

## **POLICY NOTE**

### **THE REGISTRATION OF BIRTHS, STILL-BIRTHS, DEATHS AND MARRIAGES (PRESCRIPTION OF FORMS) (SCOTLAND) AMENDMENT REGULATIONS 2014**

#### **SSI 2014/141**

The above instrument is made in exercise of the powers conferred by sections 24(1) and 54(1)(b) of the Registration of Births, Deaths, and Marriages (Scotland) Act 1965. It is subject to the negative procedure.

#### **Policy Objectives**

The Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997 (SI 1997/2348, “the principal Regulations”) prescribe various forms for registration purposes. This instrument substitutes a revised Medical Certificate of Cause of Death (Form 11) for the one presently prescribed in the principal Regulations.

The Medical Certificate of Cause of Death (Form 11) was last prescribed in 1998. The Form 11 has been revised so that the deceased person’s Community Health Index (CHI) Number can be recorded as part of the death registration process. The CHI Number will help to distinguish between two patients with the same name and date of birth, provide more accurate demographic information, and improve the management of patient records. The layout of the form has also been improved for ease of completion.

In addition to this, the Form 11 has been revised to assist in the implementation of certain provisions of the Certification of Death (Scotland) Act 2011. The certifying doctor’s General Medical Council reference number has been added to make it easier to identify the certifying doctor. In addition, the Form 11 now requires the certifying doctor to confirm to the best of their knowledge and belief whether there are any public health risks associated with the body of the deceased, and whether the body contains any potentially hazardous devices such as pacemakers or other implants to be removed and disposed of safely before cremation.

This public health information is currently provided on forms prescribed by the Cremation (Scotland) Regulations 1935, by qualified doctors under private arrangements with funeral directors and crematoria, for a fee payable by the next of kin. This information will be provided free of charge under the new arrangements. It is envisaged that the public health information contained on the Form 11 will be transferred onto the Certificate of Registration of Death (Form 14), when that form is re-prescribed to coincide with repeal of the applicable Cremation (Scotland) Regulations 1935, currently projected for April 2015. As a result, during next year the combination of the Forms 11 and 14 will replace the existing forms containing similar information prescribed by the Cremation (Scotland) Regulations 1935 and will continue to facilitate the protection of individuals handling the body, such as funeral directors and burial and cremation staff.

#### **Consultation**

Between September and October 2013, National Records of Scotland (NRS) consulted the following bodies:

Association of the Directors of Public Health; Association of Registrars of Scotland; Chief Executives of NHS Health Boards; Chief Executives of Local Authorities; Citizens Advice Bureaux; Convention of Scottish Local Authorities; Crown Office and Procurator Fiscal Service; Federation of Burial and Cremation Authorities; Medical and Dental Defence Union of Scotland; NHS Board Medical Directors; NHS Board Directors of Public Health; Healthcare Improvement Scotland; National Waiting Times Centre Board; NHS 24; NHS Education for Scotland; NHS Health Scotland; NHS National Services Scotland; Scottish Ambulance Service; The State Hospitals Board for Scotland; NHS Board Liaison Coordinators; Royal College of General Practitioners; Royal College of Nursing Scotland; Royal College of Pathologists; Royal College of Physicians of Edinburgh; Royal College of Physicians and Surgeons Scotland; Scottish Allied and Independent Funeral Directors; The Academy of Medical Royal Colleges and Faculties in Scotland; British Medical Association Scotland; General Medical Council; Medical Defence Union; Scottish Association of Medical Directors; Forensic Pathologists; Private Healthcare (Cover 34 services apart from Edinburgh); and Members of the Death Certification National Advisory Group convened by Scottish Government.

### **Impact Assessments**

The full Business and Regulatory Impact Assessment undertaken on the Certification of Death (Scotland) Act 2011 took account of changes to the Medical Certificate of Cause of Death. No additional impact assessments were prepared by NRS for these regulations.

### **Financial Effects**

The Medical Certificate of Cause of Death (Form 11) is made available to doctors free of charge by National Records of Scotland . The cost of the Form 11 to be available in paper and electronic formats is being met by NRS from within existing resources, with offsetting savings available from reduced printing costs. The Scottish Government has provided funding to support the development across the NHS to complete and transmit to NRS Form 11. No costs fall to any other outside bodies.

### **National Records of Scotland May 2014**