

CEMETERY MANAGEMENT POLICY INCORPORATING RULES, REGULATIONS & MEMORIAL SAFETY

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SECTION 1 – INTRODUCTION

1.1 Active Burial Grounds

This policy and rules made by Mid Ulster District Council concern the general management, regulations and control of the Burial Grounds owned and managed; and prescribes the conditions upon which the exclusive Right of Burial may be purchased as follows:

- Forthill Cemetery, Cemetery Road, Cookstown
- Polepatrick Cemetery, Castledawson Road, Magherafelt
- Coolhill Cemetery, Killyman Road, Dungannon
- Cottagequinn Cemetery, Old Eglis Road, Dungannon
- Drumcoo Cemetery, Coalisland Road, Dungannon

As the burial authority in control of cemeteries, we are bound by the conditions of the Public Health (Ireland) Act 1878 Part III; Burial Grounds Regulations (Northern Ireland) 1992 Part II No. 5; and we have a legal duty under the Health and Safety at Work Order (NI) 1978; and Management of Health and Safety at Work Regulations (NI) 2000 to ensure that our burial grounds are safe places to work and visit.

1.2 Historic Burial Grounds

This also includes general management, regulation and control of the following old burial grounds:

- Kilcronaghan Old Burial Ground, Kilcronagh Road, Tobermore
- St. Lurach's Old Burial Ground, Bank Square, Maghera
- Churchwell Lane (Bridewell) Old Burial Grounds, Churchwell Lane, Magherafelt
- Desertmartin Old Burial Grounds, Main Street, Desertmartin
- Ballynascreen Old Burial Grounds, Cavanreagh Road, Sixtowns, Draperstown
- Desertlyn Old Burial Grounds, Desertlyn Rd, Desertmartin
- Mullagh Old Burial Grounds, Mullagh Road, Maghera
- Eglis Old Burial Grounds, Opp 54 Ballynagrave Road, Magherafelt
- Ballymaguigan Old Graveyard, Ballymaguigan Road, Magherafelt
- Desertlyn Old Graveyard, 42 Lawford Street, Money more
- Donagharrisk Old Burial Grounds, 60 Tullywiggan Road, Tullyhogue, Cookstown
- Ballinderry Old Graveyard, 117 Ballinderry Bridge Road, Coagh
- Ballyclog Old Graveyard, 124 Coagh Road, Stewartstown
- Grange Old Graveyard, 68 Grange Road, Cookstown
- Derryloran Old Graveyard, 2 Sandholes Road, Cookstown
- Donaghendry Old Graveyard, 5 Donaghendry Road, Stewartstown
- Eglis (Coagh) Old Graveyard, 16 Gort Road, Coagh
- Kildress Old Graveyard, 1 Upper Kildress Road, Cookstown
- Ballyeglis Old Graveyard, 75 Ballyeglis Road, Loup, Money more
- Old Cross Ardboe, 150 Ardboe Road, Ardboe
- Paupers Graveyard, 57 Fairhill Road, Cookstown
- Gorestown Old Graveyard, Gorestown Road, Moy
- Clonfeacle Old Graveyard, 69 Clonfeacle Road, Tullydowney
- Aghaloo Old Graveyard, Adj 7 Aghaloo Road, Aughnacloy
- Carnteel Old Graveyard, Adj 42 Main Street, Carnteel
- Drumglass Old Graveyard, Rossmore Road, Dungannon

- Donaghmore Old Cross Graveyard, Castlecaulfield Road, Donaghmore
- Errigal Keerogue Cross and Graveyard, 55 Errigal Road, Ballygawley
- Clogher Paupers Graveyard, Tullybroom Road, Clogher

1.3 Aim of this Document

This policy aims to communicate Rules and Regulations concerning the general management, regulation and control of all Council Cemetery facilities operated and managed by Mid Ulster District Council upon which the exclusive Right of Burial may be purchased.

It provides guidance on arranging a burial within Council cemeteries. It provides information on restrictions and conditions that apply when purchasing exclusive rights of burial, and will detail rights and responsibilities in relation to our cemeteries.

This policy sets out Councils approach to the safe erection and management of memorials in our Cemeteries, including historical burial grounds.

1.3 Policy Implementation

This policy will be implemented on behalf of Council and the Chief Executive by the Property Services section.

SECTION 2 – CEMETERY MANAGEMENT

2.1 Contact Details:

Mid Ulster District Council
Burn Road
Cookstown
Co Tyrone
BT80 8DT
Tel No. 03000 132 132
E-mail: cemeteries@midulstercouncil.org

2.2 Office and Cemetery Opening Hours

Monday to Friday 9.00am – 5.00 pm.

Bank holiday arrangements can be found on the website www.midulstercouncil.org

An out of hours' service is available for Funeral Directors, Clergy and Family who wish to check if it is possible for a burial to take place on a certain date and time before making final arrangements.

Burial requests for Sunday funerals must be made to the Cemeteries Officer before 8:00pm on Friday evening.

Access to active cemeteries is available around the clock. However work hours for memorial mason or sculptor work is restricted to times granted on approved permits. Some historical cemeteries may be locked, but access is available on request from the Cemeteries Officer.

2.3 Interment Arrival Times

Monday to Sunday: 10.30 to 15:00*.

*During winter hours the latest permitted entry time is 14:30 due to the reduction in daylight to safely complete the burial.

Council will not be responsible for any delay in burials if the funeral arrives early or late.

Interments are available on public holidays with the exception of Christmas Day.

2.4 Fees and Payment

Council will review the scale of charges when it considers it necessary to do so. Current fees can be acquired by contacting the Cemeteries Officer or view them on Council's website: www.midulstercouncil.org

Residents of Mid Ulster District will receive a concession on the full price. Council will accept payment of fees by cash, cheque, BACS or debit/credit cards by the representatives of the deceased or by the appointed funeral director.

2.5 Public Graves

Public graves are only available to the Council's Environmental Health Service, Health and Social Care Trusts and other statutory agencies as required. No monument, headstone, plinth, railings or other structures can be erected on or around these graves.

2.6 Graves in Proprietary Ground (privately owned graves)

To purchase a grave, you purchase what is known as '**Exclusive Rights of Burial**' for a grave space. The general rule is that you can only purchase a grave at the time of bereavement however, special circumstance can be considered if the purchase is linked with a funeral plan. It should be noted that when you purchase the exclusive rights of burial you only purchase the right to bury in the grave and not the ground. *(A maximum of three plots only shall be made available to a family or individual at this time.)*

A person who wishes to purchase the '**Exclusive Rights of Burial**' in a grave shall agree to conform to all rules and regulations in force or thereafter made by the Council. Upon their death, those rights formally transfer to their beneficiaries unless indicated differently in last will and testament. The grave cannot be opened or burial take place without permission of the owner.

The '**Exclusive Rights of Burial**' owner has the right to erect headstones or other memorials subject to all conditions being met as per cemetery rules and regulations. If the person who owns the exclusive rights of burial dies, it is assumed that they have given permission that they can be buried in that grave.

Only one person will be registered as the owner of '**Exclusive Rights of Burial**'. It is permissible to inherit exclusive rights of burial, for example if someone is named as a will beneficiary.

The number of burials that can be accommodated in a grave is dependent on a number of factors including ground conditions. Up to three burials may be possible in a standard plot. **Council will only guarantee one interment in any one plot.** No refund will be made to any purchaser whose plot has limited capacity owing to the existence of rock, or other obstructions found.

2.7 Grant of Exclusive Rights of Burial (Grave Paper or Deed)

A grant of '**Exclusive Rights of Burial**' will be sent to the applicant when all required fees have been paid. This process can take between six to eight weeks from burial date. Council should be notified of any change of circumstances.

2.8 Replacement Grave Papers

Replacement grave papers can be obtained by applying in writing to the cemeteries officer. Applications must be accompanied by proof of identification, such as a Passport or Driving Licence. If the application is on behalf of the grave owner, a letter of indemnity must also be provided.

