The Highland Council

Agenda Item	**9**
Report No	**CP/31/26**

Committee: **Communities and Place**

Date: **5 November 2026**

Report Title: **Burial Management Plans**

Report By: **Assistant Chief Executive - Place**

1 Purpose/Executive Summary

1.1 The Burial (Management) (Scotland) Regulations 2025 place a statutory duty on all burial authorities to prepare, maintain and operate burial grounds in accordance with a formal Burial Management Plan. The Regulations were introduced under the powers contained within the Burial and Cremation (Scotland) Act 2016 and are intended to improve consistency, transparency and operational standard across burial services in Scotland.

1.2 This report seeks Committee approval for the Council's standard Burial Management Plan, which has been developed to ensure compliance with the Regulations and to provide a consistent framework for the management of all Council-operated burial grounds. The plan sets out clear procedures relating to burial operations, cemetery maintenance, memorial safety inspections, equipment maintenance, contingency planning and service delivery arrangements. Subject to approval, this standard plan will form the basis of nine area-based Burial Management Plans, each covering multiple burial grounds within a defined geographic area.

1.3 The standard plan formalises many existing operational practices while bringing these together within a single governance document. Adoption of the standard plan will provide assurance that burial services are being delivered in accordance with current legislative requirements and recognised good practice. It will also support effective risk management and business continuity planning.

1.4 Approval of the recommendations contained within this report will ensure that the Council fulfils its statutory responsibilities as a burial authority and maintains a robust framework for the management of its burial grounds in accordance with the requirements of the Burial (Management) (Scotland) Regulations 2025.

2 Recommendations

2.1 Members are asked to **approve** the proposed standard Burial Management Plan and the adoption and implementation of the nine area Burial Management Plans for the Highland area, in accordance with the Burial (Management) (Scotland) Regulations 2025.

3 Implications

3.1 **Resource** – The standard plan seeks to formalise many existing operational practices while bringing these together within a single governance document. There is not expected to be any impact on existing resources or requirement for any additional resources.

3.2 **Legal** – The Council, as a burial authority, has a statutory obligation to prepare and maintain a Burial Management Plan in respect of a burial ground and to manage the burial ground in accordance with that plan. The standard plan supports compliance with the Burial (Management) (Scotland) Regulations 2025 and associated provisions of the Burial and Cremation (Scotland) Act 2016. Failure to comply may result in regulatory scrutiny by the Inspector of Burial and potential reputational risk to the authority.

3.3 **Risk** – The adoption of the standard plan will assist in mitigating operations and health and safety risks by formalising inspection and maintenance arrangements, establishing clear procedures for burial operations, supporting memorial safety programmes and ensuring contingency arrangements are in place for unforeseen events and service disruptions.

3.4 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – The Burial Management Plan establishes inspection regimes, safe working procedures, equipment maintenance schedules, staff training requirements and contingency arrangements to minimise these risks and ensure the safety of employees, contractors, visitors and members of the public.

3.5 **Gaelic** – No direct implications have been identified.

4 Impacts

4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.

4.3 This is an update report and therefore an impact assessment is not required.

5 Background

5.1 The Burial and Cremation (Scotland) Act 2016 provides powers to regulate the management of burial grounds across Scotland. The subsequent Burial (Management) (Scotland) Regulations 2025 introduced a statutory requirement for all burial authorities to prepare and maintain a Burial Management Plan for each burial ground and to ensure burial grounds are operated in accordance with that plan. The Regulations also permit a single plan to apply to more than one burial ground.

5.2 The Regulations came into force on 1 March 2025 and require plans to be prepared in place in 2026 and reviewed at least annually thereafter.

5.3 The introduction of these Regulations aims to promote consistency, transparency, governance and operational resilience across burial services.

6 Burial Management Plans

6.1 Given the number and geographical distribution of burial grounds owned and managed by the Council, a standard Burial Management Plan has been developed. Subject to approval, this standard plan will form the basis of nine area-based Burial Management Plans, each covering multiple burial grounds within a defined geographic area. Each plan will include address and status for each burial ground included within that area.

