossary of terms alongside the published guidance to help clarify some of the terms often used when funeral arrangements are being made. We want to work with members of the funeral industry and the public to develop this glossary prior to the guidance on funeral costs being published.

Question 1: Do you think that the Scottish Government should publish a glossary of terms alongside the guidance on funeral costs? Y/N/DK

Question 2: If you answered "yes", please list any particular terms that you think this glossary should include, along with a rough definition of what you understand the term to mean.

Theme 2 - Display of pricing information

32. We want to make it as easy as possible for people to access information about funeral costs. To help achieve this, the draft guidance sets out a range of measures for burial and cremation authorities and funeral directors about the display, accessibility and transparency of pricing information. It also sets out measures to help increase awareness of affordable options by ensuring that where these options are available, they are clearly set out in pricing information.
33. There are many choices to be made to arrange a funeral. For example, whether to choose burial or cremation, what type of funeral service to have (if any), coffin type, and whether to arrange for viewing of the body. We are keen to ensure transparency and accessibility of pricing information informs this process to help promote consumer choice.
34. Under Section 20 of the Burial and Cremation Act 2016, local authorities are already required to publish their charging information for burials, both in paper form and on their website. They will also be required to publish this information for cremations once Section 63 of the Act is brought into force. We want to encourage local authorities to make information on burial and cremation charges as easily accessible as possible by displaying the information alongside other burial and cremation information on the local authority's website. Many local authorities already do this. However, in some cases, this charging information is found in a separate part of the website, for example, in documents that set out the full range of services the local authority makes charges for.
35. There is no equivalent legal requirement for funeral directors, private cemeteries and private crematoriums to publish their charging information, although many do make this information available online or by other means.
36. The two major UK trade bodies for funeral directors, the National Association of Funeral Directors (NAFD) and the National Society of Allied and Independent Funeral Directors (SAIF), have made a commitment [under Action 2 of the Funeral Costs Plan](#) in relation to transparency of pricing. We want to build on this commitment by extending this principle to burial and cremation authorities, so that information on costs and pricing is as widely available as possible.
37. During the process to develop the draft guidance on funeral costs, we have heard concerns among some funeral directors that emphasis on provision of online pricing might lead people to make purchasing decisions based on price alone, without necessarily understanding that levels of service may vary across funeral directors. There is also a concern that emphasis on online pricing will reduce a funeral director's opportunity to engage with a potential customer and help tailor their service provided to the individual's particular circumstances.

Question 3: Do you think that the guidance should include measures which encourage private cemeteries and crematoriums and funeral directors with a website to display their pricing information online? Y/N/DK

Question 4: Please explain your answer.

Theme 3 – Transparency of cremation charges

38. The Scottish Government wants to help consumers understand the costs of cremation and to be able to compare these costs across different providers more easily.

Standard cremation service

39. At present, there is variation among crematoriums in what is included in their charges. For example, some will include a charge for music or provision of an organist in their overall charge, whereas others will charge separately for these.
40. We want crematoriums to display prices in a more consistent manner, making it easier for consumers to be able to compare like-for-like. To help achieve this, we have developed a definition of a standard cremation service in the draft guidance and have suggested that all crematoriums should base their standard cremation service charge on this. This definition has been created in consultation with representatives of public and private crematoriums.
41. The draft guidance sets out that a standard cremation service should comprise of the following components:
- Cremation fee
 - Mercury abatement fee (where applicable)²
 - Provision of container for ashes
 - Cremation certificate
 - Provision of chapel / service room
 - Administration and processing of forms
42. There is variation in how a crematorium is used for a funeral. In many cases, a full religious ceremony or ceremony led by a non-religious celebrant will take place at the crematorium. Sometimes, a service or commemoration may occur away from the crematorium, at a place of worship or other location chosen by the family, before or after which a brief committal ceremony takes place at the crematorium. By including a service room or chapel being made available for a service or commemorative event, we have sought to ensure that the draft guidance makes clear that the proposed definition of a standard cremation service is distinct from a direct cremation.