All replacement papers are subject to payment of the appropriate administration fee.

2.9 Transfer of Burial Rights

There are three situations where it would be possible to transfer the '**Exclusive Rights of Burial**'

- If the present registered rights of burial holder is alive and wishes to transfer the rights of burial to a specific person they must provide Council with a letter of conferment. The current scale of fees will apply.
- If the registered owner is deceased and has left a will bequeathing the rights of burial to a specific person, the rights of burial will be transferred to that person upon application to the Council and upon production of the said will and grave papers.

- If the registered owner is deceased and has left a will but the will does not state who the exclusive rights of burial should transfer to; or if the deceased registered owner has left no will (dies intestate) the exclusive rights of burial in both cases automatically transfers to the owner's beneficiaries.

In both cases where the owner is deceased, the following is required:

- A letter of indemnity;
- Grave papers and a copy of the will;
- If there is more than one relative (next of kin) to whom rights of burial could transfer to, the Council will require a letter of consent to the transfer signed by all parties stating they do not object to the transfer of right of burial to that particular family member.

The Council will not become involved in any disputes regarding allocation of burial rights. This must be resolved between the parties.

All transfers are subject to payment of the appropriate administration fee.

2.10 Registering the Death

By law, all deaths occurring in Northern Ireland must be registered with the General Register Office (Northern Ireland). A death which occurs in Northern Ireland can be registered in any of the Registrar's Offices in Northern Ireland. To allow funeral arrangements to be made the death should be registered no later than five days after the date of death unless the death has been referred to the Coroner.

Once the death is registered, the Registrar's office will provide along with other documentation, a GRO 21. This allows a burial or cremation to take place. Information on local Registrar's Offices can be found at www.midulstercouncil.org

2.11 Applying for the Exclusive Right of Burial or to Open a Plot for Interments

A person wishing to purchase the exclusive right of burial or have an interment in any grave is required to make an application and provide the following particulars:

- Forename and Surname of the deceased;
- Last place of residence;
- Date and place of death;
- Sex
- Date of Birth/Age;
- Religious denomination (including no religion);
- Marital Status or 'the child of';
- Occupation
- Next of kin having charge of the burial;
- Details of any existing family plot and cemetery name;
- Number of new plots if required and the name of exclusive rights of burial holder;

- Date and time you would like the burial to take place.

The information should also include the name and address of the person having the management of the interment (usually a Funeral Director). In the case of proprietary ground, the application shall give the plot number of the plot required to be opened. For new plots, Council will allocate a plot number.

2.12 Non-Christian Burials

MUDC will aim to accommodate all non-Christian burials to the best of their ability. It is the responsibility of the family or funeral director to notify the Council of religion and any special requests or religious traditions that the deceased party may have.

The request for a particular orientation of burial will be considered where possible.

2.13 Responsibilities of the Funeral Director

The Funeral Director shall provide copies of their relevant health and safety risk assessments and evidence of the following insurances, Employer Liability and Public Liability at Indemnity Level £10,000,000 and motor fleet insurance policy covering vehicles associated with the service.

It is the Councils intention to seek confirmation in respect of same annually in April.

The Funeral Director shall contact the Cemeteries Officer a minimum of a full working day prior to the proposed burial taking place to ascertain whether other burials have been arranged in the cemetery. When the Cemeteries Officer has confirmed the burial request the Funeral Director will make final arrangements with the family, Clergy etc. and insert a death notice where necessary.

The Funeral Director shall advise Council of any specific customs or traditions which families may wish to carry out during the burial service.

The Funeral Director will be responsible for carrying and lowering the coffin, assisted by the family. In exceptional circumstances, council grave staff present will assist if notified and agreed in advance to ensure compliance with manual handling requirements.

The Funeral Directors shall have communicated appropriate safety measures and associated risks with the burial process to the family/mourners, including supervision of children.

The Funeral Directors shall advise the Cemeteries Officer of the accurate weight, size and width of the Coffin/Casket before the opening of the plot. Only persons authorised by the Council shall be permitted to open or prepare any plot for interment.

The Funeral Directors shall liaise with the cemetery operatives upon arrival at the cemetery:

- to check burial details
- to determine the best route to the grave side
- to identify any areas of uneven or soft ground
- to assist in the identification of potential hazards
- to determine the correct positioning of the coffin

The Funeral Directors shall observe the time stated on the application for the funeral to arrive at the cemetery to prevent any inconvenience in the event of other funerals, or safety issues associated with reduced daylight levels.

2.14 Testing Graves for Opening

When Council receives an application to open a grave, they will check the Cemetery records to ensure the burial can take place. If cemetery records indicate there may be a problem, Council will invoke the following process:-

- Check all regulations are being met
- Check ground conditions
- Check depth of remaining top cover

If there is any doubt as to whether the burial can take place due to ground conditions, the family can request the grave be opened to establish the available depth by paying the burial fee in advance. If there is sufficient depth for the burial to proceed the fee will be deducted from the overall balance. If not the burial fee will be retained.

If Council is certain that the burial cannot take place, the Cemeteries Officer decision is final.

If an existing plot cannot be used, a new plot must be purchased.

2.15 Depth & Direction of Plots

The depth of a new grave will be 2.74 metres (108") as long as ground conditions will permit. By law no coffin shall be laid in any grave nearer to the surface of the ground than 1.00 metre (39") measured from the upper surface of the last interment. All burials shall be separated from other coffins by a layer of earth not less than 0.30 metres (12"). Each grave space will be 1.20 metres (48") by 2.74 metres (108") the number of burials that can be accommodated in a grave space is dependent on a number of factors including ground conditions. Up to three burials may be possible in a standard plot. **Council will only guarantee one interment in any one plot.** No refund will be made to any purchaser whose plot has limited capacity owing to the existence of rock, or other obstructions found.

2.16 Receiving the Burial Order

Once Council has received the application for a burial, instruction will be issued for the opening of the plot.

2.17 The Burial of Ashes

The burial of ashes can be arranged directly with Council by a family member, appointed Funeral Director or another appropriate person. For details on cost and fees you can contact the Cemeteries Officer or they can be found on the website www.midulstercouncil.org

2.18 Signing the Register of Burials

Once the burial has taken place, the person managing the burial is legally required to sign the Register of Burials.

2.19 Burials resulting from Epidemic

In the event of the District being affected by a pandemic or epidemic of disease, the Council may make special orders regulating the order of interments, and the period of notice required.

Council may also make special arrangements for burials to take place outside normal operating hours.

2.20 Exhumation

The current law relating to exhumations is contained in Regulation 12 of the Burial Grounds Regulations (Northern Ireland) 1992 which states that:

“A person shall not cause or permit a body to be removed from one place of burial to another or to be exhumed unless that person first obtains the written consent of the Department”

The ‘Department’ means the Department for Communities.

Application forms must be requested in writing from Mid Ulster District Council. The applicant is required to complete Part A of the form and then return the completed form with all accompanying documentation to the Council.

Council having reviewed the completed Part A of the form and all accompanying documentation will then complete Part B of the form. When the review is complete Council will then make application on behalf of the applicant to the Department.

In line with the Burial Grounds Regulations (Northern Ireland) 1992, Schedule III Part III, the application will be copied to the Council Environmental Health Officer prior to consultation with the Director of Public Health (Public Health Agency).

Current regulations provide that: “The removal or exhumation of a body or the remains of a body, shall be conducted with due care and attention to decency under the supervision of an environmental health officer appointed by the Council and in accordance with such conditions as he or she may, after consultation with the Public Health Agency, impose with respect to matters affecting or likely to affect public health”.

Council will charge a fee for the exhumation. This fee does not include the cost of a new coffin, the removal by a Funeral Director or the cost of the re-burial.

2.21 Lawn Sections

Sections of cemeteries across Mid Ulster District Council are laid in a lawn type system that provides a concrete plinth at the head of each grave for the placing of a memorial stone and for the placing of flowers. The remaining portion of each plot shall be sown with grass, which must be left clear at all times for maintenance purposes.