The nine plans will cover:-

- Badenoch and Strathspey;
- Caithness;
- Easter Ross and Cromarty;
- Inverness;
- Isle of Skye and Raasay;
- Lochaber;
- Nairn;
- Sutherland; and
- Wester Ross and Lochalsh.

6.2 The proposed standard Burial Management Plan, as seen in **Appendix 1**, establishes a consistent framework for the management, maintenance and operation of Council-managed burial grounds.

6.3 In accordance with the Regulations, the plan includes:-

- Details of all burial grounds covered by the plan.
- The operational status of each burial ground.
- Procedures for carrying out burials.
- Arrangements for responding to unexpected increases in burial demand.
- Procedures for the operations, maintenance and servicing of burial-related equipment.
- Maintenance standards for burial grounds.
- Inspection regimes for headstones and memorials.
- Business continuity and contingency arrangements.
- Review and governance arrangements.

6.4 The plan has been developed using existing cemetery management policies and operational procedures and will provide a standard document governing burial ground operations across the Council area.

7 Key Benefits

7.1 The implementation of the standard Burial Management Plan will:-

- Ensure legislative compliance with Scottish burial law.
- Improve consistency of service delivery across all burial grounds.
- Support effective risk management.
- Strengthen resilience during periods of increased burial demand or service disruption.
- Provide a structed framework for continuous improvement and annual review.

8 Conclusion

8.1 The Burial (Management) (Scotland) Regulations 2025 introduces a statutory requirement for all burial authorities to prepare and maintain a Burial Management Plan for burial grounds. Adoption of the proposed standard plan will ensure the Council complies with its legal duties whilst providing a clear framework for the safe, effective and transparent management of its burial grounds

The Committee is therefore asked to approve the standard Burial Management Plan and its implementation across all Council-managed burial grounds.

Designation:	Assistant Chief Executive - Place
Date:	14 September 2026
Authors:	John MacLean, Bereavement Services Manager Rachel Robertson, Project Coordinator
Background Papers:	The Burial (Management) (Scotland) Regulations 2025
Appendices:	Appendix 1 – Standard Burial Management Plan

Appendix 1 – standard Burial Management Plan

Burial Management Plan for burial grounds in [Area]

Last Reviewed:- 1st March 2026
Document Reference:- BSP1
Version: v.1

Document Administration

An electronic copy of the most recent version of this Burial Management Plan is held by Bereavement Services and shared with all relevant teams.

This Burial Management Plan will be reviewed annually or sooner where required due to service improvements, legislation updates or changes to codes of practice.

This Plan supplements:-

- Burial and Cremation (Scotland) Act 2016
- Burial (Management) (Scotland) Regulations 2025
- FBCA Codes of Practice
- Highland Council Burial Ground Management Rules
- Memorial Safety and Inspection Procedures
- Business Continuity Plan
- Associated risk assessments and safe systems of work
- Any other referenced or relevant documentation

Contact Details

A copy of this plan is available at the following address or can be requested using the contact details below:
Bereavement Services
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6. Procedure for ensure the Burial Ground is maintained in good order
7. Procedure for the carrying out of scheduled memorial safety inspections, including the frequency of such inspections
8. Procedure for contingency arrangements for any unexpected disruption to operations

1 - Background

The Burial (Management) (Scotland) Regulations 2025 formalise key operational requirements for burial ground maintenance and management and apply to all burial authorities (both local authority and non-local authority). A key requirement is the production of a publicly accessible Burial Management Plan, covering all Highland Council burial grounds, setting out how burial services are delivered safely, respectfully and in compliance with legislation.

2 - Name and address of burial grounds

This plan applies to the following cemeteries and burial grounds that are managed by the Highland Council as the Burial Authority:

Cemetery	**Address**	**Open for burials and ashes interments**

A Right of Burial may be purchased in advance within select burial grounds where available, as highlighted above. All burials require an Exclusive Right of Burial to be

in place prior to interment. A Right of Burial can be purchased upon application to the Highland Council.

