



UPDATED: April 2020

Diploma in Funeral Arranging and Administration

Module 3 England & Wales	Unit 8	Human Cremation: Law and Practice.
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Purpose and Aim of the Unit:	The purpose of the unit is to develop learners' understanding of cremation. Specifically, the unit aims to develop knowledge of the administrative procedures, documentation and governing regulations relating to cremations.
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This unit has 10 learning outcomes.

LEARNING OUTCOMES	
The learner will:	
1	Understand the operational working of a crematorium.
2	Understand the purpose of the cremation documentation.
3	Understand the purpose of the Federation of Burial and Cremation Authorities' (FBCA) Code of Practice and general guidelines.
4	Know the administrative process for cremation.
5	Know the process for the cremation of body parts and infant cremation
6	Know the process and documentation for the disposal of ashes
7	Understand the scattering/interment of ashes
8	Know the available options for memorialisation.
9	Know the current guidelines for the disposal of unclaimed ashes
10	Know which surgical implants require removal.



DEFINITION OF CREMATION:

“The disposing of a human body by means of burning and reducing it to ashes”.

Changes in place due to Covid 19 (Coronavirus) with effect from 24 March 2020 until further notice.

The Coronavirus Act 2020 removes the need for a Cremation 5: Confirmatory Medical Certificate for cremations. The existing Cremation 4: Medical Certificate is still required and this should be completed as under normal circumstances.

If the doctor who attended the patient (either by remote video consultation or in person) within the last 28 days is unable to complete the form or it is impractical for them to do so, then any medical practitioner is able to complete a form 4. However, they can only do so when the MCCD was completed on the basis that the deceased was attended within 28 days of the death or where a medical practitioner has viewed the body after death, even if only for the purpose of verification.

Examination of the body after death is not required if the deceased was either seen after death by a medical practitioner or attended (in person or by video consultation) within the last 28 days.

When completing form 4, if a Doctor did not attend the patient during their last illness, question 5 can be completed by a 'certifying doctor' as an acceptable 'medical role'. Question 9 will be completed with the name, General Medical Council number and role of the medical practitioner who attended the deceased.

Question 8 refers to the date and time that a Doctor saw the body of the deceased and the examination that was made of the body with 'not applicable' if another medical practitioner has seen the deceased after death in person (even if only to verify the death).

The date and time and nature of that examination should be set out in the answer to question 9 (which asks you to explain from the medical notes, your own observations and that of others how you came to make conclusions about the cause of death).

Cremation forms can be sent to the crematorium's registrar by email.

Currently Funeral Directors are able to complete Cremation 1: Application for Cremation on behalf of the client.

Post Covid-19

CREMATION

The Cremation Act first became law in 1902 to enable Burial Authorities to establish Crematoria.

During the same period that the public cemetery system was being created, there was intense debate about the practice of cremation, with strong feelings on both sides; the legal position regarding cremation being unclear at this time.

There had been a few British people who, for various reasons, had transported their dead to the four European crematoria, where cremation was at an early stage of development. Capt. Thomas Hanham cremated the bodies of his wife and mother in October 1882 in a crematorium that he had built on his own estate in Dorset. They had already been dead for five years and when Captain Hanham himself died, his body was also cremated in the same crematorium. However, when Dr. William Price attempted to cremate his dead child in a field in South Wales in January 1884, he was taken before the magistrates on two charges, one of which was that he had attempted to burn the child's body.

The ruling in this case was an historic one, paving the way for the development of cremation in the U.K. Mr Justice Stephen concluded that "... a person who burns instead of buries a dead body does not commit a criminal act unless he/she does it in such a manner as to amount to a public nuisance at common law." Whilst not explicitly legal, cremation was now no longer illegal.

In 1878 The Cremation Society bought land at Woking and built a crematorium there, with the first cremation being carried out there on 26th March 1885. Before the Cremation Act was passed in 1902, six other crematoria had been established under private Acts of Parliament, two of which were by local authorities.

Section 4 of the Cremation Act of 1902, the first Cremation Act that came into force on 1st April 1903, stated:

"The powers of a Burial Authority to provide and maintain burial grounds or cemeteries, or anything essential, ancillary or incidental thereto, shall be deemed to extend to and include the provision of crematoria."

Other sections of the 1902 Act laid restrictions on the siting of crematoria, Section 10 making it clear that nothing in the Act shall authorise the burial authority or any person to create, or permit, a nuisance.



Section 9 provided permission for a Burial Authority to charge fees for the burning of human remains in any crematorium provided by them, going on to say that such charges or fees, and any other expenses properly incurred in, or in connection with, the cremation of a deceased person, shall be deemed to be part of the funeral expenses of the deceased.

Then the Cremation Regulations of 1930 came into force and various amendments followed, the last being in 2006. However, after these last amendments were issued it was considered that the wording of the regulations was obsolete and no longer acceptable.

For more information, visit the national statistics from 1885 – 2018

<https://www.cremation.org.uk/progress-of-cremation-united-kingdom>

The Cremation (England and Wales) Regulations 2008 set out regulations for the opening and closing of crematoria and a regime for inspection and maintenance. They provide for the appointment of medical referees and deputy medical referees and set out the terms by which cremation may be authorised.

Learning Outcome 1

Understand the operational working of a crematorium.

