

Funeral Director: Code of Practice – Consultation

June 2019

This consultation paper considers a range of sensitive and emotive subjects. Some of the topics discussed take place at times of great distress and deal with difficult experiences. The language of the consultation paper is necessarily legalistic and technical, and it is necessary to discuss the subject matter in an objective and dispassionate way. This approach is essential to ensure that a robust Funeral Director: Code of Practice (the Code) is developed which sets out appropriate standards that result in the dignified care of the deceased and support for the bereaved persons.

Ministerial Foreword



When grieving the loss of a loved one, arranging a funeral is difficult. Some may find it further compounds the grief felt; and some may find that it helps with the grieving process. To help make arrangements at a difficult time and also for customary reasons, the vast majority of people in Scotland will turn to a funeral director.

As is now well established, the role of the funeral director is more than just arranging and delivering a funeral service. The funeral director, in the lead up to the day of the funeral, is expected to advise on a wide variety of statutory requirements and to take care of your loved one in a respectful and dignified manner. They are expected to handle the logistics and administration that arranging a funeral requires, and to orchestrate the farewell that your loved one planned for, or you did on their behalf.

Given the importance the funeral director holds in the process, there is a general expectation from the public that there is some form of regulation or statutory oversight with which funeral directors must comply. This assumption is reflected in both industry publications and in recent reports on the industry, such as by the Competition Markets Authority (CMA). Potentially surprising to many, this assumption is incorrect.

A statutory code of practice is the first step in setting out good standards of practice which funeral directors will be required to comply with. A code generally aims to increase transparency for a client and the public in general, and to set quality standards on the care of the deceased.

The Scottish Government wants to ensure there are standards in place which all funeral directors have to follow. We want to minimise the chance of mistakes being made, or instances of bad practice occurring across Scotland. And if they do occur, we want to make sure they are not repeated and lessons are learned.

The Burial and Cremation (Scotland) Act 2016 is the cornerstone in the regulation of the funeral industry. The 2016 Act changes the law relating to the funeral industry, and a part of that includes for the first time introducing a national, statutory funeral director code of practice.

The code of practice will be a key document in the eventual statutory inspection of funeral directors, who will be legally required to meet the standards the code of practice prescribes.

The code of practice has been developed with significant input from a range of funeral director businesses and representatives, including trade bodies and other membership organisations, and the Inspector of Funeral Directors, who has been out in the field undertaking voluntary inspections of funeral directors across Scotland since mid-2017.

Once it becomes law, the code of practice has the potential to introduce significant changes for funeral directors in Scotland, as such we want to hear from funeral directors, and, equally importantly we want to hear from members of the public who will use funeral directors' services. Your comments will help us determine if the code of practice achieves its aims to increase transparency, and to set quality standards on the care of the deceased. I hope you will help us to identify how we can further strengthen and improve it.

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

A handwritten signature in blue ink that reads "Joe FitzPatrick". The signature is written in a cursive style with a long horizontal stroke at the end.

Joe FitzPatrick MSP
Minister for Public Health, Sport and Wellbeing

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1: Acronym table

CMA	Competition and Markets Authority
MSP	Member of Scottish Parliament
NAFD	National Association of Funeral Directors
SAIF	National Society of Allied and Independent Funeral Directors
BIFD	British Institute of Funeral Directors
ICCM	Institute of Cemetery and Crematorium Management
SLA	Service Level Agreement
CPD	Continuous Professional Development
SCQF	Scottish Credit and Qualifications Framework
SQA	Scottish Qualifications Authority
BIE	British Institute of Embalming

2: About the consultation

What are we consulting about?

1. This consultation seeks views on a code of practice (the Code) for funeral directors. **The Code is set out separately to this document. Please read the Code before answering the consultation questions.** Section 3 of this document sets out questions about the Code. Responses to the consultation will be used to inform the final version of the Code.
2. The Code applies to all funeral directors (as defined below in paragraph 9) carrying out the activities of a funeral director in Scotland, regardless of where their business is based.
3. Once the Code is brought into force, all funeral directors will be responsible for implementing the standards it sets out. Inspectors of funeral directors, who will be appointed by Scottish Ministers, will inspect against the Code to ensure compliance with it.
4. The Code will be a crucial element of the inspection framework for funeral directors. The Scottish Government appointed Scotland's first Inspector of Funeral Directors in April 2017. Scottish Ministers are considering the Inspector's report and recommendations on the future regulation of funeral directors.
5. The statutory basis for a code is set out in section 97 of the Burial and Cremation (Scotland) Act 2016 (2016 Act):