3 - Procedure for the carrying out of burials

Administration and Booking

Instructions for Interment will be issued to the Cemetery foreperson. A minimum of two working days' notice is normally required for coffin burials, although efforts will be made to accommodate urgent requests.

The Cemetery foreperson will:

- Record the interment in official records and burial diary
- Ensure documentation is complete and accessible
- Communicate with gravediggers and relevant staff

Lair Identification

The correct lair must be:

- Identified using up-to-date cemetery plans
- Physically checked on site
- Independently verified by a second member of staff

Where uncertainty exists, excavation must not proceed until confirmed.

Pre-Excavation Preparation

Prior to excavation:

- A risk assessment must be carried out considering:
    - Ground conditions
    - Access routes
    - Nearby memorials and structures
    - Weather and soil stability
- Walkboards must be installed to provide a safe working platform and prevent edge collapse
- Equipment and materials must be checked and made available before work begins

Excavation

Graves will be excavated in accordance with approved grave digging procedures:

- Excavation must be:
    - Central within the lair
    - To specified dimensions and depth
- Excavation may be:
    - Mechanical (by trained operators), or
    - Manual, depending on conditions
- Ground support (shoring) must be installed progressively to prevent collapse

- A second operative must be present when:
    - The excavation exceeds 0.91m (3 feet)

Soil Management

Excavated soil must be controlled to maintain safety and site condition:

- Preferably stored within a soil box positioned at least 1 metre from the grave edge
- Alternatively placed on tarpaulin, ensuring:
    - No pressure is applied to nearby memorials
    - Turf and surrounding ground are protected

Safety Controls

At all stages:

- Graves must be fenced or securely covered when unattended
- Access into excavations must be via ladder only
- PPE must be worn, including:
    - Safety boots
    - Hard hats when in excavation
- All lifting equipment and webbings must be inspected before use

Preparation for Interment

Prior to the funeral:

- The grave must be inspected to ensure:
    - Correct depth and dimensions
    - Adequate shoring
    - Stable walkboards and access routes
- The grave and surrounding area must be:
    - Dressed with green matting
    - Free from trip hazards
- Putlogs and lowering webbings must be correctly positioned and checked.

The Interment

The Cemetery foreperson will:

- Meet and guide the funeral cortege
- Verify the identity of the decease
- Ensure safe and respectful proceedings

The coffin will be lowered using approved lowering equipment under supervision. All activities will be carried out with dignity and consideration for mourners.

Backfilling

Backfilling must:

- Commence after mourners have left

- Be completed the same working day wherever possible

The process must ensure:

- Soil is compacted in layers to minimise subsidence
- The grave is level with surrounding ground
- Turf is reinstated to a high standard

Post-Burial Monitoring

Graves will be:

- Inspected weekly for the first month
- Checked regularly thereafter

Any settlement or defects must be rectified promptly to maintain safety and presentation

4 - Procedure for dealing with any unexpected increase in the number of burials

An unexpected increase in the number of burials may result in the activation of the Business Continuity Plan for Cemetery Burials. Some grounds maintenance activities may require to be suspended and staff re-directed to grave digging and associated duties. The Service have a large number of staff capable of carrying out grave digging duties. Shift and rota working arrangements may be required to increase capacity. If required, use staff from other services or contractors to dig graves with mechanical excavators.

5 - Procedure for the operation and servicing of all equipment that is owned by the burial authority and used in the burial process or to maintain the burial ground

The Highland Council's Fleet department carry out all servicing and maintenance of equipment owned by THC. Fleet Services follow manufacturer's instructions with regard to scheduled servicing of all equipment and maintain written records of such services.

The Highland Council's Amenities department carries out grounds maintenance of all greenspaces including cemeteries. Amenities follow manufacturer's recommendations with regard to operating of all equipment and there is a training regime in place to ensure staff are appropriately trained to operate equipment. Records of staff training are maintained to ensure compliance.

There are Risk Assessments for all works activities and staff require to read and understand these prior to carrying out the activity.