Activity:

Prior to starting this Unit, it is recommended that you visit your local crematoria to familiarise yourself with the facilities and operational aspects of the crematorium

Within your local area, ensure that you have the full address, contact details, operational working hours and requirements of funeral directors of all crematoria.

Learning Outcome 2

Understand the purpose of the cremation documentation.

DOCUMENTATION

There are, broadly speaking, two sets of documentation required for a cremation to happen:

1. Statutory Documentation

These are documents prescribed by an Act of Parliament, such as Cremation Forms 1-13 in England and Wales, these being detailed on the following page.

2. Non-statutory documentation

These are documents produced locally. Typically, they would include a form notifying the crematorium of the details for the ceremony (commonly referred to as a Preliminary Notice or a Particulars Form.) Some crematoria also use their own documents for non-viable foetus cremation applications. Some crematoria continue to produce their own ashes disposal forms in addition to the authority now contained within the Form 1: Application for the cremation of the body of a person who has died.

The statutory forms can be broken down into three basic categories, at least one of each of which will be required in any cremation case. To enable cremation, you will always need:

1. An applicant
2. A form of medical confirmation
3. An authority to cremate from an official dedicated for that task at the crematorium

Since the 2008 regulations came into force, a series of 13 statutory forms have been in use, as

below. Those in **orange** are application forms, those in **blue** are medical certificates and those in **black** are authorities to cremate:

1. Application for Cremation of the Body of a Person who has Died
2. Application for Cremation of Body Parts
3. Application for Cremation of Stillborn Baby
4. Medical Certificate
5. Confirmatory Medical Certificate
6. Certificate of Coroner
7. Certificate following Anatomical Examination
8. Certificate Releasing Body Parts for Cremation
9. Certificate of Stillbirth
10. Medical Referee's Authority to Cremate
11. Certificate after Post Mortem Examination
12. Medical Referee's Authority to Cremate (Body Parts)
13. Medical Referee's Authority to Cremate (Stillbirth)

In April 2018, the Cremation (England & Wales) (Amendment) Regulations 2017 came into effect. The regulations provide for electronic signing of the cremation forms thus enabling the submission of these forms by electronic means.

Guidance notes for both the Funeral Director and applicant have also been updated. The forms are now also available to clients in Welsh.

Cremation 1: Application for Cremation of the Body of a Person who has Died

For use in all cases where there has been life, except for body parts. This form must be completed by a person of 16 years or over, though a crematorium superintendent may exercise discretion on this point (such as for a parent under 16 applying for the cremation of their child). The applicant must be a near relative or executor of the person who has died, or be in a position to give good reason why they are making the application in such a person's place.

It should be noted that under question 9 ("Please give the name, address and telephone number of

the doctor(s) who attended the person who has died during their last illness.”) the second entry should not be the doctor who completes Form 5, as that doctor did not have care of the deceased person.

Question 10 requires that confirmation is given of the removal of hazardous implants. A list of those itemised by the Ministry of Justice as possibly requiring removal and guidance on how this might be done is detailed further on in this information.

The client must be talked through Part 5 – **Inspection of Certificates** so they fully understand the options when certificates are provided by medical practitioners. The 2008 Regulations also established the right of the applicant for cremation (or another person nominated by them) to inspect the two medical certificates if they choose to do so, these being the **Cremation 4 – Medical Certificate** (usually completed by the GP who attended the deceased during their last illness) and the **Cremation 5 – Confirmatory Medical Certificate** (usually completed by a demonstrably independent doctor (who has been qualified for 5 years or more) from the one who completed Cremation 4).

If the client does not wish to inspect any such certificates, they may nominate another person to inspect them instead. Such certificates will only be available for inspection, at the offices of the cremation authority, for 48 hours from the time that the cremation authority notifies the client (or their nominated person) that the certificates are available to be inspected. If the client (or their nominated person) does not attend at the time agreed with the cremation authority, the cremation may then proceed. Where the appointment is with a member of the crematorium staff there is unlikely to be a fee for the inspection. If the applicant or their nominee wishes to see the Medical Referee personally a fee may apply.

It should be noted that the right to inspect medical certificates only relate to **Cremation 4 – Medical Certificate and Cremation 5 – Confirmatory Medical Certificate**. It does not allow a family the right to inspect **Cremation 6 – Certificate of Coroner**.

Special attention should be given to Part 6 – Applicant’s instruction for ashes. There are three options in this part of the form in respect of the disposal/collection of the deceased’s ashes.

Each option should be discussed and the box for either option 1; option 2 or option 3 ticked so the crematorium has the appropriate instructions.

Regardless of whether the Funeral Director is arranging the funeral of an adult or baby/ child, Part 7 – Recovery of ashes must also be discussed with the client and the box ticked confirming the client understands that there may be no recoverable ashes and still wishes to proceed with the application. This confirmation is required on all applications for cremation. If not covered, the crematorium may return the Cremation 1 as incomplete.

Cremation 2: Application for Cremation of Body Parts

This form broadly, but more briefly, mirrors the questions in Cremation 1. It is worth noting question 5. If cremation of the body part is taking place at a different crematorium to that at which the body was earlier cremated, you must also submit a Certified Copy of an Entry of Death.

Cremation 2 cannot be used to apply for cremation of a part from a living person. Article 19 of the 2008 Regulations requires that a death must first have been registered.

