

**From the Chief Medical Officer
Professor Sir Michael McBride**



Department of
Health

An Roinn Sláinte

Mánnystrie O Poustie

www.health-ni.gov.uk

ADDENDUM HSS(MD) 46/2022

For Action:

Chief Executives of HSC Trusts
Medical Directors, HSC Trusts (for onward distribution to all Medical Practitioners)
Sharon Gallagher, Deputy Secretary, SPPG (for onward distribution to All General Practitioners, Practice Managers, GP Locums and GP Out of Hours Services)
Louise McMahon, Director of Primary Care-HSC, SPPG

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PLEASE SEE ATTACHED FULL CIRCULATION LIST

Dear Colleague

GUIDANCE ON THE REVISED ARRANGEMENTS FOR THE CERTIFICATION AND REGISTRATION OF DEATHS AND STILLBIRTHS AND THE CREMATION PROCESS

This communication is to provide guidance for all medical practitioners and registered midwives on the certification and registration of deaths and stillbirths.

The introduction by the Department of Finance of the Coronavirus Act 2020 (Registration of Deaths and Stillbirths) (Extension) (No 2) Order (NI) 2022 means that there are certain changes to the processes that have been in place since the beginning of the pandemic. These changes will also impact on the procedures around cremation and information is also provided for medical practitioners involved in that process.

Action required

Chief Executives must ensure that this information is drawn to the attention of all clinical staff to enable them to respond accordingly.

The Director of Integrated Care, DoH must ensure that this information is cascaded to all General Practitioners and OOH facilities immediately.

Background

On 27 March 2020, I issued Circular HSS(MD) 18/2020 providing guidance on the new arrangements for death and stillbirth certification and registration following the introduction of the Coronavirus Act 2020. The new legislation amended the Births and Deaths Registration (NI) Order 1976 and resulted in changes to the existing processes with regard to the manner in which deaths and stillbirths were certified and registered. The Coronavirus Act 2020 also made modifications to the Cremation (Belfast) Regulations (NI) 1961, which altered the requirements for certain forms to be completed before a cremation could proceed.

The changes were considered necessary in view of the emergency pandemic situation. They were designed to reduce face to face interaction between clinicians, families and registration staff in order to minimise the potential spread of the COVID-19 virus and to ensure that deaths and stillbirths could still be certified and registered in a timely manner without delaying funerals and cremations. The electronic transmission of a Medical Certificate of Cause of Death (MCCD) or Stillbirth Certificate directly to the General Register Office (GRO), via e-mail, was particularly useful and helped to streamline and modernise the process.

On 21 September 2022, the Minister of Finance wrote to his Ministerial colleagues informing them that the Department of Finance intends to make a statutory rule to extend provisions in paragraphs 18 - 22 and 27-30 of Schedule 13 to the Coronavirus Act 2020 for a further 6 months until 24 March 2023. These particular provisions relate primarily to the electronic transmission of MCCDs and Stillbirth Certificates to the GRO. They also provide for the registration of deaths and stillbirths by telephone with the removal of the in-person signature by the informant.

The powers relating to the options for signing the MCCD as contained in paragraphs 23 – 26 of Schedule 13 to the Act will not be extended and will expire on 24 September. These particular provisions are considered cross-cutting and without a functioning Assembly and Executive, the Minister of Finance was not in a position to extend. This means that the position will revert to that in place prior to the pandemic **i.e the certifying doctor must have seen and treated the deceased within 28 days of death in order to complete the MCCD. If the deceased has not been seen treated within 28 days, the death must be reported to the Coroner.**

I have summarised below the position which will come into effect from 25 September 2022:

Who can complete the MCCD?

- MCCDs can only be completed by a registered medical practitioner who has **seen and treated the deceased in the 28 days prior to their death.** This is a statutory legal duty. In hospital there may be several doctors in a team caring for the patient who will be able to certify the death. In general practice, more than one GP may have been involved in the patient's care and will be able to complete the MCCD. A video consultation in which the patient has been seen, is deemed acceptable.

- It will no longer be possible for a medical practitioner **who has not seen and treated** the deceased to complete the MCCD.
- Medical practitioners should ensure that the '**Date on which last seen alive and treated by me**' box is completed on all MCCDs. If this is not completed the MCCD will not be accepted for registration by the GRO.

Transmission of the MCCD to the GRO

- The MCCD should be completed **as soon as possible after death occurs** and **must** be sent electronically to the GRO via e-mail to: GRO-pandemic@finance-ni.gov.uk.
- A copy of the MCCD can be given to the family/next of kin although there is no legal requirement to do so.
- On receipt of the MCCD, the GRO will contact the family/next of kin to complete the registration process.
- General Practitioners are asked to continue to complete **MCCDs electronically** as they have done throughout the pandemic, and send them via e-mail to: GRO-pandemic@finance-ni.gov.uk.

Stillbirth

- **Stillbirth certificates** can only be completed by a medical practitioner or registered midwife who was present at the stillbirth.
- **They must be submitted electronically via e-mail to:** GRO-pandemic@finance-ni.gov.uk.

Reporting death to the Coroner

- If the deceased has not been seen and treated by a registered medical practitioner **in the 28 days prior to death**, the death **must be reported to the Coroner**.

Independent Medical Examiner Service Prototype

- For deaths in hospital, medical practitioners are reminded that the Independent Medical Examiner Service (IMES) prototype is in operation. If the death is certified between 8.00am – 4.00pm (Monday – Friday), the certifying doctor should complete the MCCD on NIECR and **immediately contact the IMES** to enable the review to be carried out in a timely manner **before the MCCD** is emailed to the GRO. Any delay in issuing the MCCD to the GRO could add additional stress to the family at what is already a difficult time.

Cremation Process

- In order for a cremation to be permitted there is a legal requirement for certain forms to be completed. Any medical practitioner who is required to complete a Form B to enable a cremation to proceed, must have attended the deceased during their last illness and within 28 days of death. They **must** also have **seen and identified the body after death**.
- There may be situations where the deceased is placed in a body bag before the medical practitioner has been able to see and identify them. In such situations it is permissible for the medical practitioner and the Funeral Director to use “video consultation” to enable Form B to be completed. Such video consultation is permitted via Zoom, AccuRx, Skype, WhatsApp or similar secure means of conducting a video call.
- There continues to be no requirement for Cremation Form C to be completed.

For further guidance please refer to the ‘Guidance surrounding Death’ section of the Department of Health website where there is a page on Death Certification and Completing an MCCD. <https://www.health-ni.gov.uk/topics/professional-medical-and-environmental-health-advice/guidance-surrounding-death>

I would ask that this information is cascaded to all relevant staff as a matter of urgency.

Yours sincerely



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Chief Medical Officer

Circulation List

Executive Medical Director/Director of Public Health, Public Health Agency (for onward distribution to all relevant staff)

Dr Margaret O'Brien, SPPG, DoH

RQIA (for onward transmission to all independent hospitals)

Dr Ian Steele, Postgraduate Dean, NIMDTA

Registrar General for Northern Ireland

Mr Justice Humphreys, Coroners Service

This letter is available on the Department of Health website at

<https://www.health-ni.gov.uk/topics/professional-medical-and-environmental-health-advice/hssmd-letters-and-urgent-communications>

