

## ANNEX B

### CONSULTATION RESPONSE TEMPLATE FORM

Please remember to return your response along with the Respondent Information Form at **Annex A**

**Question 1: Do you agree that the “not staying registration” (expedited) procedure should only apply in situations where there is a clear rationale for a funeral to proceed within a specific timescale?**

Please tick as appropriate  Yes  No

Additional Comments:

- If the death certification review system is functioning well and meeting its service level targets (currently envisaged by HIS to be no more than **1** working day for completion of a level 1 review and no more than **2** working days for completion of a level 2 review) the need for expedited reviews should be minimal.
- Informants will need to demonstrate a clear rationale for their funeral proceeding within a specific timescale. To allow the expedited process to be applied consistently across Scotland the medical reviewers (MRs) will require a clear set of criteria/situations that would qualify for expedited review (see also responses to questions 5 & 6).

**Question 2: Do you agree that the role of the registrar is to make informants aware, in response to a request, of the “not staying registration” (expedited) procedure?**

Please tick as appropriate  Yes  No

Additional Comments:

- This will form part of the role of the registrar as they are integral to the process and will need to respond consistently and appropriately to any requests. Ideally the informant should already be aware that there is an expedited procedure as they will have received information verbally from the member of staff that hands over the MCCD to them and/or from the supporting literature accompanying the MCCD (more likely). However, it is appreciated that some informants may present at the registrars office and have no knowledge of the expedited procedure and/or may not even understand what ‘expedited procedure’ means.
- Paragraph 5.2 suggests that the registrar would only discuss the procedure with the informant if they express an interest in applying for it. While they would not ‘recommend or suggest’ the procedure, in terms of consistency, this would need to be carefully managed as it could be perceived as discriminating against those who were not made aware of the expedited procedure at any

point in the process (example outlined above). In our view every informant should be made aware of the option through literature provided at the time of issue of MCCD and at the point of registration.

- A clear set of categories/situations that would qualify for expedited review would again be required here. It is likely that in practice the registrar may be asked to offer a recommendation or opinion on the likelihood of the review being expedited. A clear set of categories/situations would allow the registrar to gauge the category of informant that might qualify and inform the discussions with the informant regarding expedition (see also responses to questions 5 & 6).

**Question 3: Do you agree that there would be value in having a form for informants to complete in circumstances where the “not staying registration” (expedited) procedure is requested?**

Please tick as appropriate  Yes  No

Additional Comments:

- An application form (electronic or otherwise) will be essential to allow the key information to be passed in a consistent and auditable way from the registrar to the MR for the purposes of allowing the MR to come to a decision as to whether the case is eligible to be expedited. This is an additional process which will require modifications, not yet factored in, to the National Records of Scotland (NRS) Forward Electronic Registration (FER) system.
- For informants applying for the expedited procedure, time will usually be the critical factor. With this in mind it will be essential that the form (or the detail contained therein) is completed and transmitted to the MR in a timely way, and at the same time as the other documentation from the registrar required for the review, ie during the booked appointment slot for completion of the registration process. This additional requirement could extend the time period required to complete the registration. Consideration also needs to be given to any barriers to completing the form that the informant might have (for example a learning difficulty, English not their first language, literacy difficulties etc). Supporting them to complete the form could affect the time required and impose an additional burden on the registrar.
- The form should be as concise as possible and again inclusion of a clear set of criteria/situations that would qualify for expedited review is considered essential (see also responses to questions 5 & 6).