Special attention should be given to Part 5 – Applicant's instruction for ashes. There are three options in this part of the form in respect of the disposal/collection of the deceased's ashes. Each option should be discussed and the box for either option 1; option 2 or option 3 ticked so the crematorium has the appropriate instructions.

Part 6 – Recovery of ashes must also be discussed with the client and the box ticked confirming the client understands that there may be no recoverable ashes and still wishes to proceed with the application. This confirmation is required on all applications for cremation. If not covered, the crematorium may return the Cremation 2 as incomplete.

Cremation 3: Application for Cremation of Stillborn Baby

This form should be completed by a person of at least 16 years of age, although in practice the Superintendent might permit, for example, the mother, aged under 16, of a stillborn child to make

the application. As with Cremation 2 this broadly mirrors Cremation 1.

The query about other parties with an interest in the case here specifies both parents. Where the child has not been named a description may be offered. Typically, this is “baby boy/girl of” and the name of the mother.

Special attention should be given to Part 6 – Applicant’s instruction for ashes. There are three options in this part of the form in respect of the disposal/collection of the deceased’s ashes. Each option should be discussed and the box for either option 1; option 2 or option 3 ticked so the crematorium has the appropriate instructions. Part 7 – Recovery of ashes must also be discussed with the client and the box ticked confirming the client understands that there may be no recoverable ashes and still wishes to proceed with the application. This confirmation is required on all applications for cremation. If not covered, the crematorium may return the Cremation 3 as incomplete.

Cremation 4: Medical Certificate

This is completed by a doctor who attended the deceased person during his or her final illness. Ministry of Justice guidance describes “a demonstrable prior period of care or the presence of the certifying medical practitioner at the death” as meeting this criterion. In some circumstances, such as the attending doctor being on leave, a partner at the practice may be permitted to complete the form. Whereas old age may be sufficient as a cause of death for registration purposes where the deceased person is more than 80, when completing this form, something more specific is required. Where the answer to question 10 (that a consented hospital post-mortem has been carried out by a registered medical practitioner of at least five years’ standing) is yes, no Cremation 5 is required. Ministry of Justice guidelines require that if a Cremation 5 is completed unnecessarily, any fees paid should be refunded to the applicant.

Cremation 5: Confirmatory Medical Certificate

This must be completed by a doctor of five years’ standing who is independent of the doctor completing Cremation 4. Ministry of Justice guidance is that the answer to questions 3, 4 and 5 should always be yes, other than in exceptional circumstances, although there is a possible

discrepancy where another part of the Ministry of Justice guidance refers to the expectation at “at least one” of the questions be in the affirmative and that not all of these questions need be answered.

The doctor completing Cremation 5 is at liberty to disagree with the cause of death offered by the doctor who completed Cremation 4, but must explain any discrepancy.

It is also permissible for the doctor completing Cremation 5 not to have consulted the doctor completing Cremation 4, but the circumstances would be exceptional, such as serious illness of the of the doctor completing Cremation 4.

Cremation 6: Certificate of Coroner

This form from the Coroner replaces the previously known Form E also previously known as Form 102. In addition to the previously required information to be completed by the Coroner it is now required that a cause of death and other diseases or conditions be given when the Coroner completes this form.

When this form is issued, Cremation 4 – Medical Certificate and Cremation 5 – Confirmatory Medical Certificate along with the Registrar’s Certificate for Cremation are NOT required, although in the case of a death that occurred outside of the British Islands and no post-mortem examination or inquest is necessary a ‘Certificate of No Liability to Register’ may be required from the local registrar. As well as being issued following a post-mortem examination. Cremation 6 – Certificate of Coroner is issued where the deceased person has been repatriated from abroad and the family request a cremation.

Cremation 7: Certificate following Anatomical Examination

This document is completed where a deceased person’s body has been retained by a medical school and is subsequently released for cremation.

Cremation 8: Certificate releasing Body Parts for Cremation

This form is completed when cremating body parts from a named individual, used in conjunction with Cremation 2 – Application for Cremation of Body Parts.

The form mirrors Cremation 4 – Medical Certificate in requiring details of the deceased party and

requires attestation that the held parts (which must be described) are no longer required.

Cremation 9: Certificate of Stillbirth

In this case either a medical practitioner or a midwife can sign, to attest that the child was stillborn. The form requires either a name or a description where no name has been given. Where no name has been given, “Baby boy/girl of [mother’s name]” is typically used.

Cremation 10: Authorisation of Cremation of Deceased Person by Medical Referee

The first of three authorities to cremate, this is used in conjunction with Cremation 1, where the medical referee is satisfied by that and a combination of the following forms:

Cremation 4 – Medical Certificate

Cremation 5 – Confirmatory Medical Certificate

Cremation 6 – Certificate of Coroner

Cremation 7 – Certificate following Anatomical Examination according to the case.

Cremation 11: Certificate after Post Mortem Examination

Where the medical referee is not satisfied with the papers supplied, he or she may order a post-mortem examination. This would need to be paid for either by the crematorium or the family. The consent of the applicant (or other family member) is required for the post-mortem to take place. If such consent is not given the options available are to seek cremation at a different crematorium or elect for burial.

Cremation 12: Authorisation of Cremation of Body parts by Medical Referee

This form is used in conjunction with both the Cremation 2 – Application for Cremation of Body Parts and Cremation 8 – Certificate releasing Body Parts for Cremation.