Additional items

43. Alongside this definition of a standard cremation service, the draft guidance recommends that charges made for additional items, such as provision of music, webcasting, dispersal of ashes or the purchase of a casket or urn, should be displayed separately, in order to help consumers to understand which costs are optional and which costs are mandatory. Similarly, the draft guidance recommends that service slot length, which can vary from

² Further information on mercury abatement charges can be found at <http://www.cameoonline.org.uk/>

crematorium to crematorium, is clearly displayed, along with a clear description of the times of the day that the pricing applies to.

Direct cremation

44. According to the Royal London National Funeral Cost Index Report 2016, approximately 5% of people chose to have a direct cremation, whereby the person who has died is taken directly to the crematorium and the ashes are then returned to their family, without any ceremony at the time the cremation takes place.
45. We understand from funeral directors and crematoriums that a decision to have a direct cremation is usually made because of consumer preference rather than being cost driven. However, direct cremations generally cost less than many other funeral options. Though uncommon, direct burials may also take place and are similar to a direct cremation, but the deceased person is taken to a cemetery and buried.
46. While the Scottish Government does not promote direct cremation and burial as solutions for funeral poverty, we do want to promote increased consumer choice and awareness of, and access to, lower-cost options.
47. Concerns have been raised during development of the draft guidance that people do not always understand what is and is not included in a direct cremation, and so are not fully informed when deciding if this option may be suitable for them. In light of these concerns, the draft guidance also includes measures for burial authorities, cremation authorities and funeral directors to help ensure that where direct cremation or direct burial is offered as a lower-cost option, people fully understand what this includes and what it does not include, so that they can consider if this option is suitable for them.

Question 5: In order for crematoriums to display their prices in a consistent manner, the Scottish Government proposes that all crematoriums should base their standard cremation service charge on a common set of components.

These are:

- **Cremation fee**
- **Mercury abatement fee (where applicable)**
- **Provision of container for ashes**
- **Cremation certificate**
- **Provision of chapel / service room**
- **Administration and processing of forms**

Do you think that the standard cremation service definition proposed in the draft guidance captures all of the necessary elements? Y/N/DK

Question 6: If you answered “no”, please provide suggestions for items that you think should be added or removed.

Theme 4 – Definition of a simple funeral

48. We want to make it easier for consumers to make comparisons between funeral directors. According to Royal London³, only 6% of people got quotes from more than one funeral director, and even among people struggling with funeral costs, nine out of ten will use the first funeral director they contact.
49. Many funeral directors offer a simple funeral at present as a lower-cost option, and a number of funeral directors have reduced the price of this type of funeral in recent years. A simple funeral usually includes the opportunity to have a service at the point of cremation or burial. However, there is variation between different funeral directors as to what is included in a simple funeral.
50. To help consumers make comparisons between funeral directors, we have proposed a standard definition for a simple funeral, which has been developed with input from funeral directors, including the National Association of Funeral Directors (NAFD) and the National Society of Allied and Independent Funeral Directors (SAIF). Our proposed simple funeral is as follows:
- The funeral director's services;
 - Attending to the necessary arrangements, such as completion of necessary certification, taking instructions and providing guidance on registration and legally-required procedures;
 - Provision of the necessary staff for care of the deceased and support for the bereaved;
 - Provision of an appropriate and robust lined coffin suitable for burial or cremation;
 - Transportation of the deceased person from the place of death during normal working hours (normally within ten miles but taking into account local circumstances);
 - Appropriate arrangements for the uplift of the deceased and care of the deceased person prior to the funeral, in appropriate facilities;
 - Viewing of the deceased person, by appointment;
 - Provision of a hearse or other appropriate vehicle direct to the nearest crematorium or cemetery at a date and time agreed with the funeral director and clearly described to the client;
 - The opportunity to hold a service at the cemetery or crematorium;
 - If burial is specified (where this is available locally) this may involve an additional charge.
51. The definition of a simple funeral set out above does not include the following services:
- Embalming;
 - Provision of a limousine; or
 - Any third party fees or disbursements payable on the client's behalf.