Following a burial in lawn sections of the grave will be allowed a period of settlement. Then top soil and grass seed will be sown. If further sinkage occurs then additional topsoil and seed will be applied.

Council will not allow the erection of pillars, railings, fences, plinths, hoops, artificial grass matting, surrounds ropes, flagstones, concrete edging, kerbing, ornaments, flower pots or any other structures that are used to enclose a lawn plot. Council staff will be instructed to remove any of these items as they obstruct our staff from maintaining the grounds.

2.22 Responsibilities of the Grave Owner

Each purchaser of ‘**Exclusive Rights of Burial**’ in any plot must ensure that the plot and any memorial erected thereon is kept in good order and repair, to the satisfaction of the Council.

Should the registered owner of the plot fail to do so, Council may carry out maintenance and repairs at the expense of the registered owner and may refuse to permit the plot to be opened until costs of such repairs or removal have been paid.

When tending the plot, please keep waste to a minimum. Do not allow waste to fall onto any surrounding plots and do not disturb any floral arrangements or monuments belonging to surrounding plot owners.

Waste bins are placed in all cemeteries; these bins are not to be used for the disposal of household waste or heavy waste such as soil or turf.

All types of fresh wreaths, sprays, bouquets and posies must be cleared within 30 days of being laid, if such items have not been cleared or are found to be in a state of decay prior to the expiry of 30 days, Council staff will be instructed to remove all such items from the grave plots. This includes Christmas wreaths, sprays, bouquets and posies.

You must not place a symbol, flag or emblem on any grave at any time that is likely to disrupt a good and harmonious environment.

Grave owners are required to keep us informed if their contact details have changed as it is important that we are able to contact you if something happens to your grave or memorial.

2.23 Acceptable Behaviour in Cemeteries

Visitors can access the cemeteries from dawn to dusk on any day. All visitors to cemeteries must conduct themselves in a quiet and orderly manner at all times and must adhere to the rules and regulations, failure to do so may result in Council requesting the person(s) to leave the cemetery and prohibit their return.

The speed limit for any vehicle within Council cemeteries is 5mph. Where access is permitted to a grave drivers should take care when passing surrounds and memorials, members of the public and avoid areas where an interment is taking place.

No inebriated or riotous person shall be permitted to enter the grounds of the cemetery.

All children must be accompanied by a responsible adult.

No person shall be permitted to use a metal detector in any of our cemeteries.

No notices or advertisements are to be posted on any cemetery buildings, walls, fences, memorials or monuments without Council permission.

Council will not permit the discharge of any firearms except at a military or police funeral.

The selling of flowers, shrubs or plants is prohibited unless authorised by Council.

Dogs are permitted in the grounds, but not on or near grave plots as detailed on maps within each cemetery, other than guide dogs. They must be on a lead and under control at all times. It is the owner's responsibility to clean up after their dogs.

SECTION 3 – MEMORIALS AND STRUCTURES

3.1 Requesting Permission

If you wish to erect a headstone in one of Council's cemeteries you must firstly apply to the Cemeteries Officer for a permit to do so.

You can only erect a memorial on a grave if you have the exclusive right of burial there. The completed memorial application form must be signed by the Deed Holder or their Successor and the memorial mason and must be accompanied by the appropriate fee. Forms and Fees can be found online at www.midulstercouncil.org/cemeteries.

You must satisfy Council that either:

- You own the grave
- You are a relative of the deceased
- You are acting on behalf of the deed owner.

The sculptor that you choose to carry out the work must be signed up to the Mid Ulster District Council Code of Memorial Safe Working Practice Procedures. This ensures the monumental sculptor has the necessary skills to safely erect a headstone to the standards that Council require.

3.2 Dealing with unauthorised memorials

Where Council find a memorial to be unauthorised, that has been erected without permission, or where no fees have been paid.

- Council will send a letter to the Deed holder at their last known address of the unauthorised memorial being discovered. Council will ask for an application for retrospective permission, and will charge an administration fee for this process.
- If after a further three months has passed, if it still hasn't received and approved valid application, cemetery staff will remove the memorial.

If council haven't been able to contact the owner of a grave with an unauthorised memorial on it, and subsequently someone wants to open the grave for a burial, or to bury cremated remains, any outstanding fees owed to council must be paid before a burial can take place in line with the application process to erect a memorial. It will then

be up to the grave owner or applicant to arrange to have the memorial put on the grave in accordance with the safe working procedures documented in this policy.

3.3 Memorial Permit Application Form

The memorial permit application form must contain:

A detailed plan and particulars of the memorial. Each drawing submitted must specify:

- The type of materials and how the materials is fixed to BS8415
- The exact dimensions
- The full inscription details – images etc.
- The applicant's name and address
- Cemetery and grave number

- The applicant's relationship to the grave owner or deceased person.

All memorials and headstones must be made of stone or other non-perishable material such as granite. Temporary hardwood memorials can be erected but only for the six months from the date of burial, after this period Council staff will be instructed to remove it.

Once Council have agreed an application that is signed by the family and memorial mason, a numbered memorial permit for the memorial mason to carry out the work will be issued. All work must be completed within one year from the date of approval.

3.4 Restrictions on memorial size and placement

Council do not permit any memorials that restricts access to the plot on which it is placed or obstructs another grave.

All stone memorials must be placed on a solid foundation and fixed to BS 8415.

In designated lawn cemeteries within the district, grave surrounds are not permitted. Council only allow grave owners or next of kin to use the concrete plinth at the head of the grave for placing memorials and flower tributes. Memorial Dimensions are as follows;

- Maximum Height of Memorial (Inc. base/sub base) 1.2 Metres (48")
- Maximum Width of Memorial on a Single Plot (Inc. base/sub base) 1.1 Metres (42")
- Maximum Width of Memorial on a Double Plot (Inc. base/sub base) 1.2 Metres (48")

The wording of inscription and the use of emblems on memorials is subject to strict conditions, in line with Council's legal duties of equality and promoting good relations. Council will not permit any inscriptions that contain sectarian, racist, homophobic wording or imagery or any inscriptions or imagery that promote discrimination, ethnic division, offensive materials or any form of hate crime.

If an inscription or an emblem is made on a memorial and the grave owner or applicant has not asked for permission to do this, or has been refused permission to do this, Council may remove the memorial and charge the grave owner or applicant a fee.

3.5 Fees

Mid Ulster District Council charge a fee to erect a memorial in our cemeteries which must be paid before the memorial is erected. Fees can be found online at www.midulstercouncil.org/cemeteries.

3.6 Changes to Memorials

If a family wishes to add any inscriptions to a memorial at a later stage, they must seek approval for this in advance from the Cemeteries Officer. The same regulations around wording that are mentioned in 3.4 apply to any additional inscriptions and all work must comply with BS 8415.

3.7 Maintaining your memorial or surround

It is the responsibility of the proprietor of the grave to maintain their grave, headstone and surround if applicable in the non lawned sections of the relevant cemeteries.

SECTION 4 – MONUMENTAL MASONS AND SCULPTORS GUIDANCE

4.1 Standards

The standards referred to in this document are:

- The British Standard 8415 being the primary standard.
- The British register of Accredited Memorial Masons (BRAMM) Blue Book and National Association of Memorial Masons (NAMM) Code of Working Practice being the appropriate industry codes of practice that inform the monumental Sculptor how to achieve the required Standard.

Monumental masons and sculptors wishing to work within Council's cemeteries must carry out all works to these standards.

4.2 Cemetery Memorial Safe Working Procedure

Council is bound by legislation to ensure that its burial grounds are safe places to work and visit. Managing Memorial Safety is therefore an essential part of controlling the risks to health and safety. Whilst council has overall responsibility of the active cemeteries, including risk from unstable memorials, however they do not own the memorials. The owner of the memorial is the Deed Holder (grave owner with exclusive right of burial) or their successor in title. The purpose is to clarify the Council's position in all areas of memorial management, including the treatment of memorials that have been found to be unstable, unsafe or unauthorised.