Cremation 13: Authorisation of Cremation of Remains of Stillborn Baby by Medical Referee

This form is used in conjunction with both the Cremation 3 – Application for Cremation of a Stillborn Child and Cremation 9 – Certificate of Stillbirth.

As with those forms, where no name is given, a description of the child may be entered.

Where no Cremation 9 can be supplied a declaration may be accepted from another party attesting the stillbirth.

FOETAL REMAINS

Where a child was born without life prior to 24 weeks gestation there is no formal procedure in place.

The guidelines of the Institute of Cemetery and Crematorium Management are that crematoria produce their own application for cremation for use in these cases. The application should be accompanied by a certificate from a medical practitioner or midwife attesting the non-viable status of the child.

There is no requirement for a Medical Referee to sign an authority to cremate for a non-viable foetus although in practice this may be done.

REGISTER OF CREMATION

A register does not form part of the statutory form series but will be kept by crematoria. Registrar's Certificate for Burial or Cremation Part C is returned to the issuing Registrar 96 hours after disposal.

SECRETARY OF STATE'S AUTHORITY TO CREMATE

This is typically issued as part of a licence or faculty for exhumation with the prior consent of the nominated crematorium to receive the remains.

Strictly speaking, where such authority has been issued, that is the only document the crematorium requires in order to proceed.

Good practice, however, dictates that the Funeral Director supports it with an application for cremation.

CERTIFICATE OF NO LIABILITY TO REGISTER

Where a person is brought into England and Wales having died elsewhere, the death having been registered in the country of death, it cannot be registered again in England & Wales.

In such cases, a Certificate of No Liability to Register is obtained from the registrar (this is covered in

detail in Information 23 Repatriation).

This form is used for cremation in cases where death has occurred in Scotland, cremation is in England or Wales and the Coroner, electing not to investigate the case, does not issue a Cremation 6 - Certificate of Coroner.

SUPPORTING PAPERWORK

Any application for cremation will be accompanied by a preliminary notice of cremation/ notice of particulars. Other names for this may also be in use.

The statutory forms do not give any detail about the ceremony itself so this non-statutory form is used, and is provided by individual crematoria. They vary greatly in the detail they give, but Funeral Directors should expect it to include:

- full details of the person completing the cremation paperwork;
- date and time of service;
- the chapel to be used; and
- the name of the officiant.

Specifics such as:

- whether an organist is required;
- use of audio-visual equipment;
- whether there will be a witness for charging;
- provision of a casket for ashes;
- confirmation that the construction of the coffin is appropriate for cremation; and
- whether curtains are to close.

A further form may be used solely for the detail of music required, whether this be by an organist, in recorded form, or by electronic means such as the Wesley Music system or Obitus.

There may be a reference to the fate of cremated remains on the preliminary notice. Also, although an instruction for cremated remains now forms part of cremation application forms 1, 2 & 3, some crematoria have retained a separate form. This will be signed by the applicant (e.g. the person signing Cremation 1). Again, there is significant variance between crematoria in the level of detail.

The person completing the crematorium's own paperwork may also be asked to sign their consent to the crematorium not carrying out cremation on the day of the ceremony (the procedure referred to as "holding over").

There may also be a question relating to the fate of metal implants such as knees or hips which may survive cremation. Options for return or recycling may be offered.

SUMMARY OF DOCUMENTS REQUIRED

Cremation for a Natural Death

- Cremation 1: Application for Cremation of the Body of a Person who has Died
- Cremation 4: Medical Certificate
- Cremation 5: Confirmatory Medical Certificate
- Cremation 10: Authorisation of Cremation of Deceased Person by Medical Referee
- Registrars Certificate for Cremation or Burial

Cremation of Body Parts

- Cremation 2: Application for Cremation of Body Parts
- Cremation 7: Certificate following Anatomical Examination
- Cremation 8: Certificate Releasing Body Parts for Cremation
- Cremation 13: Medical Referee's Authority to Cremate (Body Parts)

Cremation after Coroner and Post Mortem

- Cremation 1: Application for Cremation of the Body of a Person who has Died
- Cremation 6: Certificate of Coroner
- Cremation 11: Certificate after Post Mortem Examination

Cremation of a Still Born Baby

- Cremation 3: Application for Cremation of Still Born Baby
- Cremation 9: Certificate of Stillbirth
- Cremation 13: Medical Referee's Authority to Cremate (Stillbirth)

Cremation of Non-Viable Foetus

A non-viable foetus is not recognised under current legislation and, therefore, registration of the death of a non-viable foetus is not required. As there is no specific statutory legislation for dealing with the burial or cremation of foetal remains either, it is a matter for each burial or cremation authority to consider how such remains may be disposed of. Although Cremation 3: Application for Cremation of Still Born Baby, is for a stillbirth, it can be adapted for cremation of foetal remains)

Learning Outcome 3	Understand the purpose of the Federation of Burial and Cremation Authorities' (FBCA) Code of Practice and general
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RESPONSIBILITIES

There are, even now, many myths surrounding cremation, amongst the most common of which are that crematoria and Funeral Directors re-use coffins and that the ashes the family gets back are not their own.