³ [The Royal London National Funeral Cost Index 2017](#).

Additional items

52. Items not included in a defined simple funeral package can sometimes be arranged for an additional fee. During the development of the draft guidance, it has been suggested to us that in some instances a simple funeral is offered at a lower price point but any changes or additions to this funeral package can increase the price of the funeral significantly. We think that it is important for consumers to be able to see the costs of amending a simple funeral so that they can understand the cost implications of any changes they wish to make. The draft guidance for funeral directors therefore suggests that where a person chooses to modify or upgrade any particular aspect of a simple funeral, the increase in price should be proportionate to the request for additional services.
53. Not all funeral directors offer a simple funeral and many funeral directors will work with families to tailor lower-cost options suitable for their budget. In recognition of this, the draft guidance does not state that funeral directors must offer a simple funeral as a defined product. Instead, it suggests that where lower-cost options are offered, these could include a simple funeral.
54. Embalming is not generally included as part of a simple funeral, and is not included in the definition that we have set out in the draft guidance. However, it has been suggested to us that if a client chooses a simple funeral, a funeral director should still be able to recommend embalming, at an additional charge, if the funeral director thinks that this is necessary due to factors such as the condition of the body, circumstances of death or timescale until the funeral. We have, therefore, included a provision in the draft guidance to address this concern, to ensure that any funeral director adopting the definition of the simple funeral set out in the draft guidance still has the ability to recommend this care option, for an additional charge, if the funeral director offers this as part of their services and assesses that this may be necessary.
55. Many bereaved people find that viewing of the person who has died is an important part of the grieving process. In light of this, we think that the definition of a simple funeral should include viewing. We are aware that while current practice varies, many funeral directors do not make any additional charge for this at present.
56. We know that in some circumstances, viewing is not recommended either by medical professionals or through assessment by the funeral director. While we have included viewing in the draft simple funeral definition in the draft guidance, we are clear that funeral directors should still have discretion to recommend against viewing if circumstances, such as the condition of the body or circumstances of death, mean that viewing may not be suitable. We have included a provision in the draft guidance to address this.

Question 7: To help consumers make comparisons between funeral directors, we have proposed a standard definition for a simple funeral. This is set out in paragraph 9 of the draft guidance for funeral directors and also in paragraph 50 of this consultation document.

Do you think that the simple funeral service definition set out in the draft guidance captures all of the necessary elements? Y/N/DK

Question 8: If you answered “no”, please provide suggestions for items that you think should be added or removed.

Theme 5 – Transparency of pricing at the point of sale

Offering lower-cost options at the point of sale

57. We want to ensure that the consumer is aware of their cost options when agreeing the funeral arrangements, is able to consider costs throughout the process, and can base their decisions on cost if they wish to do so.
58. People often wish to give the person who has died a good send-off and may feel embarrassed if they cannot afford more expensive options. They may feel unable to ask about lower-cost options or may find it difficult to admit that they will struggle to pay for the funeral. This could result in people taking on debt that they are unable to afford. Making explanation of lower-cost options a more consistent part of the discussion about the funeral arrangements could help people feel more comfortable asking about these options if money is tight.
59. We have heard from some funeral directors that bereaved people could be offended by being reminded frequently that there may be less expensive options available when purchasing a funeral. We also understand that many funeral directors work with clients wherever possible to ensure that they can afford the funeral they agree to purchase, and it is not in the interests of funeral directors to end up carrying bad debt from people who are unable to pay. In light of this, we want make sure that that a proportionate approach is taken in the guidance to making reference to the range of price options available.
60. Nevertheless, we do think that funeral directors highlighting the availability of lower-cost options could help to reduce the stigma or guilt that people arranging a funeral may feel about asking for lower-cost funeral options where they may have limited money available to pay for the funeral. The draft guidance therefore includes a measure suggesting that funeral directors should ensure that, where appropriate, the full range of price options available is presented for each purchasing decision.