Section 97: Funeral Director Code of Practice

- (1) A funeral director must comply with any Code of Practice issued by the Scottish Ministers about the carrying out of a funeral director's functions (a "funeral director's Code").*
- (2) Before issuing any funeral director's Code, the Scottish Ministers must consult –*
 - (a) persons appearing to the Scottish Ministers to be representative of the interests of funeral directors in Scotland, and*
 - (b) other persons appearing to the Scottish Ministers to have an interest.*
- (3) After taking account of any representations received by them by virtue of subsection (2), the Scottish Ministers must lay a draft of the funeral director's Code before the Scottish Parliament.*
- (4) The Scottish Ministers may not issue a funeral director's Code unless a draft of the Code is approved by resolution of the Scottish Parliament.*
- (5) The Scottish Ministers must publish a funeral director's Code in such a manner as they consider appropriate.*

(6) The Scottish Ministers must keep under review a funeral director's Code.

(7) In this section, references to a funeral director's Code include references to a funeral director's Code as revised from time to time by the Scottish Ministers.

Who do we want to hear from?

6. We are keen to gather the views of funeral directors, local authorities, private burial or cremation authorities, their trade association representatives and any other groups or individuals with a working knowledge of funeral directing, burial, cremation or the wider funeral industry. We also want to hear from members of the public.

Who will be affected by the Code?

7. The Code has been developed by a multi-disciplinary group using the knowledge and expertise of those in the wider funeral industry, including funeral directors, the National Association of Funeral Directors (NAFD), the National Society of Allied and Independent Funeral Directors (SAIF), the British Institute of Funeral Directors (BIFD), the British Institute of Embalmers (BIE), the Institute of Cemetery and Crematorium Management (ICCM), Co-operative Funeralcare and Dignity Plc.
8. The Code applies to all funeral directors (as defined below in paragraph 9) carrying out the activities of a funeral director in Scotland, regardless of where their business is based.
9. Under the 2016 Act and for the purpose of the Code a "funeral director" means a person whose business consists of or includes the arrangement and conduct of funerals. This definition comes from section 31 of the Certification of Death (Scotland) Act 2011 which replicates that in section 62 of the Civic Government (Scotland) Act 1982 (as amended by the Police, Public Order and Criminal Justice (Scotland) Act 2006).
10. The overall aim of the Code is to introduce consistency of care provided to the deceased and transparency in the goods and services offered to bereaved persons. When it comes into force, the Code will set standards and be used as the basis for conducting inspections and making enforcement decisions. Similar codes of practice will be developed for cremation and burial authorities.

Responding to this Consultation

11. We are inviting responses to this consultation by 20 September 2019.
12. Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at <https://consult.gov.scot/population-health/funeral-director-code-of-practice>. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 20 September 2019.
13. If you are unable to respond using our consultation hub, please complete and send the Respondent Information Form to:

Burial and Cremation Policy Team
Scottish Government
3 East
St. Andrew's House
Regent Road
Edinburgh, EH1 3DG

Handling your response

14. If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.
15. All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.
16. If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.
17. To find out how we handle your personal data, please see our privacy policy: <https://beta.gov.scot/privacy/>

Next steps in the process

18. Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>. If you use the consultation hub to respond, you will receive a copy of your response via email.
19. Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

20. If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or at burialandcremation@gov.scot.

Scottish Government consultation process

21. Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.
22. You can find all our consultations online: <http://consult.gov.scot>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.
23. Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:
 - Indicate the need for policy development or review.
 - Inform the development of a particular policy.
 - Help decisions to be made between alternative policy proposals.
 - Be used to finalise legislation before it is implemented.
24. While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