4.3 Getting Permission

All monumental masons and sculptors who wish to work within Council cemeteries must, on a yearly basis sign up to the Council's Management Policy, incorporating Rules, Regulation and Memorial Safety. Any monumental mason or sculptor who does not sign up to this policy will not be permitted to work in any of the Council's cemeteries. All monumental masons or sculptors must provide and include a valid copy of their Public and Employee liability insurance when registering.

All registrations must be completed annually in April. Any mason or sculptor signing up throughout the year can do so but will have to re-register on 1 April the following year.

Anyone who is not registered with the Council will not be allowed to carry out such work in any of its cemeteries.

4.4 Carrying out preparation work

Council charge a fee to erect memorials and headstones within our cemeteries, which must accompany the memorial application and be paid prior to any work being undertaken.

A copy of Council's fees can be obtained from the Cemetery Officer or can be found on our website: www.midulstercouncil.org.

4.5 Working Hours

Monumental masons and sculptors may carry out their works in Council cemetery grounds during the following times:

Monday – Friday 8.00am – 3.45pm

Evening and week-end working may be permitted in exceptional circumstances on application to cemeteries officer. No monumental work will be allowed when burials are taking place in the cemetery.

Any memorial mason or sculptor working outside the working hours stated will be asked to leave the cemetery. We may also consider refusing permission to undertake any other work within all Council's cemeteries for those who have breached the Conditions of the Council's Management Policy, incorporating Rules, Regulation and Memorial Safety.

4.6 Signing in process

Before starting any work in Council cemeteries, all monumental masons and sculptors must contact the Cemetery Officer, or call into the on-site cemetery office (where applicable) and show the headstone permit relating to the work they are going to carry out on that day.

If the monumental mason or sculptor is working on more than one memorial in the cemetery at any one time they must show the headstone permit of each memorial they will be working on.

PPE and hi-viz clothing should be worn on site at all times in compliance with site rules.

4.7 Memorial Remedial Work

Basic cleaning and washing down of a memorial is the responsibility of the family or their representative.

4.8 Works Debris

All sculptors and masons working in Council cemeteries i.e., erecting a memorial or doing necessary remedial works must remove all debris from site immediately following the work. They must also make good any damage that they may cause to other graves, pathways, shrubbery or grass etc. at their own expense and to the satisfaction of the Council.

4.9 Memorial or Headstone Grave Marking

The section, grave number and the name of the monumental sculptor must be engraved or marked in clear characters on the side of the base of the memorial monument or headstone being erected or re-erected on each grave.

4.10 Re-erection and Repair or Inscription Work

If you are re-erecting a previously authorised memorial, repairing an existing memorial or adding an additional inscription you must report to the Cemetery Officer.
All works must comply with BS 8415.

SECTION 5 – MEMORIAL SAFETY PROGRAMME

5.1 Introduction

Council regularly inspect and test its memorials to make sure they are safe. These inspections are done as part of a rolling 5-year programme, as recommended by the Health and Safety Executive.

Where a memorial has been deemed to be unstable or unsafe, a notification will be placed on the memorial giving cemetery contact details. It may also be staked and supported, cordoned off, or laid flat.

5.2 Communication

Given the sensitive nature of the programme, a specific communications plan has been developed which aims to:

- Create awareness and build understanding of the safety check programme among those who own or visit the graves of loved ones in Council-maintained cemeteries,
- Ensure key stakeholders (e.g. funeral directors, memorial masons, churches) are aware of the safety check programme and able to manage and/or signpost enquiries.
- Ensure a proactive, open, empathetic process which minimises any distress for those who may be affected

All initial inspections and recording of memorials will be carried out by trained staff in accordance with current industry best practice. All memorials will be recorded and inspected.

5.3 Memorials up to 1.5m (60”) high

For memorials up to 1.5m (60”) high, these inspections will include both a visual and a hand test. The hand test will be used to check the stability of the memorial.

The hand test will be carried out by standing to one side of the memorial and applying a firm but steady pressure in different direction. This test will determine to what degree the memorial is unstable.

5.4 Memorials between 1.5m (60”) and 3m (118”) high

For memorials over this height Council will use a complex visual check and a hand test if it thinks the memorial is unsafe. Council may ask a memorial sculptor or structural engineer to carry out a more detailed check.

Memorials above 3m (118”) high may require inspection by a structural engineer.

5.5 Unstable memorials

Whilst Council has overall responsibility for the safety of its cemeteries, including risks from unstable memorials, it doesn't own the memorials. The owner of the memorial is the Deed Holder (grave owner of exclusive right of burial) or their successor in title. This is the person responsible for maintaining the memorial so that it does not become a hazard. However, Council may not be able to identify a current grave owner, as some records are extremely old and in many cases have not been updated by relatives or family members.

If Council find a memorial to be unstable:

- It will send a letter to the grave owner at their last known address following the inspection. This letter will inform the owner that their memorial has been found to be unstable, and details of the action needed to be taken by the memorial owners to make the memorial safe. A notice will also be attached to the unsafe memorial.

This will continue for a three month period to address the problem. If after three months have passed and a response hasn't been received from the grave owner, or an acceptable timebound plan of action to remedy the unstable memorial, Cemetery staff will the necessary steps to make safe the memorial, subject to resource availability.

Wherever possible the memorial or its components will be left in the grave space in a way where by full repair of the memorial to BS 8415 is possible by a competent memorial mason. This action will involve any of the following:

- Removing the memorial from its foundation and partially sinking it into the ground at the head of the grave at least 25% of the memorial will be below ground, or
- Laying the memorial flat in the grave space.

If Council receive a request to reopen the grave for a burial, were a permanent repair is pending, this must carried out by the Deed holder first.

5.6 Dealing with Un-safe memorials that pose a significant risk

When a memorial poses a significant or immediate risk, such as likely collapse in a way that could lead to serious injury, Council will take one or more of the following actions:

- It may temporarily make safe the memorial using a staking and banding structural support method or fence it off. It will put up a safety notice to tell people that the memorial is unsafe and the action to be taken by the grave owner or their heir(s) will be displayed on or near to the memorial.
- The memorial will be partially buried into the ground at the head of the grave.
- Memorials will be laid flat if there is no other practical way of making them safe.
- It will try to contact the owner of the grave as soon as possible to agree a repair time frame.

If council find a large number of memorials aren't safe within a section of burial ground, it may fence off the whole area. Signs will be displayed to inform visitors of the danger and provide contact details for further information.

Where a memorial is thought to have historical or social significance, Council will do its best to consult with the relevant conservation or heritage association before any remedial works are carried out.

SECTION 6 – GENERAL

In these Rules “The Council” means the Mid Ulster District Council.

Ministers and Clergymen of the various religious denominations are at liberty to officiate at the graves of persons of their own communion and to perform ceremonies of their respective churches or bodies.

In the normal course of events, only funeral hearses, official funeral cars, wheelchairs, powered chairs and mobility scooters may enter the Cemetery beyond the car parking area (except for Council vehicles and monumental masons and sculptors with prior permission to be in the cemetery). However, in the case of elderly, disabled or infirm visitors, arrangements can be made with the Cemeteries Officer to have access with a vehicle beyond the car parking area. In such cases those afforded this facility must only drive vehicles on roads and pathways agreed in advance. Vehicles must not be driven on grass areas.

Council’s Management Policy, incorporating Rules, Regulation and Memorial Safety shall replace all previous Rules and Regulations adopted by the legacy Councils of Coosktown, Dungannon and South Tyrone, and Magherafelt.

These rules are subject to amendment or alteration from time to time, as the Council shall see fit.

The foregoing Rules shall remain in force, and be binding on all owners of the exclusive rights of burial in the Council Cemeteries, and all other persons, until same be altered by the Council



Equality & Good Relations Screening Report

Introduction

Mid Ulster District Council has a statutory duty to screen its policies, procedures, practices/decisions. This Policy Screening Form and Report assists Council Departments to consider the likely equality and good relations impacts of the aforementioned, if any, placed upon our ratepayers, citizens, service users, staff and visitors to the district.