Confirming costs in writing

61. We want consumers to understand at the point of purchase what elements of the funeral they are agreeing to buy and why these elements are necessary. We also want consumers to understand who is being paid for each service that they purchase. For example, some charges paid to the funeral director are then paid out to other providers, such as the crematorium or cemetery. To help achieve this, the draft guidance sets out that funeral directors should provide written confirmation of costs, both in the form of a written estimate and in a detailed itemised final account.
62. The draft guidance sets out that written confirmation should include an itemised estimate of all the charges to be incurred, based on the arrangements that have been agreed, and that the written estimate should also state clearly which costs are attributable to the funeral director and which

costs will be paid to a third party by the funeral director on the client's behalf. The NAFD and SAIF codes of practice already set out that a written estimate should be provided so the draft guidance reinforces what most funeral directors are already doing.

Transparency about the costs of care of the deceased

63. We want to ensure that people buying a funeral are aware of lower-cost options but we do not want provision of these options to suggest that appropriate standards of care for the deceased are less important.
64. Different funeral directors have different facilities and different models for care of the deceased. In developing this draft guidance, some funeral directors have told us they are concerned that a focus on making funerals more affordable could lead to some funeral directors investing less in facilities for care of the deceased, such as mortuary and refrigeration facilities, to reduce expenditure.
65. The Scottish Government is clear that appropriate standards of care are an integral part of the work carried out by a funeral director. In April 2017 we appointed an Inspector of Funeral Directors. A key part of the Inspector's work is to look at standards of care provided by funeral directors. The Inspector will make recommendations to Scottish Ministers in late 2018 on how the funeral director industry should be regulated in the future. We have involved the Inspector during development of this draft guidance to ensure that it is clear that provision of lower-cost options should not result in poorer standards of care for the deceased.
66. To help people understand how the deceased will be cared for, and the costs associated with this care, the draft guidance sets out that funeral directors should describe their processes for care of the deceased.

Question 9: Do you think that the guidance for funeral directors should include a measure suggesting that funeral directors should describe their processes for care of the deceased to help consumers understand costs associated with this?

Question 10: Please explain your answer.

Theme 6 - Burial or cremation without using the services of a funeral director

67. The decision not to use a funeral director may reduce funeral costs but the Scottish Government is not suggesting that arranging a funeral without the use of a funeral director is a solution to funeral poverty. That said, we want to broaden consumer choice and help to ensure that there are no barriers to families arranging a funeral themselves, if this is what they want to do. The draft guidance therefore recommends that if someone wishes to arrange a cremation or burial without using the services of a funeral director, then burial and cremation authorities should make reasonable efforts to accommodate the person's wishes.
68. It is not a legal requirement that people use a funeral director to arrange a funeral. In practice, however, nearly all people do use a funeral director who will liaise with burial and cremation authorities over arrangements for the day of the funeral. The funeral director can also guide the person arranging the funeral through the processes involved, although others, such as celebrants, Ministers and advice providers may also be able to help with this.
69. Direct contact between a person arranging a funeral and a crematorium or cemetery is unusual. However, sometimes bereaved people will choose to arrange a funeral without using the services of a funeral director. We understand that some burial or cremation authorities will not accept applications for burials or cremations unless they are arranged through a funeral director, in part due to concerns about liability and insurance. There may also be staffing implications for burial and cremation authorities if a funeral director is not present.
70. There are practical challenges for a person to overcome in arranging a funeral without using a funeral director, such as preparing the deceased person for cremation or burial, dealing with the physical changes to the body after death, storage and transportation, purchasing a coffin, placing the deceased person into a coffin, and handling of the coffin at the crematorium or at the point of burial. These practical aspects of the processes between death and the burial or cremation taking place are normally taken care of by the funeral director.

Question 11: Do you think the guidance should include a provision encouraging burial and cremation authorities to make reasonable efforts to accommodate the wishes of a person that does not want to use a funeral director?

Question 12: Please explain your answer.