The Federation of Burial and Cremation Authorities (FBCA) publishes a Code of Practice for Crematoria designed to address these questions. Familiarity with the Code will be useful for Funeral Directors, to whom these questions are often addressed. It can be downloaded from <http://www.fbca.org.uk/> but, in summary, offers the following assurances:

- That staff have regard to the respect required for the occasion.
- That staff are properly trained in their duties, both technically and ethically.
- That bodies are not removed after committal without lawful reason; that coffins are cremated in a timely fashion with written consent from the applicant if this is not on the day of committal and that the whole of the coffin and its contents are cremated.
- That identification of the occupant of the coffin is satisfactory and that a proper chain of identification is followed through from receipt to disposal of ashes.
- That cremations take place separately.
- That coffin covers are only used with consent of the applicant.
- That metals surviving cremation are properly disposed of.

- That cremated remains are properly identified and treated with respect.
- That equipment is properly serviced.
- That the law is observed.

The Institute of Cemetery and Crematorium Management (ICCM) publishes Guiding Principles for Burial and Cremation. Like the FBCA Code it stresses the importance of respect for the work and the importance of training. Other provisions include:

- Flexibility in working hours to ensure service is provided.
- Attention to environmental considerations, including emissions, suitable materials, recycling of grounds waste and other materials (with the applicant's permission), effective use of energy and plant in the running of the crematorium and giving advice on suitable clothes for the dressing of the deceased.
- Providing for open coffins during ceremonies, but that coffins are not otherwise disturbed or opened after committal.
- That consent is given by the applicant for the removal of metals after cremation.
- That no commercial use is made of the products or residues of cremation.
- That there is a right to inspect crematoria upon application to the manager.

The full guidelines can be downloaded from <http://www.iccm-uk.com/iccm/>.

Funeral Directors have duties too and it is in the interests of all parties that the Funeral Director is mutually cooperative with the cremation authority.

The guidelines the FBCA offer includes:

- Delivering papers to the crematorium on time.
- Providing sufficient staff to carry out the funeral.
- Providing a coffin of sturdy construction that is appropriate for cremation (please see section below on coffins suitable for cremation).
- Only placing items in the coffin which will safely and cleanly cremate (this specifically excludes materials like glass and copper).
- Providing ashes caskets of sufficient size to accommodate the cremated remains

Learning Outcome 4	Know the administrative process for cremation.
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ARRANGING A CREMATION

As with many aspects of the Funeral Director's role, different locations will have their own procedures and requirements. However, a generic method for arranging a cremation is offered below.

Initial questions

At an early stage you should seek to establish what paperwork will be required. This may depend on such factors as whether the Coroner is involved.

It will invariably be your client who will be the applicant for cremation (such as near relative or Executor). In certain circumstances the application for cremation may be made by someone other than your client. Particular regard should be given to the implications this has for the ashes, as only the applicant can authorise their disposal by the crematorium.

You may be working in an area served by more than one crematorium, so will need to know the services on offer so that you can advise the client on their options. These may include cost, service length, capacity, availability, geography and aesthetics. You need to know what music facilities are available, which may also inform the client's choice of location. For example, if only digital music is available, the client may prefer to choose a location where a live organist can be used.

Key questions include:

- Who is to be the applicant?
- Is the Coroner involved?
- Are implants to be removed?
- Preferred crematorium
- Preferred date/time
- Will a single timeslot be sufficient?
- Music (to book organist or electronic system, such as Wesley or Obitus, if applicable)
- Are religious symbols applicable?
- Size and construction of coffin (to ensure the crematorium can accommodate the cremation)

and the materials are suitable for cremation)

- Is charging to be witnessed?
- Method of ashes disposal and when this is to take place
 - If ashes are required for interment or scattering the same or next day for religious reasons, the crematorium should be notified as they may need to keep a cremator available. Otherwise, where holding over is practised, the client will need to be advised that it may be 2-3 days before ashes are available for collection from the crematorium. Consideration should also be given for the timing of the ceremony to ensure that sufficient time is available to carry out cremation.
- Method of metals disposal
 - Applicants are entitled to have metals returned to them, but many crematoria now offer the facility for metals to be recycled to charitable benefit.
 - To these may be added other things according to local practice. For example, it may be that you as Funeral Director have to establish means of committal, whether it be by curtain, movement of the coffin, use of gates, voile or other means.

Having established these basic details it is then necessary to put the process in hand.

Procedure

- Order papers
 - You will have established what papers will be required for the case. Now is the time to put these in hand if it was not done following the First Call. This may involve contacting a surgery or hospital, or contacting the Coroner to notify them of the proposed cremation. If not already known you should at this time also confirm the method of payment for any papers.
- Book the crematorium
 - This might be done in a number of ways, whether it be by telephone, through an automated system or online. Crematoria often issue an email confirmation of the booking which should be checked and kept with the file
- Collect Registrar's Certificate for Burial or Cremation (if applicable) from client
- Obtain signatures from applicant on any or all of the following forms:

- Application for Cremation, ensuring the instructions for ashes and recovery of ashes sections have been completed
- Authority for Disposal of Ashes (where a separate form is provided)
- Confirmation of Holding Over / Metals Disposal / Acceptance of Local Regulations ○ Authority for Recording or Webcasting
- Implant Removal
- Book an organist (where not provided by the crematorium) and advise of music requirements, or book from the digital music service any music not already on the crematorium's system.
- Complete Notice of Particulars and any separate music instruction form
- Ensure necessary implants are removed
 - Requirements and procedures for this are at the end of this section
- Unite and despatch papers to the crematorium
 - Once the set of paperwork is complete they should be sent or delivered to the crematorium. If fine details such as music or the method of committal remain to be settled these may be confirmed subsequently. It is preferred that papers are not sent by post but if this must be done Special Delivery is recommended (bearing in mind that if the 9.00am service is used this may arrive before the crematorium office opens and the papers may be held at the sorting office).

