

# Death Certification in Scotland

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Guidance for the Funeral Industry

**The arrangements for death certification and registration in Scotland are changing.**

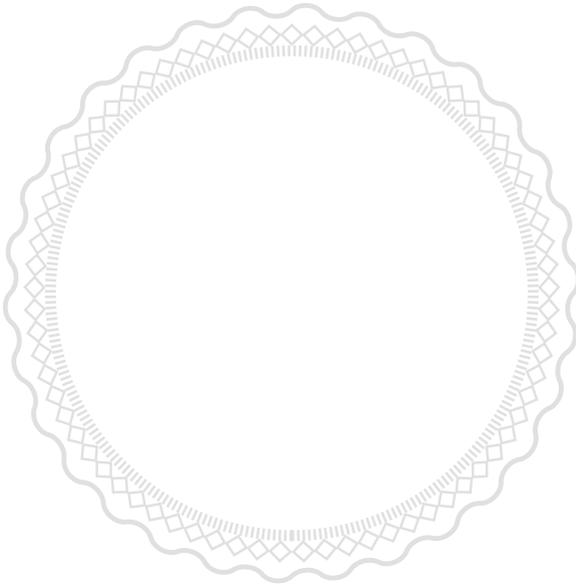
From Wednesday 13 May 2015 all deaths must be registered before burial or cremation can take place.



## Contents

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Background .....	1
Interested Person Reviews .....	2
Advance Registration.....	3
Deaths Abroad .....	4-5
Arrangements within the United Kingdom.....	6-7
Disposal Requirements .....	8
Transition.....	9
Questions and Answers for the Funeral Industry .....	10-16
Quick Reference Flowchart .....	17
Further Information .....	Back Cover
Acknowledgements.....	Back Cover



## Background

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An independent review system, of the Medical Certificate of Cause of Death (MCCD/ Form 11) will be in place from 13 May 2015, where a proportion of cases not reported to the Procurator Fiscal will be randomly selected at the point of registration (or at the time of certification of death when MCCDs are completed electronically).

Rather than having Medical Referees only checking cremation cases the independent Medical Reviewers, all of whom are experienced doctors, employed by Healthcare Improvement Scotland, will scrutinise cases both for burial and cremation. The Medical Reviewers will review a random sample of MCCDs provided by National Records of Scotland, for accuracy, and work with the medical profession to improve standards in the completion of the MCCD.

The registration process will be put on “hold” until the review is complete. If the MCCD is not selected for review a Form 14 will be issued as normal. This will allow burial or cremation to go ahead.

It is estimated that 25 per cent of deaths are investigated by the Procurator Fiscal in Scotland, and are excluded from the new review system. Stillbirths are also excluded from the new review system.

10 per cent of the remainder of MCCDs will go through randomisation for a review (around 4,000 deaths per year) at Level 1. This involves scrutiny of the MCCD and a conversation with the doctor certifying death or a member of the clinical team with access to the clinical records of the deceased. A Level 1 review case may take up to one working day to review.

Around 1,000 MCCDs will be randomly selected for a Level 2 review which is more comprehensive and involves, in addition to the activities under Level 1 review, looking at the relevant clinical records. It is anticipated that a further 1,000 MCCDs will be reviewed “for cause”, either due to significant trends or requests from “interested persons” specified in legislation. A Level 2 review case may take up to three working days.

When the review of the MCCD has been completed the registrar will be instructed to issue Form 14. The registrar will telephone the family (informant) to ask them to collect Form 14. However, it can be posted to the family (informant), or the funeral director can collect Form 14 from the registrar. Alternatively the registrar may be able to scan and then email the form to the funeral director.

## Interested Person Reviews

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To apply for an interested Person Review, you must have a clear link with the person who has died. Those who can apply include:

- Family members of the deceased
- Healthcare professionals who were involved in the care provided, and
- The funeral director who arranged the funeral.
- Person having charge of the place of disposal.

Applications will be made using the interested person review application form.

Applications for an interested person review cannot be made anonymously. All fields on the form must be completed for the application to progress. Applications can be submitted by email or post.

Applications accepted for an interested person review will be scrutinised as a Level 2 review. Following completion of the review, a letter detailing the findings will be issued to the Applicant.