Theme 7 – Understanding local authority charges

Background

71. The Scottish Government sees local authorities as key partners in our work to tackle funeral poverty and make more affordable funeral options available.
72. Citizens Advice Scotland has published reports annually on burial and cremation fees since 2014. These reports have shown an increase in most local authority burial and cremation charges across Scotland, although increases have been greater in some local authority areas than others.
73. These annual reports have also shown a wide variation in local authority charges. In 2017, standard adult burial fees, including lair purchase, ranged from £705 to £2,340. Among local authority crematoriums, fees ranged from £586 to £870⁴.
74. Action 2 of the Funeral Costs Plan includes a [commitment by COSLA](#) about variation of charging. In developing the draft guidance, we have built on this commitment and worked with local authorities and COSLA to try to better understand the reasons for increases in charges and variability of charging for burial and cremation across Scotland. This work has resulted in draft guidance for local authorities in relation to four key areas of charge setting:
 - Transparency of the charge setting process
 - Desirability of ensuring that charges are affordable
 - Publication of information about income and expenditure
 - Sharing of best practice

Transparency of charge setting

75. Local authorities set charges for burial and cremation, usually as part of their annual budget-setting process. Unlike other services local authorities may charge for, people may have limited other options for burial or cremation in their area.
76. Our discussions with local authorities have shown that different local authorities adopt different methods for calculating how burial or cremation charges should be set for the following financial year. For example, we understand that some local authorities will increase their charges as a set percentage across all services and that in these circumstances burial and cremation charges are not considered separately. We understand that some local authorities have used information in the annual reports published by Citizens Advice Scotland to guide any proposed charge increases.
77. ['Charging for Your Services: are you getting it right?'](#), an Accounts Commission publication, states that local authorities should improve their use of cost information (for all charges, not only those for burial and cremation),

⁴ [The Cost of Saying Goodbye 2017, Citizens Advice Scotland, 2017.](#)

including unit costs, as this is essential for local authorities to design charges and understand the extent to which they will recover costs. The document also indicates that:

- Charges for services may vary markedly between local authorities, reflecting local circumstances and policy priorities
- This may be appropriate but local authorities should be aware of any significant differences in their charges
- Local authorities should be transparent in how they set charges and be able to explain their charging decisions to the public

78. We want the funeral costs guidance to suggest ways to ensure that people feel involved and have an influence in the decisions made by their local authority about burial and cremation fees. This is addressed in the draft guidance in the following ways:

- To ensure greater transparency of the charge setting process, local authorities should consult the public when developing charging proposals. In this process of consultation, local authorities should consider a range of ways to engage with the public, such as public meetings, and provide the opportunity for members of the public to provide a written response. Ideally, consultation with people with direct experience of poverty and disadvantage would be a central part of any consultation programme.
- Local authorities should explain the reasons for any proposed changes to charges in order to help the public understand the drivers behind the cost of these elements of a funeral.

79. We understand that many local authorities already take these steps but we think taking a more consistent approach to this across councils would be helpful.

Affordability

80. We want local authorities to take affordability into account when setting burial and cremation charges. While the Scottish Government recognises that local authorities are accountable to their electorate and are best placed to set their own charges, we do want the guidance for local authorities on charge setting to draw a link to this central theme of affordability within Section 98 of the Act.

81. We recognise that there are challenges around defining 'affordability'; what is affordable to one person is not necessarily affordable to another, depending to their level of income and savings. We recognise also that affordability can be an issue for the local authority providing the service, given its overall budget.

82. As set out in 'Charging for Your Services: are you getting it right?', local authorities have discretion to subsidise services, and where a service is subsidised, public money is used to make a contribution to part of the costs of providing the service. Products and services that are subject to above-inflation price increases are likely to become less affordable over time and so the draft

guidance suggests that local authorities should have regard to the rate of inflation and consider whether above-inflation charge increases can be avoided.