Appropriate coffin choice

Not all crematoria accept all types of coffin and not all coffins are suitable for cremation. Having good local knowledge and undertaking research prior to accepting a client's choice of coffin for a cremation is therefore imperative.

Funeral Directors may be aware that currently two coffin accreditation schemes exist, managed independently by The Funeral Furnishing Manufacturers Association (FFMA) and The Coffin, Casket and Shroud Association (CCSA). These schemes aim to ensure that coffins brought for cremations are fit for purpose and cause no problems to cremation authorities, Funeral Directors or bereaved people.

Accredited coffins will have undergone a range of tests carried out by recognised test houses, with

those that pass the tests receiving accreditation by one or the other scheme. The tests include those for strength, roller/ball bearing functionality, auto charging, ignition, radiant heat, ash volume and residue. Coffin lining materials will also be tested.

Funeral Directors are encouraged to purchase accredited coffins in order to provide a safe and secure product for their clients that is fit for purpose and trouble free.

For further information about the two accreditation schemes, please see as follows

The Funeral Furnishing Manufacturers Association (FFMA)

The Coffin, Casket and Shroud Association (CCSA)

Learning Outcome 5	Know the process for the cremation of body parts and infant cremation
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The Cremation of Body Parts

On 14 February 2000 The Cremation (Amendment) Regulations 2000 were brought into force. These regulations were made by the Secretary of State under section 7 of the Cremation Regulations 1902 and amend the Cremation Regulations 1930. This legislation now enables the subsequent cremation of body parts (“organs or tissues removed from a deceased person during the course of a post mortem examination”, such as heart, brains, chest, abdominal or other organs) in circumstances where the body has already been cremated.

The format of the documentation for the cremation of body parts is contained in the legislation:

Cremation 2: Application for Cremation of Body Parts

Cremation 8: Certificate releasing Body Parts for Cremation

Cremation 12: Authorisation of Cremation of Body parts by Medical Referee

Administrative procedure

The applicant for the cremation of the body part(s) must sign Cremation 2 Application for Cremation of Body Parts. This is similar in layout and content to Cremation 1: Application for Cremation of remains of deceased person. Cremation 8: Certificate releasing Body Parts for Cremation, needs to be signed by the appropriate person on behalf of the hospital trust or other authority that has the

body parts. This document confirms that the parts were removed during a post mortem examination and certifies that there is no reason for any further inquiry or examination, Cremation 8: Certificate releasing Body Parts for Cremation, also certifies that the remains are “...now released in a suitably safe and prepared condition.”

In addition to the above documentation, the legislation also requires evidence of registration of the death. The type of evidence is dependent upon the place of cremation or burial of the deceased. If the cremation of the deceased took place at the crematorium where the body parts are to be cremated (or burial took place in a cemetery managed by the same authority) the crematorium (cemetery) registrar will already be in possession of the Registrar’s Certificate for Burial and Cremation. If, however, this document is not available at the crematorium, evidence of registration of the death of the deceased from whom the body parts have been removed must be furnished to the crematorium in the form of a copy of the Certified Entry of Death issued by the Registrar of Births and Deaths. This can be obtained from the Registrar in whose district the death was registered or from the Family Records Centre in London.

The crematorium will require their Preliminary Application/Notice of Cremation to be completed and forwarded with the above documentation.

The statutory documentation will be submitted to the Medical Referee who has the authority to make any inquiry with regards to the application and certificates that he/she may consider necessary. The legislation also makes provision for the Secretary of State to authorise the Medical Referee to allow cremation in certain circumstances.

Summary of documentation to be supplied by a Funeral Director for the cremation of body part(s)

If cremation of body parts takes place at the same crematorium as the deceased:

- Cremation 2: Application for Cremation of Body Parts
- Cremation 8: Certificate releasing Body Parts for Cremation
- Preliminary Application/Notice of Cremation

If cremation of body parts does not take place at the same crematorium as the deceased a Certified Copy of the Entry of Death will also be required.

The Medical Referee will then sign Cremation 12 – Authorisation of Cremation of Body parts by Medical Referee.

Infant cremation/cremation of body parts

It is important to notify applicants for the cremation of infants, foetal remains and body parts comprising only soft tissue about the likely volume of ashes that may be produced.

It is important that families are sensitively advised that, in most cases, there will usually be some ashes that can be returned to the family. However, in some cases of extreme prematurity and/or where a bio-degradable or similar cardboard coffin has been selected, there may be no retrievable remains. It is good practice to establish the working practices of individual crematoria prior to advising your client.

It is advisable for Funeral Directors to read the Report into Infant Cremations at Emstrey Crematorium (England) <https://www.shropshire.gov.uk/media/6060/independent-inquiry-report.pdf> and Report of the Infant Cremation Commission (Scotland) <https://www.gov.scot/publications/report-infant-cremation-commission/> and to check with the crematoria concerned, prior to advising families in this regard.