6 - Procedure for ensuring the burial ground is maintained in good order

The Highland Council's Amenities department follow a scheduled grounds maintenance regime to ensure all greenspaces including cemeteries are maintained appropriately and to the required standard.

Area Supervisors continually monitor grounds maintenance activities to ensure all greenspaces are maintained in good order. Area Supervisors also carry out site surveys to score greenspaces. Both monitoring and site surveys are used to ensure the standard is met and identify areas for remedial work if required.

Inspections are carried out on the infrastructure of cemeteries including buildings, walls, fences, taps, roads, paths and other structures. Work is instructed for repairs and maintenance of this infrastructure as and when required.

7 - Procedure for the carrying out of scheduled memorial safety inspections, including the frequency of such inspections

The Highland Council carry out regular safety inspections of memorials within all our burial grounds to ensure they are in safe order and to reduce the risk to any visitors, staff and contractors. Scottish Government guidance makes clear the statutory obligation local authorities have for the safety of staff, visitors and contractors in burial grounds, primarily under the Health and Safety at Work etc. Act 1974 and the Occupier's Liability (Scotland) Act 1960. The Burial (Management) (Scotland) Regulations 2025 makes it a statutory requirement for a burial authority to carry out regular scheduled inspections to ensure that headstones and other memorials in a burial ground are in safe order.

Using the Scottish Government guidance and matrix, each of the Highland Council burial grounds were assessed in conjunction with local amenities officers. The risk score was assessed considering the location, general condition, frequency of services, any historic or cultural significance, layout and topography, frequency of public use, age and size of memorials and any other amenities. The scores of each burial ground then broke down into priority:- High, Medium, Low and Very Low

Risk Rating	**No. of Burial Grounds**
High	6
Medium	64

Low	132
Very Low	45
Total	**247**

A 5-year programme of inspections are carried out, starting with the highest risk burial grounds. All inspections are to be carried out by a suitably trained Memorial Technician. Each burial ground displays an information notice on each entrance with information regarding the memorial safety programme, highlighting what visitors may find within the burial ground, as well as contact details for the Memorial Safety team.

Every memorial over 625mm will be inspected by a Memorial Technician within every burial ground. Inspection includes using up to 25kg pressure on the stone to test stability and movement, as well as visual inspections for any obvious issues or where stones are too large to manually inspect.

Any memorials found to have a potential safety issue are recorded by the Technician and a caution sign will be erected next to the memorial. Where required and suitable, the Technician may be required to make a temporary repair to make the memorial safe; in most cases this is carried out by bracing the memorial using wooden stakes. If a memorial is deemed to be an immediate risk, appropriate action will be taken to make it safe to reduce as much risk as possible. Any memorial that has had a temporary repair carried out will be reinspected on a 12-month basis to ensure it is still safe.

If the lair had an interment within the last 35 years, a letter will be sent to the lairholder by Bereavement Services to inform them that their memorial requires attention. Whilst the Highland Council has a duty of care within the burial grounds, the responsibility for the full and complete repair of an unsafe memorial remains the duty of the registered lairholder or their family.

8 - Procedure for contingency arrangements for any unexpected disruption to operations

Contingency arrangements for any unexpected disruption to operations are included in the Business Continuity Plan for Bereavement Services including Cemetery Burials. This plan will be activated and the necessary arrangements made to deal with the disruption. This plan is continually reviewed and updated to ensure it covers as many potential disruptions as possible.

Supporting Documents

Scottish Government – Burial Regulations: Guidance

Scottish Government (2025) *Burial Regulations: Guidance.* https://www.gov.scot/publications/burial-regulations-guidance/pages/2/

Scottish Government – Memorial Safety Guidance

Scottish Government (2019) *Burial Ground Memorial Safety: Guidance for Scotland's Local Authorities.* https://www.gov.scot/publications/burial-ground-memorial-safety-guidance-scotlands-local-authorities/documents/

The Highland Council – Burial Ground Management Rules

The Highland Council (2026) *Management Rules for Burial Grounds under the control of the Council.* https://www.highland.gov.uk/downloads/file/333/burial-grounds-rules