



Llywodraeth Cymru
Welsh Government

GUIDANCE

Fees for child burials or cremations: guidance for local authorities

Explains funding and arrangements for local government to not charge for the burial of children.

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Memorandum of Understanding (MOU)

Is it only a child's grave or single depth grave that is covered within the agreement not to charge?

No. The fees include any size grave, not just child or single depth so it includes graves that are deep enough for further burials.

Can we charge for additional adults?

The initial cost of digging a grave to the depth that allows further burials is covered within the agreement. However, costs of future interments can be charged. Additional child burials would not be charged.

What if there are cremation and burial costs for example a child is cremated then the remains are buried in a plot?

All fees related to both the cremation and burial are covered within the agreement.

What if the child is not from the area?

The scope of the agreement is determined by where the burial or cremation takes place, rather than where the child lived. The area the child was resident in

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before death will not be a consideration, since the agreement is based on fees being waived in all circumstances (including the child being “out of county”).

Is the Exclusive Right of Burial waived?

Yes. Exclusive Right of Burial (EROB), where required, is one of the standard fees covered by the MOU. Such exclusive rights apply for the standard period determined by the Council. Once that period has ended, Exclusive Right of Burial will need to be paid for again so not indefinitely free.

Does the MOU cover foetal remains?

Yes. However, where remains are currently handled through a hospital contract it is expected that they continue to do so.

What about the cost of a permit for a memorial or headstone?

This is covered within the agreement as one of the standard fees that burial authorities are agreeing not to charge.

If a burial authority, for example a community council, does not carry out interment itself does this mean the family will need to pay for the service?

No. The grave digger would be viewed as an “other provider” of the relevant service. It would be a matter for the local authority and community council to decide how those costs should be covered but it is within the scope of the funding being offered.

Does the MOU cover other funeral costs such as funeral directors, coffins, flowers?

No. The MOU only relates to fees charged by local government for burials and cremation, or equivalent fees charged by other providers.

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Can a family claim for those other funeral costs?

A family could be eligible for a **Funeral Expenses Payment** (also called a Funeral Payment) from the Department for Works and Pensions if they get certain benefits.

Funeral Expenses Payment can help to pay for travel to arrange or go to the funeral; the cost of moving the body within the UK, if it's being moved more than 50 miles; and death certificates or other documents.

The family can also get up to £1,000 for any other funeral expenses, such as funeral director's fees, flowers or the coffin.

Funding

What is the funding for?

The Welsh Government is making funding available in recognition of the financial implications of not charging fees for the burial or cremation of children

How is the funding being provided?

The funding will be paid to all local authorities, on the basis of an established formula, through a grant. The grant will be paid in arrears providing the grant conditions are met.

How do community councils or other providers access the funding?

The funding is being distributed by local authorities. Local authorities are putting in place their own funding arrangements. If there are any question or concerns other providers should contact the relevant local authority direct.

Which other providers are eligible for receipt of payment?

Any other providers that provide the relevant services within the area, who deal with a child burial or cremation and who do not charge in line with the agreement, this could include private providers of the service or religious bodies.

Are you letting families know about the service?

Not directly. We anticipate that providers will let families know at the point that a child burial or cremation is being arranged.

How was the amount of funding determined?

By an analysis of average costs for the fees involved and total number of child deaths in Wales in a year.

How is the funding being distributed?

Through the Standard Spending Assessment formula, reflecting the approach of recognising costs rather than meeting actuals.

What are the conditions for obtaining the grant?

In summary the local authority does not charge in line with the agreement and appropriate arrangements are in place for sharing the funding with relevant community and town councils. As well as other providers of the relevant services within their area who deal with a child burial or cremation and do not charge.

What is considered to be an “appropriate amount”?

This is a matter for the local authority to determine but should be a fair and reasonable amount.

What happens if funding runs out?

The funding is in support of the decision not to charge and not to meet actual costs. In the event that funding exceeds the level of fees forgone, then local authorities will get to keep the difference. If, more claims are received from other providers than the amount of grant received then local authorities will cover any shortfall. Any emerging issues should be reported so that it can be considered at the review stage.

How will Welsh Government monitor the grant funding?

Welsh Government will be seeking evidence that the two main conditions of the grant are in place. We will not be asking for details on actual burials as part of grant monitoring because it is a fixed sum. However, we are interested in how the system has worked in practice because this will inform the review.

What happens if the funding is not all used?

The local authority will receive a fixed amount of funding regardless of the number of child burials or cremation which actually take place. In the event that funding exceeds the level of fees forgone, then local authorities will get to keep the difference.

For how long is this funding or agreement in place for?

The MOU will be reviewed in advance of the 2024 to 2025 financial year to understand how the agreement has worked in practice.

About this document

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