Learning Outcome 6

Know the process and documentation for the disposal of ashes

DISPOSAL OF ASHES

After cremation the crematorium will provide a Certificate of Cremation. This should accompany the ashes at all times and be handed to the authority where final disposal takes place.

The NAFD publishes guidance for the handling of cremation ashes alongside its Code of Practice.

1. All funeral firms should ensure they have written instructions from the applicant for cremation with regard to the disposal of the ashes and, when this involves the Funeral Director collecting the ashes from the crematorium, a stringent audit trail should be recorded. It may be of use to keep a photocopy of the preliminary application form for future reference of applicant and final details.
2. A form should be produced with instructions for the collection and release of ashes and be completed by a member of staff to record the following information - this should be a

separate sheet for each container of ashes for data protection and client confidentiality:

- details of the deceased;
 - remains collected from where, when and by whom;
 - remains stored at what location and in what container;
 - instructions for the release/disposal of the remains;
 - name, address and telephone number of the applicant for cremation.
3. A record sheet or register should be kept within the funeral home with an account of all ashes within the premises.
 4. Identification of the remains should be checked each time an entry is recorded and the Certificate of Cremation should be retained with the remains at all times.
 5. The Funeral Director should release ashes or accept instruction for their disposal only from his or her client, with whom there is a contract. The client may not necessarily be the Applicant for Cremation. Identification of the client should be checked before releasing the remains and, if they are to be released to a third party, written authority must be obtained from and confirmed with the client before release.
 6. When ashes are released a record should be made of who collected them (name, address and contact details), when they were collected and in what type of container. This should be signed by the person who collected the remains and the member of staff who released them.

Learning Outcome 7	Understand the scattering/interment of ashes
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Options for disposal of ashes

Over the last few years, the options available for the disposal of ashes has increased dramatically, with new options reported in Funeral Director Monthly and exhibited at the National Funeral Exhibition, as well as widely available on the internet.

Options include:

Scattering at a crematorium

Where ashes are scattered at the crematorium of cremation the applicant's signature of authority to do this is sufficient. If the applicant or other party wishes to witness the scattering this is arranged with the crematorium direct or provided as a service by the Funeral Director. Any charges will vary between crematoria.

Where ashes are scattered at a crematorium other than that where the cremation took place a separate disposal application will be required and a fee may be payable.

Interment in a cemetery or churchyard

Where ashes are interred the Funeral Director should follow the same procedures as for burial, replacing the Registrar's Certificate for Burial or Cremation, with the Certificate of Cremation provided by the crematorium.

It is worth drawing to the client's attention that where ashes are interred this interment carries the same status as interment of a body and that an exhumation licence or Diocesan Faculty would be required for exhumation. No license or faculty is required for the removal of ashes from an above ground chamber such as a columbarium or memorial vault.

Clients should also be advised, as with full burial, of the regulations relating to memorials before going ahead, which in Gardens of Rest may be quite prescriptive.

Placed in a columbarium

Either in the crematorium itself, or in another location, there may be wall-mounted niches holding one or more sets of ashes, enclosed by a memorial tablet. Purchase of such a niche may be via a

memorial permit application direct with the crematorium, which contracts the work to a particular stonemason. Alternatively, the Funeral Director or a separate stonemason may be able to carry out the work. Practice varies, requiring local knowledge or research.

Scattered or interred privately

The family may wish to scatter or arrange interment of the ashes privately. In such a case, the applicant signs an ashes authority either to collect the ashes direct from the crematorium, or for the Funeral Director to collect them in the first instance for release to the client.

The crematorium is likely to have a policy on how long they will retain ashes before scattering or charging for storage. Funeral Directors may also have such a policy and the NAFD provides guidance to support this. Please see section below on uncollected ashes.

The Funeral Director should release the ashes only to their client (who may not be the Applicant for Cremation), unless they have written authority from the client to release them to a third party.

A signature and identification should be provided by the person to whom ashes are released.

Funeral Directors should advise the client that permission must be sought from the burial authority or landowner, prior to interment or scattering of ashes and that the Certificate of Cremation should be presented to that person.

Burial at Sea

All material put into the sea should be biodegradable and weighted so that it sinks. No documentation is required to bury or scatter at sea.

If burying a casket containing ashes, adequate weights should be placed inside the casket and sufficient holes bored to allow the casket to sink. Plastic bags must not be used inside the casket.

One original way of disposing of ashes at sea is to place them in an un-kilned pot which, when thrown, should be twice as thick as normal and the bottom would need to be at least two inches thick in order to make sure that it sinks when placed in the sea. The ashes can then be placed in the un-kilned pot and sealed with a lid of the same material. On entry into the water the pot will gradually disintegrate ensuring that the contents are dispersed in a dignified manner.

Urns made of various degradable products, including compressed salt, are also now available for the dispersal of cremated remains in the sea.

Learning Outcome 8	Know the available options for memorialisation.
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Keepsakes or memorial events

- The range of keepsake or memorial event options which include a portion of ashes is vast, including jewellery, paperweights, vinyl records, vases, ornaments, fireworks and many others. Funeral Directors should keep themselves updated and ready to advise and assist clients with selection of these services.
- The client should be made aware that such options utilise only a small portion of the ashes and that a disposal option will be required for the balance.