3: Background

Overview

25. During the passage of the 2016 Act, the Scottish Parliament considered how best to introduce statutory regulation and inspection to the funeral industry. As a result, the Scottish Parliament passed legislation which gives Scottish Ministers powers to appoint inspectors, to set out in regulations a framework for enforcement and how inspections should take place, and to publish statutory codes of practice. The 2016 Act also gives Scottish Ministers powers to establish a licensing scheme for funeral directors.
26. In her first [annual report](#), published in August 2018, the Inspector reported that there were many areas of common practices prevalent across Scotland. The report also highlighted departures from good practice in relation to care of the deceased, record keeping, training and experience of staff, identity checks, authorisation and permissions. Historically there has been no central oversight of funeral directors in Scotland, which may well have contributed to the variation of practices and standards. By setting out standards in the code that all funeral directors must adhere to, consistent levels of good practice will be created across Scotland.
27. Increased times between the date of death and funeral service have risen steadily over the past 20 years in the UK, from under 10 days to over 3 weeks on average¹ according to an industry commissioned publication. Greater variety of funeral options now offer a large amount of consumer choice. Styles of funeral have changed, with the demand and levels of personalisation in a funeral growing rapidly. It is also the case that as society continues to change, 'traditional' family units and connections may no longer be the norm and funeral directors report that they increasingly witness confusion or disputes amongst families concerning who is authorised to arrange a funeral or apply for the burial or cremation.
28. These reasons, and many more, contribute to a deceased person now remaining in the funeral director's care for a longer period of time than in the past. This reality underscores the importance of making provision for a national code of practice that requires set standards of good practice and procedures from all funeral directors operating in Scotland.

¹Pp. 4-5, <https://www.dignityfunerals.co.uk/media/3002/time-to-talk-about-quality-and-standards-v2.pdf>

Scope and context

29. The Scottish Government estimates that there are around 400 funeral director businesses in Scotland, of which there are approximately a total of 700 branches. Large businesses such as Co-operative Funeralcare and Dignity Plc operate the majority of the branches across Scotland.
30. Funeral directors may be members of the NAFD or SAIF trade associations. Some funeral directors are members of both trade associations, while others are members of neither. Membership of trade associations is voluntary.
31. Both the NAFD and SAIF trade associations have for many years played an important role in promoting best practice and in improving operational practice amongst their members. The Code recognises the trade associations' own existing codes of practice, best practice guidance and codes of conduct, and has incorporated a number of elements of these documents.
32. The Code is primarily focused upon the procedures for caring for the deceased when in the funeral director's care. Part of the Code also focuses on ensuring transparency of services and the associated costs, estimates, and agreed final bills for goods and services. The Code will be statutory and funeral directors must comply with it.
33. The recently published Scottish Government guidance on Funeral Costs sets out good practice for funeral directors and others in relation to transparency of pricing, helping clients understand costs, the provision of estimates and final bills, and making lower-cost funeral options available. It is distinct from the Funeral Director: Code of Practice.

4: The consultation

The Code [please read the *Funeral Director: Code of Practice* **before** answering any questions in the consultation.]

34. The Code is organised into the following sections:

- 1. Engagement of the funeral director and transfer of the deceased.
- 2. Care of the deceased and the premises used by the funeral director.
- 3. Planning of the funeral service according to the wishes of the deceased and the bereaved persons.
- 4. Delivery of the funeral.
- 5. Complaints.
- 6. Business continuity and managing risks.

35. **We are seeking your views on every section of the Code.** It is extremely important to us that you have an opportunity to consider the proposals within the Code and tell us what you think.

36. In addition, there are some areas of the Code that we would like you to pay particular attention to and these form the basis of the questions set out below.

Mortuaries/care facilities

37. Section 2 of the Code proposes that care of the deceased must take place in a location(s) specifically designed for that purpose and that the funeral director's business must ensure that the care facility or mortuary is fit for that purpose. This requirement will likely formalise existing processes by making funeral directors check that their care facilities and mortuaries are indeed fit for purpose, and by doing so will help to improve the consistency of care facilities and mortuaries across Scotland over time.

Question 1:

If you own or operate a funeral director business, will the requirement to have a designated and fit for purpose care facility or mortuary as outlined in the Code have an impact on your business?

Yes

No

Don't know

Please explain your answer.