Applications which do not satisfy the criteria will not be accepted for review. Form 11/MCCD's which have already been reviewed or were Procurator Fiscal cases are not applicable for an interested person review. Applicants will be sent a letter detailing the reasons why the application has been rejected.

Applications must be made within three years of the date of death and only apply to a person who has died after 13 May 2015.

## Advance Registration

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If the death being registered is selected for review initial funeral arrangements can still be made. However, the funeral itself cannot take place until the review is complete and the Form 14 has been received.

If a funeral has to go ahead quickly the family can apply via the registrar for advance registration.

Applications for advance registration can be considered in special circumstances such as:

- Religious/cultural reasons (for example, faith requirements to bury a person's body quickly).
- Compassionate (where delays would cause significant and unnecessary distress), and
- Practical/administrative reasons (for example, family have travelled from abroad to attend the funeral).

If a family would like to apply for advance registration they can ask the registrar for an application form. The registrar can help them to fill in the form.

The registrar will send the completed form to Healthcare Improvement Scotland where a Medical Reviewer will assess the request, along with the content of the MCCD. The Medical Reviewer will usually be able to confirm if the funeral can proceed within two hours of the request being made. The registrar will then contact the family to let them know if their request has been successful or not.

If successful the family can then attend the registrar's office to collect Form 14 along with the other registration paperwork.

## Deaths Abroad

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From 13 May 2015, the new Death Certification Review Service run by Healthcare Improvement Scotland will be responsible for checking relevant paperwork and authorising burial or cremation of people who have died outside of the UK and have been transported to Scotland.

### The process

The person applying for authorisation to bury or cremate (often a funeral director or arranger) must supply the review service with the following pieces of documentation.

- A completed declaration.
- A completed request for disposal after transportation form.
- The death certificate (or equivalent) issued by country where the person died.
- Passport (or equivalent identification).
- A completed application for post-mortem (if required).
- A completed Form A (for cremations only - application for cremation), and
- Any other relevant paperwork.

Electronic copies of the above documentation should be submitted to the review service.

One of Healthcare Improvement Scotland's Medical Reviewers will assess the application and check that the documentation is in order. Where a request has been made to authorise a cremation the Medical Reviewer will also carry out additional checks to make sure this can be carried out safely.

### What happens next?

When the Medical Reviewer is satisfied that the documentation is in order, they will issue the following to the person applying for authorisation to bury or cremate.

- A certificate declaring documentation in order.
- A certificate authorising cremation (if applicable).
- A general information letter.

The original death certificate from the country where death took place will also be returned. This process will normally be concluded within five working days from receipt of the application.

### **What happens if the documentation is not in order?**

If the Medical Reviewer finds that the documentation is not in order they will attempt to obtain any missing documents and make reasonable enquiries to allow the case to be concluded as quickly as possible.

For requests to authorise a cremation, if the Medical Reviewer is unable to conclude that it is safe to cremate, they will only be able to authorise a burial.

### **Assistance with post-mortem examinations**

For some deaths that occur outside the UK the documentation provided by the country where the person died may not contain information on the cause of death. In these cases, if the body is transported to Scotland, the family can apply to the review service for assistance (including financial assistance) to arrange a post-mortem examination.

## Arrangements within the United Kingdom

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It is important to ensure that all cremation authorities have the information necessary to authorise disposal.

Cross border cases leaving Scotland would still be subject to reviews. However advance registration would be available to those selected for review where there is concern about additional delays.

### Death Occurs in Scotland – Cremation in England, Wales or Northern Ireland

The death must be registered in Scotland. The following documents will provide the crematorium medical referees in England, Wales and Northern Ireland with the required information in order to make a decision regarding cremation as information on hazards and the certifying doctors' contact details will be available on the new form 14.

- Either a Form A (revised Scottish Application for Cremation), this will provide further information on implants and hazards OR a Form 1 – Application for Cremation of the body of a person that has died.
- A revised Form 14 (replacing the old form 14 and B & C documents).
- A full extract (i.e. including cause of death) of the entry in the Register of Deaths (from the registrar in Scotland, for which there is a fee of £10) OR a Procurator Fiscal Form E(1).
- The registrar for the area where the disposal will take place should be informed. In England & Wales they will issue A Certificate of No Liability to Register a Death in England & Wales.
- The coroner for the area where the cremation will take place should be informed.