Section 1 – Policy scoping

This asks the Policy Author to provide details on the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations. Reference to policy within this document refers to either of the aforementioned (policy, procedure, practice, and/ or decision).

Section 2 – Screening questions

This asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and issues.

Section 3 – Screening decision

This guides the Council to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity.

Section 4 – Monitoring

This provides guidance to the Council on monitoring for adverse impact and broader monitoring.

Section 5 – Approval and authorisation

This verifies the Council's approval of a screening decision by a senior manager responsible for the policy.

Appendix A

Screening Process

Section 1 Policy Scoping & Information

The first stage of the screening process involves scoping the policy under consideration which sets the context and confirms the aims and objectives for the policy being screened. Scoping the policy helps to identify constraints as well as opportunities and will help the policy author to work through the screening process on a step by step basis.

1. Policy Name		
Cemetery Management Rules & Regulations, including memorial safety		
2. Is this an existing, revised or a new policy?		
New guidance for Mid Ulster District Council area which formalises current cemetery management protocols and practices (some of which were inherited from legacy councils) in one coherent document and includes a new Memorial Safety policy		
3. What is it trying to achieve? (aims/outcomes)		
<p>This new guidance aims to formalise existing MUDC cemetery management protocols and practices in one document and reflects new legislative requirements regarding memorial safety.</p> <p>MUDC has responsibility for the operational management of 5 active cemeteries and the maintenance of 36 old burial grounds.</p> <p>The aim of this guidance is to:</p> <ul style="list-style-type: none">• provide the public with the necessary information on the restrictions and conditions that apply to purchasing exclusive rights of burial.• provide guidance and regulations that ensure that our cemeteries are safe places to work and visit.• promote high levels of service with clear guidance on how we deliver our services.• ensure council meets its obligations under the law• provide guidance on the safe erection and management of headstone memorials.		
4. Are there any Section 75 categories which might be expected to benefit from the intended policy?	Yes	X
	No	
As all categories of citizen are likely to access Council cemetery services at some point, all categories will potentially benefit from clearer guidance and communication regarding the cemetery and burial services offered by Council. No one category is likely to benefit differentially.		
6. Who initiated or wrote the policy?		

The guidance and new policy has been written by the Grounds & Cemeteries Service Manager.

7. Who owns and who implements the policy?

The Policy owner is the Head of Property Services and it will be implemented through the Grounds & Cemeteries Service Manager and the Cemeteries Officer.

Implementation factors

		Yes	No
Are there any factors which could contribute to/ detract from intended aim/ outcome of the policy?			
• If yes, are they financial?		X	
• If yes, are they legislative?		X	
• If yes, Please specify	<p>Financial: <i>The cost of training operatives in memorial safety inspections and the resources required to do this every 5 years.</i></p> <p>Legislative: <i>Council are bound by the conditions of the following legislation;</i></p> <ul style="list-style-type: none"> • <i>Public Health (Ireland) Act 1878 Section 178</i> • <i>Burial Grounds Regulations (NI) 1992 Part II No. 5</i> • <i>Local Authorities Cemeteries Order 1977</i> • <i>Health & Safety at Work Order (NI) 1978</i> • <i>Management of Health & Safety at Work Regulations (NI) 2000</i> • <i>Occupiers Liability Act (NI) 1957</i> • <i>Occupiers Liability (NI) Order 1987.</i> 		
• Other, Please specify			

Stakeholders

The internal and external (actual or potential) that the policy will be impacted upon

	Yes	No
Staff	X	
Service Users	X	

Other public sector organisations	X	
Voluntary/community/ trade unions		
Other, please specify	Funeral Directors; Memorial sculptors; Churches (all denominations)	

Others policies with a bearing on this policy

Policies	Owners
Customer service policy	Head of Marketing & Communication
Health & Safety Policy	Health & Safety Officer
Accessible communications policy	Corporate Policy & Equality Officer

Available evidence

Information and available evidence (qualitative and quantitative) gathered to inform the policy under each of the Section 75 groups as identified within the Northern Ireland Act 1998.

Council have consulted with a cross section of Funeral Directors, Church groups and Stone Masons that represent the majority of its users in Mid Ulster. Wider feedback has also been sought from minority groups representing non-Christian burials and the Mid Ulster Disability Forum.

Section 75 category	Details of evidence/information		
Religious belief	63.77% of the Mid Ulster District population were brought up in the Catholic religion and 33.46% belong or were brought up in a Protestant and Other Christian (including Christian related) religion. Other religions comprised 690 (0.5%) and None 3,153 (2.28%) of the population (Source: 2011 Census).		
	Religion or Religion brought up in	No.	%
	Catholic	88,375	63.77
	Protestant and Other Christian (including Christian related)	46,372	33.46
	Other religions	690	0.5
	None	3,153	2.28
	Total	138,590	100