Refrigeration

38. The Scottish Government wants to ensure that no matter where the funeral director operates in Scotland, deceased persons will be cared for in a dignified, appropriate, safe manner, and at a good standard.
39. Following extensive engagement with the funeral industry, the Scottish Government is of the view that the use of refrigeration units, or other purpose built cold rooms, is good practice in the care and preservation of deceased persons. The care and preservation of each deceased person in their care should be of the utmost importance to every funeral director and should form a crucial element of their business operating model. The ability to refrigerate deceased persons significantly increases the resilience of the funeral director's business, such as in the face of an unexpected delay to a funeral arrangement, and very importantly ensures the deceased person is stored in a dignified and respectful way, until the funeral takes place.
40. SAIF Scotland has already taken the step of requiring its members to have refrigeration on site for all deceased persons at a ratio of 1:50 (that is 1 refrigeration space required for every 50 deceased persons taken into the care of the funeral director per year).
41. The Scottish Government believes that the use of refrigeration is a critical element of caring for a deceased person in a dignified, appropriate and respectful manner.
42. With this in mind, the Code also proposes a ratio of 1:50. That is, for every 50 deceased persons taken into the care of the funeral director on average per year, the funeral director will be required to have, or to have access to, one refrigeration space. This ratio of 1:50 has been set in consultation with businesses and trade association representatives during the Code drafting process.
43. Purpose built refrigeration units and temperature controlled cold rooms are acceptable forms of refrigeration where these can achieve appropriate and consistent temperature requirements. The Code does not make it a requirement for funeral directors to have refrigeration. It states that where a business does not provide its own refrigeration a formal written and managed Service Level Agreement (SLA) with another provider of refrigeration should be in place. This SLA could be, for example, with another funeral director or a local NHS Board.

Question 2:

The Code sets out a ratio of the number of refrigeration spaces to number of deceased persons per year at 1:50. Do you agree with the ratio of 1:50?

Strongly agree

Agree

Don't know

Disagree

Strongly disagree

Please explain your answer.

Question 3:

Do you agree there should be flexibility for the funeral director to provide refrigeration either as part of their business model, or to be able to access refrigeration by means of a formal SLA with a refrigeration provider/another funeral director?

Strongly agree

Agree

Don't know

Disagree

Strongly disagree

Please explain your answer.

Question 4:

If you own or operate a funeral director business, do you think the requirement to refrigerate the deceased will have an impact on your business?

Yes

No

Don't know

Please explain your answer.

Viewing of the deceased

44. Information gathered by the Inspector of Funeral Directors suggests that offering viewing of the deceased as a service provided by the funeral director is linked to good care practices.
45. The vast majority of funeral directors in Scotland routinely offer viewing of the deceased where that is requested by the client. There are, however, some funeral directors that do not offer this service and may not be able to facilitate viewing should viewing be requested by a client. The Scottish Government considers that offering viewing of the deceased as a service is integral to good care practices. The Code reflects this view and proposes that the funeral director must be able to offer or facilitate viewing of the deceased as a service and provide or have access to an appropriate and dedicated viewing space.
46. The Code also acknowledges that there are circumstances where viewing of the deceased would not be recommended by the funeral director. This may be, for example, where despite the best efforts of the funeral director or due to circumstances outwith their control, the deceased person is in a poor physical condition. If the funeral director makes a recommendation against viewing due to its likelihood to cause distress to the client, the funeral director should provide the client with written/electronic advice as to why viewing is not recommended.
47. In cases where there is a risk of infection, the funeral director must always follow relevant health and safety legislation and [guidance](#).

48. In all cases where viewing is not recommended by the funeral director to the client, the Code emphasises that an appropriate written record must be kept. This should be available on request for any Inspector of Funeral Directors.

Question 5:

Would offering viewing of the deceased as a service have an impact on a funeral director business?

Yes

No

Don't know

Please explain your answer.

Accredited Training and Qualifications

The Scottish Government believes that funeral directors, funeral arranger/administrators and funeral service operatives/assistants/drivers/bearers should have access to accredited training or qualifications (e.g. accredited by the Scottish Qualifications Authority, or by another official UK accreditation body). Currently, the infrastructure is not yet in place to deliver widespread accredited training and qualifications to Scotland's funeral directors and funeral arrangers/administrators or funeral service operatives/assistants/drivers/bearers. As such, training and qualifications have not been included in the Code. However, the Scottish Government believes that widely available accredited training and qualifications is a natural and necessary step for the funeral industry to take. Accredited training and qualifications are commonly found in the funeral industries of many other developed countries. We would, therefore, like to hear views on the subject of widely available accredited training and qualifications for funeral directors, funeral arrangers/administrators and funeral service operatives/assistants/drivers/bearers in Scotland.