### Death Occurs in Scotland – Burial in England, Wales or Northern Ireland

- The death must be registered in Scotland.
- Form 14.
- The registrar for the area where the disposal will take place should be informed. In England & Wales they will issue A Certificate of No Liability to Register a Death in England & Wales.
- The coroner for the area where the burial will take place should be informed.
- An application for burial, provided by the intended cemetery in England, Wales or Northern Ireland, will need to be completed by the applicant.

## **Death Occurs in England or Wales – Cremation in Scotland**

- The death must be registered in England or Wales.
- The Form 4 (The Medical Certificate) and Form 5 (Confirmatory Medical Certificate) to be completed by the doctors in England OR a Form 6 (Certificate of Coroner).
- A Form 103 (Permission to move out of England and Wales Form) is required from the coroner.
- A revised Scottish Form A or Form 1 from England or Wales (Application for Cremation) will need to be completed by the applicant. This will provide further information on implants and hazards.

## **Death Occurs in England or Wales – Burial in Scotland**

- The death must be registered in England or Wales.
- A Form 103 (Permission to move out of England and Wales Form) is required from the coroner.
- An application for burial, provided by the intended cemetery in Scotland, will need to be completed by the applicant.

## **Death Occurs in Northern Ireland – Cremation in Scotland**

- The death must be registered in Northern Ireland.
- Belfast Crematorium Forms B (The Medical Certificate) and C (which verifies the information in Form B) are required, to be completed by the doctors in Northern Ireland OR a Form 20a Coroner's authority for cremation.
- A Form 18, Coroner's Certificate for Removal of a Body out of Northern Ireland is provided by the coroner.
- A Belfast City Council form, providing information on whether any hazardous implant is present and whether it has been removed, must be completed by the Doctor who completes form B or the coroner.
- A revised Scottish Form A (Application for Cremation) will need to be completed by the applicant, this will provide further information on implants and hazards.

## **Death Occurs in Northern Ireland – Burial in Scotland**

- The death must be registered in Northern Ireland.
- A Form 18, Coroner's Certificate for Removal of a Body out of Northern Ireland is provided by the coroner.
- An application for burial, provided by the intended cemetery in Scotland, will need to be completed by the applicant.

## Disposal Requirements

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The Certification of Death Act removes the statutory role of crematoria Medical Referees. However, before agreeing to a cremation, Cremation Authorities and managers still require reassurance regarding the registration of a still-birth, that there are no concerns and that no hazards are present which would affect people handling bodies or equipment.

As a consequence, the current Form 14 will be revised to include information on hazards and implants along with the contact details for the certifying doctor.

Forms 6 (Certificate of Stillbirth) and 8 (Certificate of Registration provided to crematoria and burial authorities) are also being revised. The changes to Forms 6 and 8 will be aligned to those already made to the Form 11 in 2014, and also to Form 14.

For those who die in Scotland a certificate given by a registrar for a registration district under section 21(4) or 27(1) of the 1965 Act or a certificate of authorisation given by a Procurator Fiscal is required.

For those who die in England the equivalent of confirmation of registration or the equivalent Procurator Fiscal/Coroner Certificate is required.

For those who die in Northern Ireland the equivalent of confirmation of registration or the equivalent Procurator Fiscal/Coroner Certificate is required.

For those who die outside the UK, a certificate given under section 17 of the 2011 Act and if the deceased is to be cremated in Scotland, a certificate given by a Medical Reviewer under section 18 of the 2011 Act is required.

For those who will undergo anatomical examination covered by the provisions of the Anatomy (Scotland) Act 1984 as amended by the Human Tissue (Scotland) Act 2006, an authorisation certificate (Form M) given by a person licensed under the Anatomy Act is required in addition to Form 14 and Form A.

For stillborn children born in Scotland, a certificate given by a registrar under section 21(4) of the 1965 Act is required.

For stillborn children born in England and Wales, a certificate equivalent of a certificate given by a registrar under section 21(4) of the 1965 Act is required.

For stillborn children born in Northern Ireland, a certificate equivalent of a certificate given by a registrar under section 21(4) of the 1965 Act is required.