	<p>From 01/01/2017 the breakdown of burials by religion is as follows:</p> <p>Protestant- 63.70% Catholic- 28.15% Non-Christian- 1.28% Non Stated- 5.68% Congregational- 1.28%</p> <p>Feedback has been sought from a wide range of stakeholders that include;</p> <ul style="list-style-type: none">• 14 x Funeral Directors• 13 x Memorial Masons• Council staff• Religious Groups and Organisations from the Catholic Church, Methodist Church, Presbyterian Church, Church of Ireland, Refugee Asylum Forum, Belfast Migrant Forum & Belfast Islamic Centre.																																				
Political opinion	<p>Political party representation can be used as an approximate barometer of political opinion of people within Mid Ulster council area. The most recent local government/ council election in 2014 the percentage 1st preference vote share for each of the political party/ independents is detailed bellowed along with representation (seats) on Council (Source: NISRA):</p> <table><tr><th>Party</th><th>Votes</th><th>Percentage</th><th>Council Seats</th></tr><tr><td>SF</td><td>22,587</td><td>41.0%</td><td>18</td></tr><tr><td>DUP</td><td>9,723</td><td>17.6%</td><td>8</td></tr><tr><td>UUP</td><td>9,573</td><td>17.4%</td><td>7</td></tr><tr><td>SDLP</td><td>7,600</td><td>13.8%</td><td>6</td></tr><tr><td>Independent</td><td>2,689</td><td>4.9%</td><td>1</td></tr><tr><td>TUV</td><td>2,380</td><td>4.3%</td><td>0</td></tr><tr><td>Alliance</td><td>250</td><td>0.6%</td><td>0</td></tr><tr><td>UKIP</td><td>195</td><td>0.4%</td><td>0</td></tr></table> <p>No info available on political opinion of those who purchase burial plots, are interred in Council cemeteries or who visit.</p>	Party	Votes	Percentage	Council Seats	SF	22,587	41.0%	18	DUP	9,723	17.6%	8	UUP	9,573	17.4%	7	SDLP	7,600	13.8%	6	Independent	2,689	4.9%	1	TUV	2,380	4.3%	0	Alliance	250	0.6%	0	UKIP	195	0.4%	0
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Racial group	<p>According to the 2011 Census the overwhelming majority of the population 136,485 (98.48%) were classified as 'white'. Within this total will be migrant communities, such as Polish, Lithuanian and so forth. Statistics indicate that the number of people in Mid Ulster Local Government District (LGD) born outside Northern Ireland is:</p> <table><tr><th>Place of Birth</th><th>No.</th></tr><tr><td>Great Britain</td><td>4,053</td></tr><tr><td>Republic of Ireland</td><td>2,250</td></tr><tr><td>EU Countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia)</td><td>6,795</td></tr><tr><td>Other</td><td>2,280</td></tr></table>	Place of Birth	No.	Great Britain	4,053	Republic of Ireland	2,250	EU Countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia)	6,795	Other	2,280																										
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	<p>The minority ethnic language profile within the area can serve as a possible indicator of the Black & Minority Ethnic (BME) community profile within the district. The composition of language groups in Mid Ulster LGD area is also noted from the 2011 census by NISRA as:</p> <table><tr><th>Main Languages of residents in Mid Ulster Council area</th><th>No.</th></tr><tr><td>English</td><td>125,715</td></tr><tr><td>Polish</td><td>2,008</td></tr><tr><td>Lithuanian</td><td>2,039</td></tr><tr><td>Portuguese</td><td>903</td></tr><tr><td>Irish (Gaelic)</td><td>404</td></tr><tr><td>Slovak</td><td>477</td></tr><tr><td>Russian</td><td>297</td></tr><tr><td>Latvia</td><td>261</td></tr><tr><td>Hungarian</td><td>117</td></tr><tr><td>Chinese</td><td>64</td></tr><tr><td>Tagalog/Filipino</td><td>38</td></tr><tr><td>Malaysian</td><td>33</td></tr><tr><td>Other</td><td>922</td></tr></table> <p>Currently no information on the racial background of those who apply for opening of burial plots, those who are interred or who visit. However, it is likely that the number of BME (Black and minority ethnic) citizens who may come in contact with cemetery services in future will increase.</p>	Main Languages of residents in Mid Ulster Council area	No.	English	125,715	Polish	2,008	Lithuanian	2,039	Portuguese	903	Irish (Gaelic)	404	Slovak	477	Russian	297	Latvia	261	Hungarian	117	Chinese	64	Tagalog/Filipino	38	Malaysian	33	Other	922
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Age	<p>The age profile of Mid Ulster Local Government District area as at 2015 (Source, NISRA)</p> <table><tr><th></th><th>Mid Ulster</th><th>Northern Ireland</th></tr><tr><td>Total Population</td><td>144,002</td><td>1,851,621</td></tr><tr><td>0-15 years</td><td>33,123</td><td>385,200</td></tr><tr><td>16-39 years</td><td>47,646</td><td>583,116</td></tr><tr><td>40-64 years</td><td>43,621</td><td>591,481</td></tr><tr><td>65+ years</td><td>19,612</td><td>291,824</td></tr><tr><td>Population Change % (2005-2015)</td><td>15.3%</td><td>7.2%</td></tr></table>		Mid Ulster	Northern Ireland	Total Population	144,002	1,851,621	0-15 years	33,123	385,200	16-39 years	47,646	583,116	40-64 years	43,621	591,481	65+ years	19,612	291,824	Population Change % (2005-2015)	15.3%	7.2%							
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Marital status	The below table sets out the marital status profile for Mid Ulster District Council area as extracted from results of the 2011 Census																																																					
		Mid Ulster		Northern Ireland																																																		
		No.	%	No	%																																																	
	Single (never married or never registered a same sex civil partnership) (Aged 16+)	38,353	35.97	517,393	36.14																																																	
	Married (Aged 16+)	54,192	50.82	680,831	47.56																																																	
	In a registered same sex civil partnership (Aged 16+)	62	0.06	1,243	0.09																																																	
	Separated (but is still legally married or still legally in a same sex civil partnership) (Aged 16+)	3,369	3.16	56,911	3.98																																																	
	Divorced or formerly in a same sex civil partnership which is now legally dissolved (Aged 16+)	4,139	3.88	78,074	5.45																																																	
	Widowed or surviving partner from a same sex civil partnership (Aged 16+)	6,523	6.12	97,088	6.78																																																	
Sexual orientation	No specific statistics are available from the 2011 government census for this Category and there are therefore no official statistics available in relation to persons of different sexual orientation. However, the Integrated Household Survey would include between 3% and 4% would be either gay, lesbian and/or bisexual. However, due to the nature of 'disclosure' in this area, umbrella organisations often state that the figure may be closer to 10%.																																																					
	<table><tr><td>Region</td><td>Heterosexual / Straight</td><td>Gay/ Lesbian</td><td>Bisexual</td><td>Gay/ Lesbian/ Bisexual</td><td>Other</td><td>Don't know /refuse</td><td>No response</td></tr><tr><td>England</td><td>92.54%</td><td>1.10%</td><td>0.51%</td><td>1.61%</td><td>0.33%</td><td>4.07%</td><td>1.45%</td></tr><tr><td>Wales</td><td>93.93%</td><td>1.04%</td><td>0.48%</td><td>1.52%</td><td>0.45%</td><td>2.99%</td><td>1.11%</td></tr><tr><td>Scotland</td><td>94.65%</td><td>0.82%</td><td>0.33%</td><td>1.14%</td><td>0.26%</td><td>2.59%</td><td>1.37%</td></tr><tr><td>N Ireland</td><td>93.00%</td><td>0.64%</td><td>0.96%</td><td>1.60%</td><td>0.26%</td><td>3.98%</td><td>1.17%</td></tr><tr><td>Total</td><td>92.80%</td><td>1.06%</td><td>0.51%</td><td>1.57%</td><td>0.32%</td><td>3.89%</td><td>1.42%</td></tr></table>							Region	Heterosexual / Straight	Gay/ Lesbian	Bisexual	Gay/ Lesbian/ Bisexual	Other	Don't know /refuse	No response	England	92.54%	1.10%	0.51%	1.61%	0.33%	4.07%	1.45%	Wales	93.93%	1.04%	0.48%	1.52%	0.45%	2.99%	1.11%	Scotland	94.65%	0.82%	0.33%	1.14%	0.26%	2.59%	1.37%	N Ireland	93.00%	0.64%	0.96%	1.60%	0.26%	3.98%	1.17%	Total	92.80%	1.06%	0.51%	1.57%	0.32%	3.89%
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Research also conducted by the HM Treasury shows that between 5%-7% of the UK population identify themselves as gay, lesbian, bisexual or 'trans' (transsexual, transgendered and transvestite) (LGBT).																																																						

Men & women generally	<p>The gender profile of Mid Ulster LGD is detailed as;</p> <table><tr><th></th><th colspan="2">Mid Ulster</th><th colspan="2">Northern Ireland</th></tr><tr><th></th><th>No.</th><th>%</th><th>No.</th><th>%</th></tr><tr><td>Male</td><td>69,362</td><td>50.05</td><td>887,323</td><td>49.00</td></tr><tr><td>Female</td><td>69,228</td><td>49.95</td><td>923,540</td><td>51.00</td></tr></table>		Mid Ulster		Northern Ireland			No.	%	No.	%	Male	69,362	50.05	887,323	49.00	Female	69,228	49.95	923,540	51.00					
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Male	69,362	50.05	887,323	49.00																						
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Disability	<p>According to the 2011 NISRA census statistics 19.39% of people had a long-term health problem or disability that limited their day-to-day activities whilst 80.43% of people within the district stated their general health was either good or very good</p> <table><tr><th></th><th colspan="2">Mid Ulster</th><th colspan="2">Northern Ireland</th></tr><tr><th></th><th>No.</th><th>%</th><th>No.</th><th>%</th></tr><tr><td>Disability / long term health</td><td>26,870</td><td>19.39</td><td>374,646</td><td>20.69</td></tr><tr><td>No disability / long term health problem</td><td>111,720</td><td>80.61</td><td>1,436,217</td><td>79.31</td></tr></table> <p>In Northern Ireland the profile of persons with a disability has been reported by Disability Action as;</p> <ul style="list-style-type: none">• More than 1 in 5 or 21% of the population have a disability• 1 in 7 people have some form of hearing loss• 5,000 persons use sign language - British Sign Language and/or Irish Sign Language• There are 57,000 blind persons or persons with significant impairment• 52,000 persons with learning difficulties		Mid Ulster		Northern Ireland			No.	%	No.	%	Disability / long term health	26,870	19.39	374,646	20.69	No disability / long term health problem	111,720	80.61	1,436,217	79.31					
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Dependants	<p>Persons with dependents may be people who have personal responsibility for the care of a child (or children), a person with a disability, and/ or a dependent older person. The below table provides a summary with respect Mid Ulster LGD.</p> <table><tr><th></th><th colspan="2">Mid Ulster</th><th colspan="2">Northern Ireland</th></tr><tr><th></th><th>No.</th><th>%</th><th>No.</th><th>%</th></tr><tr><td>Households with dependent children</td><td>18,626</td><td>38.99</td><td>238,094</td><td>33.86</td></tr><tr><td>Lone parent households with dependents</td><td>3,485</td><td>7.30</td><td>63,921</td><td>9.09</td></tr><tr><td>People providing unpaid care</td><td>12,821</td><td>10.69</td><td>231,980</td><td>11.82</td></tr></table> <p>Of the households in Mid Ulster Local Government District with dependent children, they can be summarised as;</p> <ul style="list-style-type: none">• 7,407 families in households have 1 dependent child• 6,394 families in households with two dependent children• 5,014 families in households with three dependent children <p>There are 37,306 dependent children within families.</p>		Mid Ulster		Northern Ireland			No.	%	No.	%	Households with dependent children	18,626	38.99	238,094	33.86	Lone parent households with dependents	3,485	7.30	63,921	9.09	People providing unpaid care	12,821	10.69	231,980	11.82
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Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	No specific issues have been highlighted to date.
Political opinion	No specific issues have been highlighted to date.
Racial group	Some minorities, for example, people who do not have English as a first language or who are not familiar with local customs and practice may need to have information explained or for someone to take more time to help them understand a policy or procedure.
Age	Some older people may need information explained to them or for someone to take more time to help them understand a policy or procedure.
Marital status	No specific issues have been highlighted to date.
Sexual orientation	No specific issues have been highlighted to date.
Men and women generally	No specific issues have been highlighted to date.
Disability	Some disabled people may need reasonable adjustments to accommodate them, eg, information in alternative formats, help to understand something, more time and patience from staff, etc. No specific issues were raised by members of the Mid Ulster Disability Forum in terms of physical access to cemeteries.
Dependants	No specific issues have been highlighted to date.