Publication of information about income and expenditure

83. We want to improve the availability of information on income generated and costs incurred by local authorities in relation to cemeteries and crematoriums, including presenting this in a more consistent manner across local authorities, so that the public have a better understanding of these.
84. We think that this will help to increase the public's ability to understand cost drivers associated with local authority burial and cremation services, as well as the expenditure incurred by local authorities alongside any income generated, and see the proactive publication of this information by local authorities as a valuable first step to achieving this.
85. We understand from local authorities that staff costs, including travel costs, are usually the single largest expense for local authority burial services, followed by the costs of maintaining grounds, buildings, vehicles and equipment. Central administrative support recharges also contribute to expenditure figures.
86. The National Assistance Act 1948 puts a duty on local authorities to arrange the burial or cremation of a deceased person in instances where no funeral arrangements are being made, such as no next of kin being identified or no family members being able or willing to arrange a funeral⁵. Local authorities must provide for these funerals from within existing budgets.
87. Capital expenditure by local authorities on items like buildings refurbishment, replacing cremators or fitting mercury abatement equipment to existing cremators, and extending or establishing new cemeteries, can also be significant. Although this is often met from central capital budgets rather than from bereavement services departmental budgets, this expenditure further illustrates the range of cost drivers associated with local authority provision of burial and cremation services.
88. It has been suggested to us that local authorities use income generated through burial and cremation charges to help fund other local authority services. [A public consultation conducted by the Scottish Government in 2015 on a proposed Bill relating to burial and cremation and other matters in Scotland](#) asked whether local authorities should be required by law to charge funeral costs on a cost-recovery basis only. While 59% of respondents answered "yes", some local authority responses suggested that operating these services on a full cost recovery basis would lead to an increase in charges, not a reduction, as some local authorities subsidise these services.

⁵ Once Section 87 of the [Burial and Cremation \(Scotland\) Act 2016](#) comes into force, it will provide the legislative framework for local authority funerals.

89. Our more recent work with local authorities suggests that many local authorities do subsidise burial and cremation services at present. Information provided in Scottish Local Government Financial Statistics, which includes income and expenditure statistics for cemetery, cremation and mortuary services (excluding capital), also suggests that this is the case for many local authorities.
90. We acknowledge that the information in the Scottish Local Government Financial Statistics does not tell the full picture about local authorities' income and expenditure for burial and cremation services. The figures include mortuary services, which are not the focus of this draft guidance. In addition, the figures do not include capital expenditure or highlight future liabilities for local authorities, such as replacement of cremators or building refurbishment.
91. Nevertheless, as a valuable first step to helping the public's ability to understand costs associated with local authority burial and cremation services, we have included a measure in the draft guidance to suggest that local authorities should publish information annually on their websites showing income generated and expenditure incurred through the provision of these services, based on the local authority's data that is already submitted to the Scottish Government in the Local Financial Returns.

Sharing of best practice

92. We would like local authorities to share good practice on the process to set burial and cremation charges and also to share ideas and examples of measures local authorities can take to help tackle funeral poverty.
93. 'Charging for Your Services: are you getting it right?' sets out that each local authority must set its charges in the context of its wider service objectives but that local authorities should also compare their charges with other providers and make use of national and other benchmarking approaches. The document is clear that this should not mean simply mirroring charges elsewhere, because local circumstances may vary, but that local authorities should be aware of any unexplained inconsistencies and be able to explain why their charging policy differs.
94. COSLA's commitment in the Funeral Costs Plan includes bringing local authorities together to discuss ways they can contribute to tackling funeral poverty. COSLA has been involved during the discussion to develop the draft guidance and also arranged an earlier meeting in June 2017 with a number of local authorities to discuss a range of matters related to funeral charges and funeral poverty.
95. At a national level, a number of organisations are involved in benchmarking in relation to a range of services provided by local authorities, including the Association of Public Sector Excellence (APSE), the Chartered Institute of Public Finance and Accountancy (CIPFA), COSLA, and the Improvement Service, who undertake benchmarking of performance on behalf of the Society of Local Authority Chief Executives and Senior Managers (SOLACE).