In relation to body parts of a deceased person or stillborn child (any organs or tissue removed during the course of a post-mortem) and in addition to the other required certificates specified here a certificate of authorisation is required.

## Transition

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There is no 'phasing in' of the new system; the switch to the new system will happen as of midnight on 12 May 2015, so any deaths registered on or after the 13<sup>th</sup> May fall under the new legislation. However it is understood that there is a wider change over period in regard to arranging funerals given the period of time between death occurring, registration taking place and the funeral itself. It is essential that crematoria in particular receive all the information necessary for disposal to take place.

### Process

- Any deaths registered before 13 May 2015 Forms B and C will require to be completed even if the funeral takes place after 13 May 2015.
- It is essential that crematoria receive all the necessary information on hazards and implants. This information is contained either within the new Form 14 or within Forms B and C therefore if a new Form 14 is not available (because the death was registered prior to 13 May 2015) Forms B and C must be provided.
- Crematoria medical referees will no longer be a legal requirement on or after 13 May 2015 and therefore will not be required to check Forms B and C or provide a Form F (Authority to Cremate) after this date. As of 13 May 2015 the crematoria manager will be responsible for authorising cremation based on the information provided whether this is the revised Form 14 or old Form 14 accompanied by Forms B and C.

## Questions and answers for the funeral industry

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**Are the categories of who may register along with the information required to register a death changing?**

- No.

**Where can a death be registered?**

- Deaths may be registered at any Registrar's Office in Scotland.

**When does the new system of Form 11/MCCD reviews take effect?**

- The new system takes effect from midnight on Tuesday 12 May 2015. Any death registered before 11.59pm on Tuesday 12 May will be issued with the original Form 14. Any death registered after midnight on Tuesday 12 May will result in the revised Form 14 being issued.

**What advice about potential review should a funeral director give to a family during a first call?**

- Advise the family to obtain the Form 11/MCCD and then register the death as soon as possible and so obtain the Form 14. The funeral director should give the registrar's telephone number to the family, or offer to make an appointment. The funeral director should explain the possibility of a random review (and the reasons behind this). Local information, such as the address of the registrar, parking, travelling, availability of an appointments system, etc, should be given as appropriate. The family should be advised to tell the registrar which funeral director they are using. The registrar may ask for the number of the Form 11/MCCD before making an appointment to register a death.

**Will a family always receive a hard copy of the Form 11/MCCD?**

- Yes, the family will always receive a hard copy of the MCCD and are encouraged to read carefully and ask the doctor any questions they may have about the content.

**When will the Form 11/MCCD be selected for review?**

- It may be randomly selected when it reaches the registrar's office or at the point of certification if the MCCD has been completed electronically.

**Where an MCCD has been selected for review can the Medical Reviewer order a post-mortem examination?**

- No. The review team do not have the authority to order a post-mortem examination. Except for transportation cases; when an application for a post-mortem is received from a relevant person.

### **Will a death be selected for review if the Procurator Fiscal is investigating the death?**

- No. If the death has been reported to the Procurator Fiscal it will not be selected for random review.

### **Is Form 14 changing?**

- Yes. Form 14 issued on or after 13 May 2015 will contain different information to the one issued before that date.

### **Is there any charge for Form 14?**

- No. There is no charge attached to this new certification procedure, except the purchase of a full entry of death certificate from the registrar (currently £10 per certified full extract).

### **If a Form/11 MCCD has been reviewed (either at level 1 or 2), does the informant have to return to the registrar's office to collect Form 14?**

- If an electronic signature pad is available then the family will not be required to return. The funeral director can collect Form 14 from the registrar's or alternatively the registrar may be able to scan and then email the form to the funeral director.

### **Can embalming be carried out once the Form 11/MCCD has been issued?**

- Yes. There is no need to wait for the issue of Form 14 before embalming takes place.

### **Can the family arrange the funeral if the Form 11/MCCD is selected for review?**

- Yes. The family can discuss funeral arrangements in general terms with a funeral director. Aspects such as venue of funeral service and committal, transport, service requirements, coffin, embalming, costs, etc can be discussed. Bearing in mind the potential delays caused by Level 1 & 2 reviews the date and time should only be finalised once these have been taken into account i.e. enough time must be allowed for the review to take place.