49. The Scottish Government recognises that funeral directing is an area where many of those delivering a funeral, be it funeral directors, funeral arrangers/administrators or funeral service operatives/assistants/drivers/bearers, may not have undertaken any training or qualifications to do so.
50. This position most likely reflects the history of the industry where historically services provided by an undertaker extended to no more than the supply of a coffin and transport to the local cemetery. The other requirements: laying out the deceased, opening the grave, the wake, etc. were arranged and carried out by others.
51. The role of the funeral director has evolved in recent decades. Nowadays the funeral director requires: administrative skills, communication skills, a knowledge of legal and health and safety requirements, customer service skills, management skills, etc.
52. Trade associations have, in some cases for a number of decades, offered a variety of courses, training opportunities and qualifications for their members. Larger, corporate businesses also have a number of internal training schemes for both employees new to the business, and requirements for more experienced staff to complete Continuous Professional Development (CPD).
53. However, currently there are no funeral director qualifications listed on the Scottish Credit and Qualifications Framework (SCQF). There are a handful of funeral service qualifications listed on the Register of Regulated Qualifications (for England and Northern Ireland), and on the Credit and Qualifications Framework (for Wales - although they are recorded as 'no longer available'). At present, accredited qualifications are not widely available to Scotland's funeral directors.
54. The SCQF is the national qualifications framework for Scotland. It has 12 levels which reflect the current Scottish education and training system. Each SCQF Level has a set of Level Descriptors which provides a broad understanding of the expected attainment at every level. You can view the SCQF [here](#).
55. The SCQF is in part managed by the Scottish Qualifications Authority (SQA) (the SQA are members of the SCQF's Board of Directors). The SQA has a dual role in Scotland – SQA Accreditation and SQA Awarding Body. The SQA Accreditation accredits qualifications other than degrees; whereas SQA Awarding Body approves, and quality assures Centres that plan to enter people for qualifications.

Question 6:

Do you agree that all funeral director, funeral arranger/administrator and funeral service operative/assistant/driver/bearer training and qualifications should be accredited by an official accreditation body, such as the Scottish Qualifications Authority or another official UK accreditation body?

Strongly agree

Agree

Don't know

Disagree

Strongly disagree

Please explain your answer.

Question 7:

Is Level 6 an appropriate level on the Scottish Qualifications and Credit Framework (SCQF) for a funeral director qualification to be registered at?

Is Level 5 an appropriate level on the SCQF for a funeral arranger/administrator qualification to be registered at?

Is Level 4 an appropriate level on the SCQF for a funeral service operator/assistant/driver/bearer to be registered at?

(For some context, SCQF Level 6 is the level of Higher awards, SCQF Level 5 is the level of National 5 awards or the first level Modern Apprenticeships are awarded at, and SCQF Level 4 is the level of National 4 awards. You can view the SCQF [here](#) and you can view how SCQF levels compare to levels in England and Wales, as well as Europe, [here](#)).

Yes

No

Don't know

Please explain your answer.

Question 8:

Do you agree that funeral directors, funeral arrangers/administrators and funeral service operatives/assistants/drivers/bearers should undertake training and receive qualifications that are primarily vocational in nature, with a focus on gaining practical skills over more classroom-based learning?

Strongly agree

Agree

Don't know

Disagree

Strongly disagree

Please explain your answer.

Embalming – training and qualifications

56. The Code places care of the deceased and transparency of services at its core. By following the requirements set out in the Code, it is the Scottish Government's intention that the funeral industry becomes more open in its policies, practices and procedures. The Code will require funeral directors to be clear about the goods and services they offer and will encourage conversations that otherwise may have been avoided in the past, such as the appropriateness of embalming and the associated cost of such a service.
57. The Code sets out expected approaches to 'care practices', a term widely used by funeral directors. Embalming can be an effective method of preservation, however, embalming is not necessary nor is it appropriate in every case. The Code, therefore, is clear that there is not a requirement to embalm a deceased person in every case and that the funeral director may choose to offer or not offer embalming as a service they provide.²
58. It is widely recognised that significant variation exists in training, qualifications, experience and, ultimately, practice standards of embalmers operating in Scotland. A trade embalmer may be self-employed and be contracted by the funeral director to provide embalming services as and when required. Alternatively, the funeral director may practice embalming themselves and, like the trade embalmer, may or may not have qualifications to do so. The funeral director's business may also employ a dedicated embalmer. In many cases, those practicing embalming have been trained 'on the job' by their predecessors or colleagues within a business.
59. The British Institute of Embalming (BIE) currently offers a two-year embalming training course. Other significantly shorter courses are offered elsewhere. Similarly to the training courses for funeral directors etc. the Scottish Government believes that those wishing to study embalming should have access to accredited training or qualifications. Again, we believe that providing widely available accredited training and qualifications is a natural and necessary step for the funeral industry to take. Given the significant differences in the duration of embalming courses on offer we have been unable to propose an SCQF level for an embalming qualification at this time.
60. The number of courses available and opportunity for training has been an important consideration when drafting the Code. Engagement with funeral directors, their representatives and BIE representatives will continue as the implementation of the 2016 Act progresses. Taking into consideration that the subject of embalming will require further examination, we invite you to take a view on the following question.