CARRIAGE OF ASHES TO ANOTHER PARTY

If the Funeral Director is asked to dispatch ashes to another party, a reputable carrier should always be used. The weight of the consignment will be required. The ashes should be securely and protectively wrapped and identified, accompanied by the Certificate of Cremation.

Where ashes are being dispatched internationally, the crematorium may provide an overseas certificate.

The Funeral Director should always follow proper Consular procedure when sending ashes internationally, which will include the Funeral Director's own declaration of contents:

[date] TO WHOM IT MAY CONCERN

I, [name], Funeral Director for [firm name and address] do solemnly and sincerely declare that:

1. To the best of my knowledge I am satisfied that the contents of the container accompanying this declaration are as stated and the Company knows of no facts which indicate that the said contents are not as stated and not safe for exportation.
2. The ashes casket contains the human ashes of the late [deceased person's name].
3. The casket has been hermetically sealed in accordance with airline and consulate regulations.
4. The following documents will accompany the casket:
 - a certified copy of the entry of death

- the Certificate of Cremation
- this customs and sealing certificate

5. The human ashes will travel from the UK to [destination country] as hand luggage*

Signed: Date:

* if the ashes are travelling as freight the AWB is given

There are several NAFD supplier members who provide secure carriage (within the UK and internationally) of cremated remains.

Learning Outcome 9	Know the current guidelines for the disposal of unclaimed ashes
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UNCOLLECTED ASHES

It is not uncommon for Funeral Directors to find that they have in their keeping ashes for which the cremation took place some considerable time ago.

Sensitivity is required in handling this situation. It should not be forgotten that the subject of final disposal is an emotionally challenging one. Nevertheless, it is vital that it is addressed during the arrangement meeting and the need for a final decision made clear. Funeral Directors should always be ready to hold ashes pending a decision, but it is reasonable that some parameters should be set for the timing of that decision.

Where ashes have been held for some time and the Funeral Director feels that continued retention is not a possibility, or contact with the client has been lost, the National Association of Funeral Directors provide guidelines on how to proceed.

For these guidelines to apply, the ashes must have been in the funeral firm's possession for a minimum of five years, with all previous attempts of returning the ashes to the client having proved

unsuccessful.

- The funeral firm should satisfy itself that all reasonable efforts have been made to identify and trace the legal owner of the cremated remains.
- All company records should be researched and reviewed in an attempt to establish ownership.
- Every reasonable attempt should be made to contact the family, i.e. the last known address of the deceased or signatory of the cremation papers should be visited if practicable.
- The signatory/person who arranged the funeral (if known) should be advised in writing via Royal Mail Recorded Delivery that, unless instructions are given to the funeral firm within twenty-eight days, the cremated remains will be scattered at the firm's discretion or returned to the nearest crematorium.
- An appropriately worded advertisement should be placed in local newspapers giving twenty-eight days' notice of scattering.
- If there is still no contact from the legal owner of the ashes (being the Funeral Director's original client) or another interested party, you should:
 - Return the ashes to the local crematorium for scattering in the garden of remembrance (if possible) or, alternatively, within curtilage of the funeral home, if appropriate.
 - Purchase a single plot in the local cemetery/churchyard for interment.
 - Scatter the ashes at local beauty spot, with landowner's permission.
- The funeral firm should seriously consider whether or not to achieve positive Public Relations by publicising any subsequent 'scattering event' and involving local media.
- In order to avoid a recurrence of untraceable ownership of cremated remains, it is essential that, for the future, comprehensive documentation is maintained, clearly stating details of ownership and giving instructions for disposal/retention. Always obtain a signature for the instructions.

Whilst the National Association of Funeral Directors recommend these guidelines be followed, they

are only guidelines, representing best practice rather than any legal requirements, so the decision rests with the Funeral Director concerned. The NAFD cannot take responsibility in the event of any action being brought against a member company or individual.

Learning Outcome 10	Know which surgical implants require removal.
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REMOVAL OF IMPLANTS

Below is a list of implants which may be hazardous during cremation. It is recommended that, to ensure the health and safety of colleagues, a medical practitioner be requested to remove the implant and the client advised of any charge that will be made for carrying out this service.

- Pacemakers
- Implantable Cardioverter Defibrillators (ICDs)
- Cardiac resynchronization therapy devices (CRTDs)
- Implantable loop recorders
- Ventricular assist devices
- Syringe drivers
- Bone growth stimulators
- Neurostimulators
- Hydrocephalus programmable shunts
- Other battery powered implants
- Fixion intramedullary nailing system
- Brachytherapy (usually to prostate or thyroid)
- Silicon implants

Dental mercury amalgam is also on the list, but unless present in significant quantities (e.g. more than in dental fillings) it is unlikely to be problematic.



Pacemaker



Implantable Cardioverter Defibrillators (ICDs)



Cardiac resynchronization therapy devices (CRTDs)



Implantable loop recorders



Ventricular assist devices



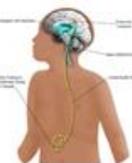
Syringe drivers



Bone growth stimulators



Neurostimulators



Hydrocephalus programmable shunts

Other battery powered implants:



Fixation intramedullary nailing system



Brachytherapy (usually to prostate or thyroid)



Silicon implants (typically in the breast or buttock)

Dental mercury amalgam is also on the list, but unless present in significant quantities (e.g. not fillings) is unlikely to be problematic.