Section 2 – Screening Questions

In making a decision as to carry out an Equality Impact Assessment (EQIA), the Council should consider its answers to the questions 1- 3 detailed below.

If the Council's conclusion is **none** in respect of all of the Section 75 equality of opportunity categories, then the Council may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity, the Council should give details of the reasons for the decision taken.

If the Council's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the Council's conclusion is **minor** in respect of one or more of the Section 75 equality categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;

- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity.

In favour of none

- a) The policy has no relevance to equality of opportunity.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity for people within the equality categories.

Screening questions

All categories of service user and potential service user will benefit to some extent from amalgamation/formalisation of policies and procedures in this guidance. Appropriate training and communication should ensure a consistent approach and enhanced customer service.

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories (minor/ major/none)		
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief	There will be a minor impact on all service users, whatever their religion or if they have no religious belief. People of particular religions who do not currently access or use Council run cemeteries may be more encouraged to do so if they can access comprehensive information that suggests their needs will be met.	Minor - positive
Political opinion	There is likely to be a minor impact on all service users including people of different political opinions and none.	Minor - positive
Racial group	There is likely to be a minor impact on people from minority racial groups if it is clearly communicated that their needs will be met.	Minor - positive

Age	There is likely to be a minor impact on older people where staff are trained to be aware of potential issues and to respond appropriately.	Minor - positive
Marital status	No particular impact identified	None
Sexual orientation	No significant impact identified	None
Men and women generally	No significant impact identified	None
Disability	No significant impact identified.	None
Dependants	No significant impact identified.	None

2. Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories? (Yes/ No)

Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief	The new guidance and policy will set our clear terms and conditions and mean that we now have an aligned and consistent approach to all our users. Council can take the opportunity in publicising this new guidance to make people aware that Council cemetery provision is for people of all religions and none.	
Political opinion	As above but for people of all political opinions and none	

Racial group	Council can take the opportunity to publicise their cemetery services to racial minorities and those who may not be familiar with local customs and practice, etc.	
Age		This improvement project provides equality of opportunity regardless of age
Marital status		This improvement project provides equality of opportunity regardless of age
Sexual orientation		This improvement project provides equality of opportunity regardless of age
Men and women generally		This improvement project provides equality of opportunity regardless of age
Disability		This improvement project provides equality of opportunity regardless of age
Dependants		This improvement project provides equality of opportunity regardless of age

3. Are there opportunities without prejudice, to the equality of opportunity duty, to better promote good relations between Section 75 equality categories, through tackling prejudice and/or promoting understanding? (Yes/ No)

	No	X
	Yes	
If yes, please detail the opportunities below:		

If yes is concluded to Question 3, then the policy will be referred to the Council's Good Relations Working Group for consideration. The Group will consider the

potential opportunities and assess if and how the overall impact of a decision/policy can better promote good relations.

Additional Considerations - Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities? (*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people*).

N/A

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

Section 3 – Screening Decision

In light of answers provided to the questions within Section 3 select one of the following with regards the policy:

		Select One
1	Shall not be subject to an EQIA - <i>with no mitigating measures required</i>	X
2	Shall not be subject to an EQIA - <i>mitigating measures/ alternative policies introduced</i>	
3	Shall be subject to an EQIA	

If 1 or 2 above (i.e. not to be subject to an EQIA) please provide details of reasons why.

It is not considered necessary to carry out an EQIA at this point as no adverse impact on any equality group has been identified and positive impacts will be minor.

If 2 above (i.e. not to subject to an EQIA) in what ways can adverse impacts attaching to the policy be mitigated or an alternative policy be introduced.

--

If 3 above (i.e. shall be subject to an EQIA), please provide details of the reasons.

Mitigation

When it is concluded that the likely impact is 'minor' and an equality impact assessment is not to be conducted, you may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy:

Timetabling and prioritising

If the policy has been screened in for equality impact assessment, please answer the below to determine its priority for timetabling the equality impact assessment.

- **On a scale of 1-3 (1 being lowest priority and 3 being highest), assess the policy in terms of its priority for equality impact assessment.**

Priority criterion	Rating (1-3)
Effect on equality of opportunity	
Social need	
Effect on people's daily lives	
Relevance to a Council's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the Council in timetabling. Details of the Council's Equality Impact Assessment Timetable should be included in the Screening Reports.

- **Is the policy affected by timetables established by other relevant public authorities?**