96. We have discussed APSE benchmarking of burial and cremation services during our discussions with local authorities. Within the burial and cremation sector, the Institute of Cemetery and Crematorium Management (ICCM) and the Federation of Burial and Cremation Authorities (FBCA) provide policy and best practice guidance to member burial and cremation authorities. The majority of local authorities are also represented at the Scottish Bereavement Benchmarking Group, which looks to share expertise and good practice. We also understand that publications like the Citizens Advice Scotland 'Cost of Saying Goodbye' reports have been used by some local authorities as a way to benchmark their burial and cremation charges.

Question 13: Paragraphs 3 and 4 of the draft guidance for local authorities suggest that local authorities should consult the public when developing charging proposals and explain the reasons for any proposed changes to charges.

Do you think these measures will help improve the transparency of, and public engagement with, the local authority charge setting process? Y/N/DK

Question 14: Please explain your answer.

Question 15: Paragraph 5 of the draft guidance for local authorities suggests that local authorities should publish information from their Local Financial Returns annually on their websites, showing income generated and expenditure incurred through the provision of burial and cremation services.

Do you think that this would help increase public understanding of the costs associated with local authorities' provision of these services? Y/N/DK

Question 16: Please explain your answer.

Theme 8 – Local authority measures to reduce funeral poverty

97. The Scottish Government's [Funeral Costs Plan](#) sets out 10 actions that we are taking to tackle funeral poverty and is clear that we see local authorities as key partners in this work.
98. The draft guidance for local authorities therefore includes measures to link burial and cremation charge setting to broader strategies and duties aimed at reducing poverty and inequality, such as the Child Poverty (Scotland) Act 2017 and, where appropriate, the new Fairer Scotland Duty as set out in Part 1 of the Equality Act 2010.
99. Recognising that funeral costs contribute to poverty, the draft guidance also suggests that local authority strategies for poverty reduction should, where possible, include measures aimed at addressing funeral poverty. Alongside this, the Scottish Government wants to encourage actions from local authorities that will provide direct support for individuals and families struggling with the costs of a funeral.
100. Where it has not been possible to save or buy ahead for a funeral, many people struggle with the costs. In light of this, the draft guidance for local authorities suggests that local authorities should consider putting in place measures to support and assist bereaved people who are unable to or struggling to meet the costs of arranging a funeral.
101. While the draft guidance cites possible options, such as provision of advice to the public, or working with funeral directors to provide support to people who would struggle to pay for a funeral, we have consciously left this part of the draft guidance open in order to encourage local authorities to think innovatively about what options might be available to them within their powers.

Question 17: Do you think the guidance should encourage local authorities to link burial and cremation charge setting to broader strategies and duties aimed at reducing poverty? Y/N/DK

Question 18: Please explain your answer.

Question 19: Do you think that local authorities should be encouraged to take actions to support individuals who are struggling with the costs of a funeral? Y/N/DK

Question 20: Please explain your answer.

Section 5: Impact assessments

102. Equality of opportunity is a founding principle of the Scottish Parliament and the Scottish Government is determined to tackle all forms of inequality. A wide range of measures to help do this are included in our Programme for Government and our legislative programme.
103. The Equality Act 2010 is aimed at eliminating discrimination against individuals who share one or more of the protected characteristics mentioned in the Act. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
104. Section 149 of the Equality Act 2010 places a legal duty (known as the Public Sector Equality Duty') on public authorities to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good community relations in relation to the relevant protected characteristics with the exception of marriage and civil partnership.

Question 21: Please tell us about any potential impacts, either positive or negative, that you consider the proposals in this consultation may have on people who may be differently affected in relation to the protected characteristics.

105. Business and Regulatory Impact Assessments (BRIAs) help to assess the likely costs, benefits and risks of any proposed primary or secondary legislation, voluntary regulation, codes of practice, or guidance that may have an impact on the public, private or third sector. As the measures we have outlined on funeral costs are guidance, the Scottish Government's initial assessment is that these will not directly impose new regulatory burdens on the public, private or third sector.

Question 22: Please tell us about any potential business or regulatory impacts, either positive or negative, costs and burdens that you think may arise as a result of the proposals within this consultation.



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78781-084-6 (web only)

Published by The Scottish Government, August 2018

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS440626 (08/18)

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