### **Can a family arrange a funeral if a review of the Form 11/MCCD has commenced?**

- Yes, a family can plan a funeral and the funeral director can confirm the date and time taking into account what level of review is taking place.

**Can a date for the funeral be booked before the family attend the registrar's office with the Form 11/MCCD?**

- Yes but with caution, allowing sufficient time for any potential review to take place.

**Can a date and time for the funeral that is a sufficiently far ahead to minimize the risk of its postponement be booked?**

- Yes, a degree of common sense must be applied in this case. If a Form 11/MCCD is selected for review then the maximum delay is likely to be one to three working days from the date the informant attended the registrar.

**Will burial grounds and crematoria require Form 14 and/or other documentation in advance of the funeral?**

- Yes. All burial grounds and crematoria must be in receipt of the required documentation prior to the funeral taking place.

**Will a Form 6 (Certificate of Stillbirth) issued in respect of a stillbirth be subject to a review?**

- No. The review process does not include stillbirths, however as the role of Crematoria employed Medical Referees will be abolished a revised version of the Form 6 & Form 8 (Certificate of Registration of Stillbirth) are being introduced from 13 May 2015.

**Will Form A – The Application for Cremation - be changing?**

- Yes. Form A will be redesigned to contain additional questions, including those about pacemakers and other implants. All old forms should be destroyed as they will no longer be accepted by crematoria in Scotland or elsewhere.

**Will the Procurator Fiscal still issue Form E1 in circumstances where a port-mortem has taken place?**

- Yes, they will still issue a Form E1.

**What does 'Contamination' mean on the new Form A?**

Bodies can be contaminated by:

- Air borne communicable diseases such as Pulmonary TB.
- Blood borne diseases such as hepatitis C.
- Exposure and presence of radioactive material.
- Toxin or poison to which others may be exposed.

**It is Friday morning and a Muslim family want to arrange for the burial over the weekend of their family member who has just died. When will Form 14 be available?**

- The family should obtain the Form 11/MCCD and go to any registrar to register the death. If the Form 11/MCCD is selected for review the family can request advance registration. The registrar will be notified of the result of the request for advance registration within two hours. If approved, the registrar will advise the family that the Form 14 can be issued.

**A death occurs in Scotland and the person is to be taken to Newcastle (England) for cremation. What documentation is required by the crematorium?**

**In a non coroner's case:**

- Either a Form A (revised Scottish Application for Cremation) OR a Form 1 (Application for Cremation of the body of a person that has died);
- A Certificate of No Liability to Register the Death in England and Wales;
- A full extract (i.e. including cause of death) of the entry in the Register of Deaths (from the registrar in Scotland, for which there is a fee of £10) OR a Procurator's Fiscal's Form E(1).
- Form 14.

**In a coroner's case:**

- Either a Form A (revised Scottish Application for Cremation) OR a Form 1 (Application for Cremation of the body of a person that has died);
- A coroner's certificate under Regulation 18 in a case where a coroner has directed a post-mortem examination and is satisfied that further investigation is unnecessary, or has opened an investigation into the death.

The Ministry of Justice (responsible for regulating burial and cremation certification in England & Wales) have indicated that all crematoria will accept the above documents. In addition, you should report the death to the coroner of the area in England or Wales where the cremation is to take place in case they wish to take an interest.

**A death occurs in Glasgow and the person is to be buried in London. What documentation is required by the cemetery?**

- Form 14.
- Certificate of No Liability to Register a Death in England & Wales.
- Application for Burial.

**A death occurs in London, it is not referred to the Coroner to investigate, and the person is to be cremated in Edinburgh. What documentation is required by the crematorium?**

- Form 103 (Out of England, from the Coroner in London).
- Form A (revised Scottish Application for Cremation) or a Form 1 (Application for Cremation form used in England and Wales).
- Form 4 – Medical Certificate (Medical Certificate). This confirms whether any hazardous implant is present and whether it has been removed. It is to be issued by a doctor in London.
- Form 5 – (Confirmatory Medical Certificate issued by a doctor in London).

**A death occurs in London, it is referred to the Coroner to investigate (who arranges a post-mortem), and the person is to be cremated in Edinburgh. What documentation is required by the crematorium?**

- Form 103 (Out of England, from Coroner in London).
- Form A (revised Scottish Application for Cremation) or a Form 1 (Application for Cremation form used in England and Wales).
- Form 6 Certificate of Coroner (From Coroner in London).