Yes	
No	

Section 5 – Monitoring

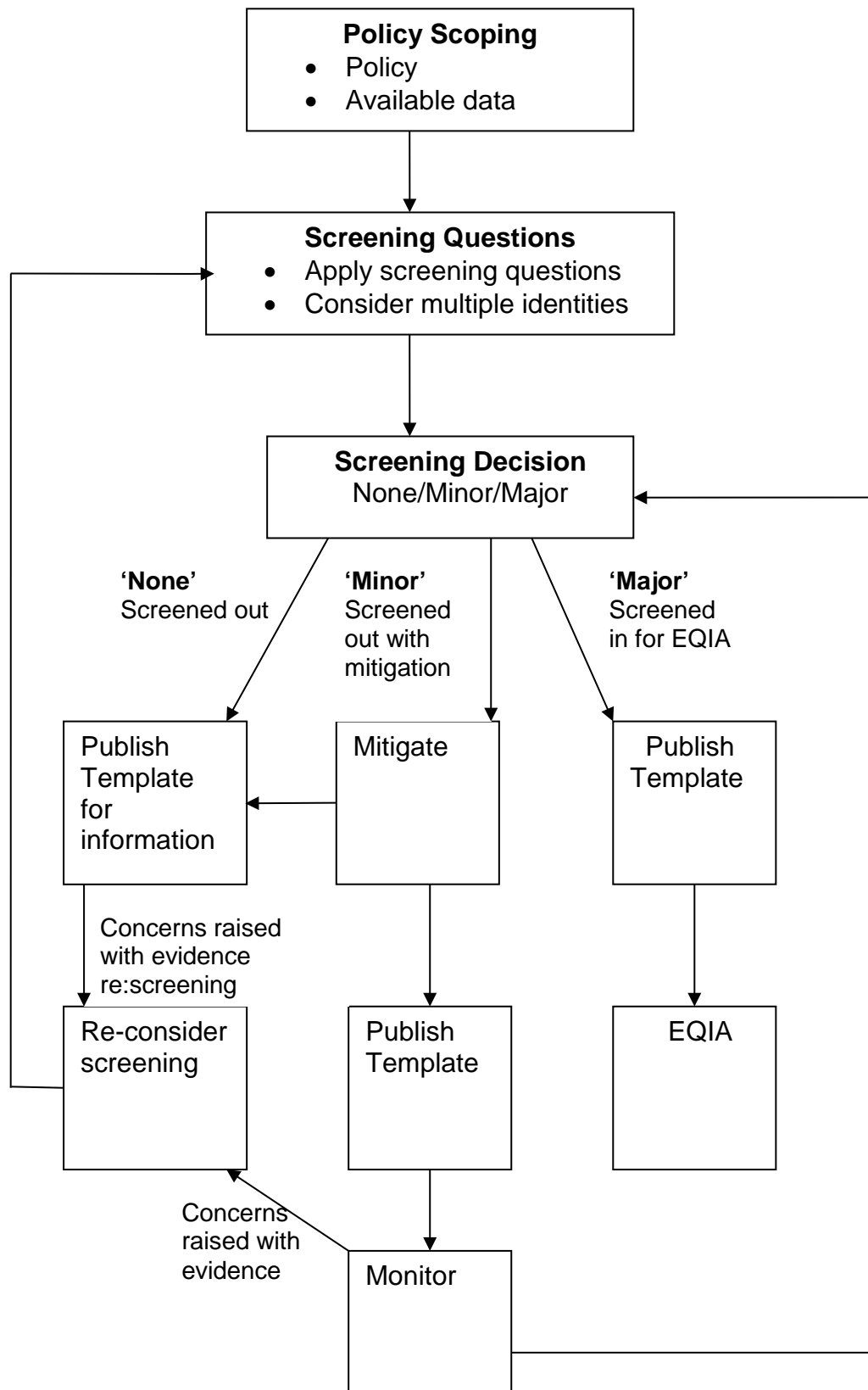
Effective monitoring will help identify any future adverse impact arising from the policy which may lead the Council to conduct an equality impact assessment, as well as help with future planning and policy development. Please detail proposed monitoring arrangements below:

Regular reports will be brought to the Environment Committee updating Members on the progress of implementation of the various elements of this policy and where applicable making recommendations for further amendments to them. This effective monitoring will help identify any future adverse impact arising from the policy.

Section 6 – Approval and authorisation

Screened by:	Position/ Job Title	Date
Eunan Murray	Grounds & Cemeteries Manager	28/10/19
Approved by:	Position/ Job Title	Date

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy; made easily accessible on the council website as soon as possible following completion and be available on request.



Rural Needs Impact Assessment (RNIA)

SECTION 1 - Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority.

Mid Ulster District Council

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

1.1 This policy is being introduced in order to make cemeteries and old burials grounds under the responsibility of Mid Ulster District Council safe places to work in and for the public to visit.

1C. Please indicate which category the activity specified in Section 1B above relates to.

Developing a	Policy <input checked="" type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>
Adopting a	Policy <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>
Implementing a	Policy <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>
Revising a	Policy <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>
Designing a Public Service	<input type="checkbox"/>		
Delivering a Public Service	<input type="checkbox"/>		

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above.

Cemetery Management Policy incorporating Rules & Regulations and Memorial Safety

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service.

Mid Ulster District Council has responsibility for 5 active cemeteries, 28 Old Burial Grounds, and grass cutting only in upto 8 old burial grounds.

The council aims to;

- provide guidance and regulations that ensure that our cemeteries are safe places to work and visit.
- promote high levels of service with clear guidance on how we deliver our services.
- ensure council meet its obligations under the law.
- provide the public with the necessary information on the restrictions and conditions that apply to purchasing exclusive rights of burial.
- provide guidance on the safe erection and management of headstone memorials.

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

Population Settlements of less than 5,000 (Default definition).

☒

Other Definition (Provide details and the rationale below).

☐

A definition of 'rural' is not applicable.

☐

Details of alternative definition of 'rural' used.

N/A

Rationale for using alternative definition of 'rural'.

N/A

Reasons why a definition of 'rural' is not applicable.

N/A

SECTION 2 - Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

Yes ☒ No ☐ If the response is **NO** GO TO Section **2E**.

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

Mid Ulster District Council have identified that of the 41 cemeteries and old burial grounds, more than 60% of them are located in rural areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas differently from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

This policy will be implemented as standard across all council cemeteries regardless of location.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

Rural Businesses	<input type="checkbox"/>
Rural Tourism	<input type="checkbox"/>
Rural Housing	<input type="checkbox"/>
Jobs or Employment in Rural Areas	<input type="checkbox"/>
Education or Training in Rural Areas	<input type="checkbox"/>
Broadband or Mobile Communications in Rural Areas	<input type="checkbox"/>
Transport Services or Infrastructure in Rural Areas	<input checked="" type="checkbox"/>
Health or Social Care Services in Rural Areas	<input type="checkbox"/>
Poverty in Rural Areas	<input type="checkbox"/>
Deprivation in Rural Areas	<input type="checkbox"/>
Community Safety	<input type="checkbox"/>
Rural Development	<input type="checkbox"/>
Agri-Environment	<input type="checkbox"/>
Other (Please state)	<input type="text"/>

If the response to Section 2A was YES GO TO Section 3A.

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

N/A

SECTION 3 - Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

Yes ☒ No ☐ If the response is **NO** GO TO Section **3E**.

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

Consultation with Rural Stakeholders	<input checked="" type="checkbox"/>	Published Statistics	<input type="checkbox"/>
Consultation with Other Organisations	<input checked="" type="checkbox"/>	Research Papers	<input type="checkbox"/>
Surveys or Questionnaires	<input type="checkbox"/>	Other Publications	<input type="checkbox"/>
Other Methods or Information Sources (include details in Question 3C below).			<input type="checkbox"/>

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

This Policy has been the subject of a focused consultation with the key stakeholders from April 2019. Council have consulted with a cross section of Funeral Directors, Church groups and Stone Masons that represent the majority of its users in Mid Ulster. Wider feedback has also been sought from minority groups representing non-Christian burials and the Mid Ulster Disability Forum.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

Mid Ulster District Council has considered the needs of the District including our rural areas in relation to providing and sustaining local burial grounds and cemeteries within the rural areas of the District that are safe places to work in and visit. The needs of the District as a whole are met by the policy aims and objectives as set out in 1E of this document.

If the response to Section 3A was **YES** GO TO Section 4A.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

N/A

SECTION 4 - Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

Any issues identified through public consultation will be considered however as alluded to in 2C the policy will be implemented at all active cemeteries and old burial grounds regardless of location.

Travel distances have been considered. People in very rural areas will have further to travel but as there are Council cemeteries in the three largest centres of population no-one should have an unreasonable distance to travel. There is flexibility in terms of timing of burials to accommodate funerals that have a distance to travel.

SECTION 5 - Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes ☐ No ☒ If the response is **NO** GO TO Section **5C**.

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

N/A

If the response to Section **5A** was **YES** GO TO Section **6A**.

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

The need for an aligned document that provides guidance and regulations to Cemetery Management across the district has been identified. It is not specific to both rural or urban burials grounds and cemeteries within the District. There have been no complaints about the current cemetery rules and regulations but this will be monitored.

SECTION 6 - Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.

I confirm that the RNIA Template will be retained and relevant information compiled.

☒

Rural Needs Impact Assessment undertaken by:	Eunan Murray
Position/Grade:	Grounds & Cemeteries Service Manager
Division/Branch	Property Services
Signature:	E Murray
Date:	28 th October 2019
Rural Needs Impact Assessment approved by:	
Position/Grade:	
Division/Branch:	
Signature:	
Date:	