



SCOTLAND

CODE of PRACTICE

DEVELOPMENT WORKING GROUP

discusses funeral service logistics

The Mandatory Code of Practice Development Working Group in Scotland met for a second time on 19 March 2018. While the purpose of this meeting was primarily to discuss the logistics of a funeral service and the handling of post-funeral matters, several other topics that had been talked about at previous meetings were also raised.

The NAFD raised concerns that, if the mandatory code of practice were to be drafted too prescriptively, creating very specific obligations for funeral directors, this would not be very effective. Natalie McKail, the First Inspector of Funeral Directors, agreed with this and said that the code would likely focus on high level key principles. However, there was some discussion about the potential need to supplement a

high-level code with some more detailed guidance.

What is vitally important, Ms McKail told the meeting, was that there is a clear audit trail in relation to the handling/care of the deceased, including ashes. However, she acknowledged that this should be done in a way that creates the minimum additional paperwork for funeral directors.

Ms McKail also stressed her preference for clients to be given full, clear and frank advice, rather than for funeral directors to adopt a more sensitive approach that might leave some information out. The group, including all NAFD representatives, agreed with this view.

Potential register of viewing recommendations

There was broad group consensus that the code of practice should require funeral directors to allow clients, and other parties in accordance with the client's instructions, to view the deceased, where it is possible and safe for them to do so. In situations where viewing is possible but, in the funeral director's opinion, it would be unwise for the family to view (e.g. due to poor condition), Ms McKail suggested funeral directors could be required to log the fact that they had made such a recommendation.

Transfer paperwork

There was a good discussion on the subject of what manner of paperwork should be required when a funeral director takes a deceased person into care, and what should or should not be mandatory. Options discussed included a required written consent form or simply a factual record of the changing of hands. What does seem clear is that the completion some sort of 'transfer of the deceased into the funeral director's care' paperwork is likely to be a mandatory requirement in future.

Setting out full range of options and prices

The group agreed with Ms McKail that a full, detailed and accurate description of service options should be made available to prospective clients at the outset, so that they can make informed decisions from the very beginning of the relationship with the funeral director.

This led to an interesting discussion about how these standards could be applied in relation to funeral directors who use the services of comparison websites, some of which may not meet this particular standard.

Timescales for collection

There was discussion around whether funeral directors should be required to take the deceased into their care as soon as is practicable, and the consensus was that they should not be permitted to take advantage of NHS mortuaries to evade their responsibility to store the deceased. A full discussion about whether on-site refrigeration equipment should be mandatory for all funeral directors is scheduled for the next working group meeting. The NAFD does not currently require members to install on-site refrigeration but does expect members relying on off-site refrigeration to ensure a formal and robust arrangement is in place.

Mandatory levels of care

There was broad consensus that 'first offices' is the standard level of care that should be given to all deceased people, regardless of whether viewing is requested. The group described this as an 'opt out' level of care, meaning that it should always be given unless the client requests otherwise.

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The group agreed that additional levels of care such as embalming should be 'opt in', meaning that families would need to actively request and, in the case of intrusive procedures, obtain express client consent.

Mortuary register (or equivalent)

While some group members cautioned against unnecessary paperwork for small independent funeral directors, the broad consensus was that FDs should be required to keep a record of all deceased persons in their care at any time.

Withholding ashes

The group agreed that the Code of Practice should prohibit FDs from withholding ashes in lieu of payment. This is consistent with the NAFD's existing position.

The next meeting, on April 18th, will cover information and guidance currently available to funeral directors in the areas of training/qualifications/education, business guidance, marketing, advertising and publicity, professional conduct guidance, inspection and monitoring systems, complaints handling processes.

If you are a funeral director working in Scotland and want to start preparing for regulation, a sensible first step would be to familiarise yourself with the National Committee on Infant Cremation Code of Practice, which can be found on the Scottish Government's website and which we have previously emailed you about. The NAFD fully supports this Code and believes many of its key principles are likely to be used in the Mandatory Code of Practice.

To refresh memories, an electronic copy of the National Committee on Infant Cremation Code of Practice will be sent out to Scottish members shortly, and we urge you to read it if you have not yet done so. If you are not based in Scotland but would like a copy, please request one from morgan@nafd.org.uk.