**Question 4: Do you agree that these proposed timescales will ensure the system will meet the needs of informants in those circumstances where there is a clear rationale for the funeral to proceed within a specific timescale?**

Please tick as appropriate  Yes  No

Additional Comments:

- As the registrar is obliged to pass on *any* request that they receive there will be two decision points for the MR. The first is to assess whether the application meets the criteria for 'not to stay registration'. If the application is considered inappropriate this will need to be fed back to the informant via the registrar and the timescales for the non-expedited review communicated. If the application is considered appropriate, the second decision point is for the MR to determine, from the information available, whether the registration can go ahead before the review is complete. While a timescale of 'within a few hours and within that same working day' sounds achievable for the majority of cases, there will be some that may prove challenging, for example registrations made late in the afternoon, particularly on Fridays, any weekend registrations and those made on public holidays. Thought will need to be given to how these situations would be managed in practice.
- It is important to note that there may be cases where the MR is unable to adequately satisfy him/herself from the information available and a full review needs to be carried out before disposal can be authorised. A process is required for feeding this back appropriately to the informant. Similarly, any public facing information and materials related to the new process and guidance and training for clinicians, registrars and other relevant parties needs to include reference to the fact that submitting an application for the expedited process does not necessarily guarantee that the request will be accepted.
- Para 5.6 outlines that the MCCD and expedited review form will be scanned and sent to the MR. Not all local registrar offices have scanning functionality at this time. NRS has confirmed this function will not be possible across all registration offices by April 2014.
- Para 5.6 outlines that the registrar would telephone the MR. In the HIS business process, as currently articulated, the data from the MCCD would be input to the National NRS FER system by the registrar and subsequently transferred electronically to the MR (along with a scanned copy, where available, of the MCCD form). The same process could be used for expedited requests whereby the data from the application form would be input to the NRS FER system and transmitted to the MR via the Healthcare Improvement Scotland (HIS) electronic case management system (eCMS). We consider this to be an efficient process that provides a robust audit trail.
- There is no reference in the consultation document to an appeals process for cases where the informant disagrees with the decision of the MR regarding 'not to stay registration'. A process will require to be developed to ensure a consistent approach to such cases and to cover scenarios where the informant further disagrees with the decision with regard to their appeal.

**Question 5: Do you agree that it would be useful to set down in Guidance, and on the proposed form, the sort of categories where it may be appropriate to request that registration is not stayed (expedited procedure)?**

Please tick as appropriate  Yes  No

Additional Comments:

- To allow consistency in the process clearly defined categories, described in guidance, and outlined on the form will be essential. These will need to be effectively communicated to all affected by the new review system.
- To make the form workable and quick and easy to complete the preference would be for a short list of categories with a tick box against each and limited space to include supporting information/rationale for the request. Large volumes of narrative information are not considered appropriate and could introduce delays in the application process.

**Question 6: Do you agree with these categories, and is there anything additional that should be added?**

Please tick as appropriate  Yes  No

Additional Comments:

- The categories described in 6.5 are very broad and could be open to interpretation. It is envisaged that most informants could legitimately make a request for not staying registration particularly under the 'compassionate reasons' category. Medical reviewers will need a clear set of criteria/situations that would qualify for expedited review as they will be making the decision purely on the information contained in the application form.
- Should the MR be expected to take the information on the application form as it stands or will the informant be expected to provide supporting evidence for certain requests eg documentary evidence that the body is being donated to medical research or evidence regarding any administrative or practical reasons?
- It is appreciated that to include specifics, for example naming certain belief groups in a list could be perceived as being discriminatory to other beliefs, however, the operational guidance for the MRs and registrars must include a defined list of criteria/situations to promote consistency of decision making across the team of MRs and across Scotland. We understand that NRS has already developed a draft pragmatic list of criteria/situations.
- Still births are included in the list of compassionate examples. As we understand it, certificates relating to still births are exempt from the new death certification review system.

**Question 7: Do you agree that these approaches are sensible? Is there anything else that should be considered in relation to guidance around the procedure not to stay registration (expedited procedure)?**

Please tick as appropriate  Yes  No (In part, with due consideration of the additional comments made in this feedback)

Additional Comments:

- Automatic expedition of certain categories could be considered:
  - Children under the age of 14.
  - Bodies donated to medical research (would require a new check box to be added to the MCCD form).
- We remain concerned that this will not be straightforward to implement and may in itself introduce delay. It is highly dependent on electronic transfer of information and at present this is not possible. We are also concerned about consistency of application if the criteria remain as open as they currently are.
- We recommend more work on the process before a final decision is reached.