² The one exception being if a deceased person is required to be repatriated from the UK. One must provide an embalming certificate in this case.

Question 9:

Do you believe that accredited training and qualifications should be available to those wishing to undertake embalming courses in the future?

Yes

No

Don't know

Please explain your answer.

Other questions - implementation timescale

Question 10:

The Scottish Government proposes that 18 months is a reasonable amount of time for funeral directors to meet the requirements of the Code before it comes into force. What do you consider to be a reasonable timeframe for funeral directors to meet the requirements of the Code before it comes into force?

12 months	
18 months	
24 months	
25 months or more	

Please explain your answer.

Other questions - Continuous Professional Development

Question 11:

In order to stay up to date on industry or profession best practices, many industries and professions require members to complete a number of hours per year of Continuous Professional Development (CPD). CPD can include short industry courses, attending seminars, trainings, etc.

How many hours of CPD per year do you think funeral directors, funeral arrangers/administrators and funeral service operatives/assistants/drivers/bearers respectively should need to complete in order to stay up to date on industry best practices in the funeral industry?

For funeral directors:

0 hours	
Between 1 and 15 hours	
Between 16 and 30 hours	
More than 30 hours	

Please explain your answer.

For funeral arrangers/administrators:

0 hours	
Between 1 and 15 hours	
Between 16 and 30 hours	
More than 30 hours	

Please explain your answer.

For funeral operatives/assistants/drivers/bearers:

0 hours	
Between 1 and 15 hours	
Between 16 and 30 hours	
More than 30 hours	

Please explain your answer.

Other questions – record keeping

Question 12:

The Code stipulates that records should be kept in certain circumstances. In your view, how long should the Code require funeral directors to keep these records? (For reference, the *Cremation (Scotland) Regulations 2019* place a duty on all cremation authorities to keep records relating to a cremation for 50 years.)

5 years	
25 years	
50 years	
75 years	
More than 100 years	

Please explain your answer.

Other questions – impacts and barriers

Questions 13:

Do you think the standards set out in the Code will raise barriers for people considering entering work in the funeral director industry for the first time?

Yes

No

Don't know

Please explain your answer.

Question 14:

Do you think the standards set out in the Code will have a negative impact on funeral director businesses plans for expansion?

Yes

No

Don't know

Please explain your answer.

Question 15:

Do you think the standards set out in the Code will have a negative impact on innovation and experimentation in the funeral industry?

Yes

No

Don't know

Please explain your answer.

Under the Equality Act 2010, the Scottish Government has a legal duty to ask the following question as part of any public consultation.

Question 16:

How would the Code impact on the people of Scotland with respect to age, disability, gender reassignment, pregnancy and maternity, ethnicity, religion or belief, sex, sexual orientation or socioeconomic disadvantage?

Please consider both potentially positive and negative impacts, and if applicable, advise on any mitigating actions we should take.

Other questions – reportable events

Question 17: The Code sets out two events/reportable incidents that should be reported to inspectors within 48 hours. These are: damage to ashes and complaints about the care of deceased persons. Are there any other events/reportable incidents that should automatically be reported to inspectors within 48 hours e.g. accidental damage to a deceased person?

Yes

No

Don't know

Please explain your answer.

Do you have any other comments on any aspects of the Code not covered by the questions in this consultation? Please use this space.

5: Respondent Information Form



FUNERAL DIRECTOR: CODE OF PRACTICE - CONSULTATION

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response if you are not responding online.

To find out how we handle your personal data, please see our privacy policy:
<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No



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