**A death occurs in Belfast, it is not referred to the Coroner to investigate, and the person is to be cremated in Edinburgh. What documentation is required by the crematorium?**

- Form A (revised Scottish Application for Cremation).
- Belfast Crematorium Forms B (The Medical Certificate) and C (which verifies the information in Form B) are required, to be completed by the doctors in Northern Ireland.
- A Form 18, Coroner's Certificate for Removal of a Body out of Northern Ireland is provided by the coroner.
- A Belfast City Council form, providing information on whether any hazardous implant is present and whether it has been removed, must be completed by the Doctor who completes form B.

**A death occurs in Belfast, it is referred to the Coroner to investigate, and the person is to be cremated in Edinburgh. What documentation is required by the crematorium?**

- Form A (revised Scottish Application for Cremation).
- A Form 18, Coroner's Certificate for Removal of a Body out of Northern Ireland is provided by the coroner.

- A Form 20a Coroner's authority for cremation.
- A Belfast City Council form, providing information on whether any hazardous implant is present and whether it has been removed, must be completed by the coroner.

### **Death in Scotland following by cremation in Belfast**

- The death must be registered in Scotland.
- A new Form 14 (replacing the old form 14) OR a Procurator Fiscal's Form E (1).
- The registrar for the area where the disposal will take place should be informed but no certificate is issued.
- Either a Form A (revised Scottish Application for Cremation) OR a Form a (Northern Ireland Application for Cremation) with a Belfast City Council form, providing information on whether any hazardous implant is present and whether it has been removed.
- The above documents would provide the Belfast Crematorium medical referee in Northern Ireland with the required information in order to make a decision regarding cremation as information on hazards and the certifying doctors' contact details would be available on Form 14.

### **What is the procedure if a person dies in Spain and is brought to Scotland for burial or cremation?**

Consult the leaflet "Deaths Abroad: the role of the Death Certification Review Service" and then apply to the Medical Reviewers for authorisation to bury or cremate supplying the necessary documentation, which is:

- A completed declaration.
- A completed request for disposal after repatriation form.
- A completed application for post-mortem (if required).
- The death certificate (or equivalent) issued by the country where the person died.
- Passport (or equivalent identification).
- For cremations only - Form A (revised Scottish Application for Cremation).
- Any other relevant paperwork.

**When the Medical Reviewer is satisfied that the documentation is in order, they will issue the following for authorisation to bury or cremate:**

- A certificate declaring documentation in order.
- A certificate authorising cremation (if applicable).
- A general information letter.
- This process will normally be concluded within 5 working days.

**The family have contacted the funeral director, but they wish for the person to be bequeathed for medical research will the Form 11/MCCD be reviewed?**

- The death must be registered in the usual manner and the Form 11/MCCD could be subject to review.

**A person bequeathed their body for medical research and it is released after 13 May 2015. What documents will the crematorium in Scotland required to permit the cremation?**

- The Certificate of Authorisation for the disposal of a body following anatomical examination (Form M).
- Form A (revised Scottish Application for Cremation) NB: that due to the time a body can be retained this may be the old Form A.
- Form 14.

NB: All Medical Schools have received training on their responsibilities by the Scottish Government. Cremation authorities should liaise closely with their medical school who will be able to provide full advice on the required paperwork and local process.

