

Information Management Guidelines:

Crematoria and Cemeteries

Central Information Team
Version 2.2 Draft



North Tyneside Council

DOCUMENT CONTROL SHEET

Document Title: Information Management Guidelines: Crematoria and Cemeteries

Revision History

Issue Number	Date	Reason for issue
1.0	Dec 2006	New guidelines replacing '2004 Retention Policy'
2.0	June 2011	Change in guidelines structure
2.2	June 2016	Change in guidelines structure

Document Authorisation

Issue Number	Date	Group
1.0	Dec 2006	Rob Worrall Head of Policy and Performance
2.0	June 2011	Phil Scott Head Of Environmental Services
2.2	June 2016	Phil Scott, Head of Environment, Housing and Leisure

DISTRIBUTION LIST

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1.0	All staff via intranet
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2.2	All staff via intranet

Information Management Guidelines

Class / Activity	Scope Notes	Retention action	Rationale
5 Crematoria and Cemeteries			
5.1 Registration	Cemetery Burial Registers Cemetery Plans Grave Space Registers Registers of Burials pre LACO 1977 Registers of Grants/Rights Records of Memorials (removed under Sch. 3)	Permanent - offer to archivist Permanent	Local Authorities' Cemeteries Order 1977, (Articles 9(1), 9(2),11(1), Part 11 of Schedule 2 and paragraph 2(b) of Part 11, Schedule 3 paragraph 16.
5.2 Interment Service	Documentation related to booking made for an interment or monument erection and the process relating to the burial of an individual.	Permanent	Local practice as there can be a significant period of time between booking and use.
5.3 Exhumations	Documentation regarding the process of regulation of exhumation.	Permanent - offer to archivist	The Local Authorities' Cemeteries Order 1977, Article 11(9) (amended LACAO art 2(4))
5.4 Licensing and monitoring	Documentation regarding cemetery and crematoria licensing and monitoring	Destroy - 2 year after last action	Environmental Permitting Regulations guidance, part of the Pollution Prevention and Control Act 1999, advise that records of monitoring are kept for two years.

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5.5 Cremation	Documentation related to cremation; medical papers, disposal certificates, Medical Referee authority to cremate	Destroy - 15 years after cremation	Regulation 20 of the Cremation Regulations, 1930.

Information Management Guidelines

1. Introduction

This document covers crematoria and cemeteries records and information no matter which service holds or uses them.

This retention & disposal schedule has been produced in consultation with departments primarily responsible for the business activities and key stakeholders in the processes to establish the legal and regulatory requirements, and business needs on which record retention and disposal policies are based.

This document is part of framework of policies, procedures and guidelines that aim to ensure the Council manages information and records appropriately.

2. Retention periods

A key part of managing information and records is ensuring that they are retained for as long as necessary. Necessary relates to not only the local use by staff but also relates to: -

- use by other parts of the Council. For example internal audit, insurance and legal activities
- compliance with legal and regulatory obligations and responsibilities placed on the Council as a whole
- accounting for decisions made which affect the public or relate to spending public money

The following tables provide recommended retention periods for document types based on the functions/activities they relate to. They should be read in conjunction with the procedure for reviewing and appraising records.

There are some types of information that do not constitute a record and do not need to be kept at all. For example information that is duplicated, unimportant or only of short-term facilitative value.

This may include:

- 'with compliments' slips
- catalogues and trade journals
- telephone message slips
- non-acceptance of invitations
- trivial electronic mail messages or notes that are not related to official business
- requests for stock information such as maps, plans or advertising material
- out-of-date distribution lists
- working papers which lead to a final report

3. Explanation of headings and terms

Class:

Records relating to an activity or function and their position within the classification scheme.

ICO Employment Practices DP code:

Employment Practices Data Protection Code Part 1: Recruitment & Selection (March 2002)

<http://www.ico.gov.uk>

LGCS (2007):

2007 Local Government Classification Scheme 2.03, which incorporates retention periods.

Scope Notes:

An explanation of what types of records should fit within the class.

Records:

Records are defined as: -

information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations, or in the transaction of business.

Retention Action:

This entry provides a retention period specifying how long the records should be kept prior to destruction (or transfer to permanent archive), as well as the activity/transaction/event to which the retention period should be tied to (e.g. "destroy 3 years after last action")

Rationale:

This section provides reasons for the retention period.

RGLA (2003):

2003 Retention Guidelines for Local Authorities; A guide produced by the Local Government Group of the Records Management Society.

TNA RDG (guidance number):

The National Archives - Retention and Disposal Guidance

<http://www.nationalarchives.gov.uk/recordsmanagement/retention-disposal-schedules.htm>

4. Independent Inquiry into Child Sexual Abuse

On Thursday 12 March 2015 the Home Secretary established a statutory inquiry under the 2005 Inquiries Act with the aim of conducting an overarching national review of the extent to which institutions in England and Wales have discharged their duty of care to protect children against sexual abuse.

The Inquiry is independent of government. The Chair is Professor Alexis Jay OBE, who is supported by a Panel, Victims and Survivors Consultative Panel, and other expert advisers. The Inquiry will cover England and Wales. A wide range of public institutions will be investigated including local authorities, the police, the armed forces, schools, hospitals, children's homes, churches, and charities.

On 2nd July 2015 the Inquiry wrote to every Chief Executive of a Local Authority in England and Wales, requesting that the organisation :

'retain any and all documents; correspondence; notes; emails and all other information – however held – which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care. For the purposes of this appendix, the word "children" relates to any person under the age of 18.'

We must not destroy, and must make available for inspection, all reports; reviews; briefings; minutes; notes and correspondence in relation to:

- allegations (substantiated or not) of individuals, organisations
- institutions, public bodies or otherwise who may have been involved in, or have knowledge of, child sexual abuse, or child sexual exploitation
- allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children
- institutional failures to protect children from sexual abuse or other exploitation
- statutory responsibilities for the care of children in public or private care
- the development of policy on child protection
- the development of legislation on child protection
- the determination of the award of Honours to persons who are now demonstrated to have had a sexual interest in children or are suspected of having had such an interest.

All of these document types – in whatever format – must be “retained pending further requests from the Inquiry”

The instructions received by the Inquiry constitute a legal hold as defined by section 12.3 of the code of practice issued under Section 46 of the Freedom of Information Act. As such all records that fall within the above categories are retained, and not destroyed, until we are directed otherwise.