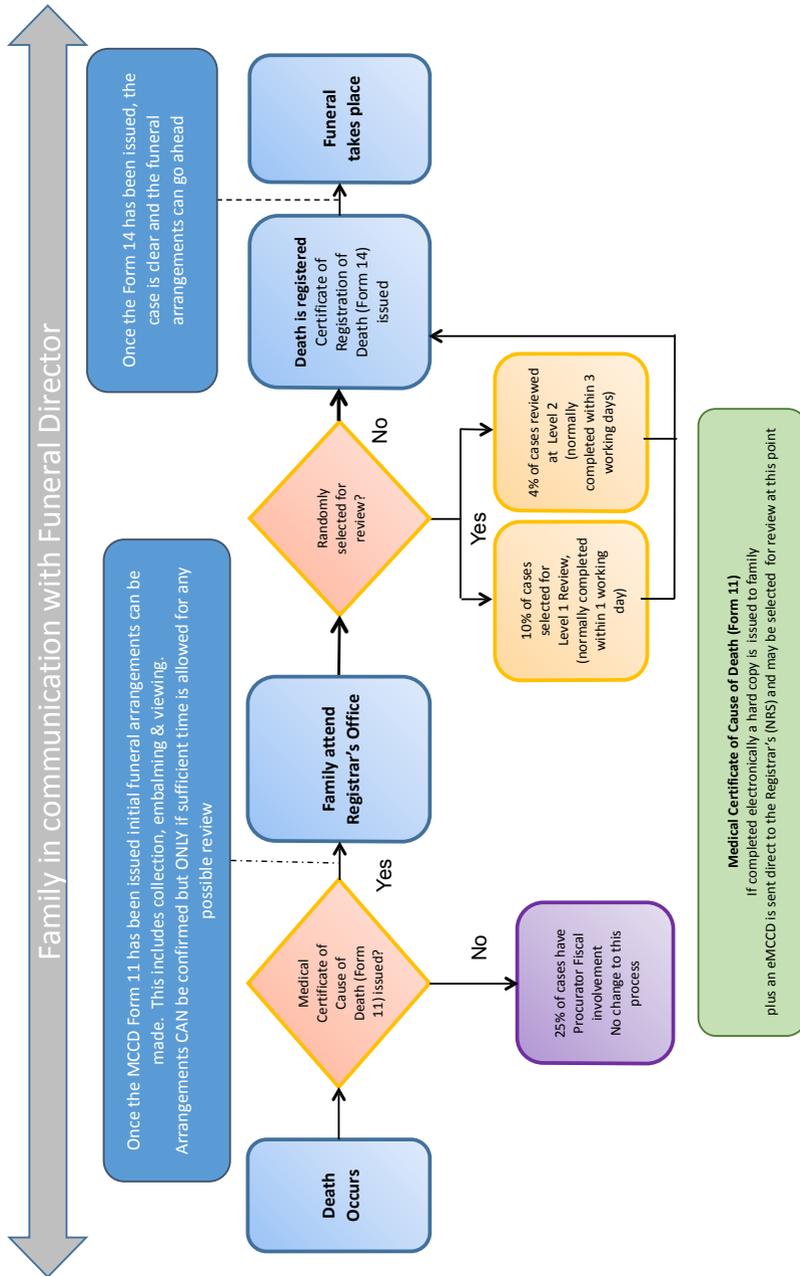
**A person has been cremated after 13 May 2015, but body parts were retained. They have now been released for cremation in Scotland. What documentation is required?**

- Certificate of Authorisation for the disposal of body parts, as permitted by the Certification of Death (Scotland) Act 2011, Section 25 (Form N).
- A communication (letter or email) from the Medical School requesting cremation.

**A person has been buried in a grave in Scotland before or after 13 May 2015 and is now to be exhumed and cremated in Scotland. What documentation is required?**

- Form A (revised Scottish Application for Cremation).
- Copy of the Sheriff's permission to exhume, which may impose conditions.

# Quick Reference Flowchart



## Where can I get further information?

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[www.nafd.org.uk](http://www.nafd.org.uk)



[www.healthcareimprovementscotland.org/deathcertification](http://www.healthcareimprovementscotland.org/deathcertification)



**The Scottish  
Government**  
Riaghaltas na h-Alba

[www.gov.scot/Topics/Health/Policy/BurialsCremation/  
Death-Certificate/Burial-Cremation](http://www.gov.scot/Topics/Health/Policy/BurialsCremation/Death-Certificate/Burial-Cremation)

email: [certificationofdeath@scotland.gsi.gov.uk](mailto:certificationofdeath@scotland.gsi.gov.uk)

This guidance document has been compiled for the NAFD by Brian Parsons - Funeral Service Training (London) and James Blackburn - Scotmid Co-operative Funeral Directors with assistance from The Federation of Burial & Cremation Authorities, The Co-operative Funeralcare, Healthcare Improvement Scotland, The Institute of Cemetery & Crematorium Management, The Scottish Government and Scottish Muslim Funeral Services.