

Diploma in Funeral Directing

Module 2

Unit 3

UK Funeral Service Legislation



Purpose and Aim of the Unit:	The purpose of the unit is to develop learners' understanding of the differences between the three legislative areas of the UK.
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LEARNING OUTCOMES	
This unit has 3 learning outcomes.	
The learner will:	
1 Page 2- 51	Understand the key legislative requirements for Registration of Deaths and Coroner's/Procurator Fiscal procedures in the UK.
2 Page 52 - 81	Understand the key legislative requirements for human Cremation practice and procedures in the UK.
3 Page 82 onwards	Understand the key legislative requirements for human Burial practice and procedures in the UK.



Learning Outcome 1

Understand the key legislative requirements for Registration of Deaths and Coroner's/Procurator Fiscal procedures in the UK

- Understand the function of the Registrar
- Understand the requirements of Registering a Death
- Understand the relevance of the Medical Certificate of Cause of Death
- Understand the Registrar's duty to report a death
- Understand the documentation used by the Registrar



- Understand the function of the Registrar

England & Wales: to register all deaths in England and Wales
within the sub-district of where the death occurred

Scotland: to register all deaths at any Registration office in Scotland

Northern Ireland: to register all deaths at any Registration office in Northern Ireland



& issues appropriate documentation



- Understand the requirements of Registering a Death

England & Wales:

Who can Register a death

?



A. Deaths in Houses and Public Institutions:

- (i) A relative or civil partner of the deceased, present at the death
- (ii) A relative or civil partner of the deceased, in attendance during the last illness
- (iii) A relative or civil partner of the deceased, residing or being in the sub-district where the death occurred
- (iv) A person present at the death
- (v) The occupier * if he/she knew of the happening of the death
- (vi) Any inmate if he/she knew of the happening of the death
- (vii) The person causing the disposal of the body. (e.g. The person responsible for payment of the account) Occupier in relation to a public institution includes the governor, keeper, master, matron, superintendent or other chief resident officer.



B. Deaths not in Houses or Dead Bodies Found:

- (i) Any relative or civil partner of the deceased having knowledge of any of the particulars required to be registered
- (ii) Any person present at the death. Any person who found the body
- (iii) Any person in charge of the body
- (iv) The person causing the disposal of the body.



Who can Register a death in Scotland ?

1. Any relative of the deceased
2. Any person present at the time of death
3. The deceased Executor or other legal representative of the deceased
4. The Occupier*, at the time of death, of the premises where the death took place
5. Any other person having knowledge of the particulars to be registered.

NB. *'Occupier' in relation to a public institution includes the governor, keeper, master, matron, 'superintendent' or other chief resident officer.

If there is no informant as listed above, the death can be registered with the information supplied by the Procurator Fiscal or with the authority of the Registrar General.



Who can Register a death in Northern Ireland ?

Most deaths are registered by a relative of the deceased. The registrar would normally only allow one of the other people listed below to do so if there are no relatives available or they cannot be traced.

- any relative of the deceased who has knowledge of the details required to be registered (this includes a relative by marriage)
- a person present at the death
- a person taking care of the funeral arrangements
- the executor or administrator of the deceased's estate
- the governor, matron or chief officer of a public building where the death occurred
- a person living in and responsible for a house, lodgings or apartments where the death occurred
- a person finding, or a person taking charge, of the body the person employing the Funeral Director



What is the required timescale for attending the Registrar's Office after a death ?

England & Wales: Before the expiration of FIVE DAYS from the date of the death.

This can be extended to fourteen days when a qualified informant has sent written notification of the death to the Registrar along with the Medical Certificate of Cause of Death (MCCD)

Stillbirth has to be Registered within 42 days



Scotland: within 8 days of the death

Northern Ireland: within 5 days of the death

The informant may request, in writing for this to be extended to 14 days. The MCCD must still be forwarded to the Registrar



- Understand the relevance of the Medical Certificate of Cause of Death

The MCCD is issued by a Registered Medical Practitioner who has been in attendance during the last illness

England & Wales: and having seen the deceased within 14 days prior to death

Scotland: and having seen the deceased within 14 days prior to death

Northern Ireland: and having seen the deceased within 28 days prior to death



Registration Documents

	England and Wales	Scotland	Northern Ireland
Registration: <ul style="list-style-type: none"> • MCCD • Register • Certs issued by registrar 	Within 14 days Registrar's Certificate for Burial or Cremation BD8 DWP Certificate of Registration of Notification of Death Certified Copy of an Entry	Form 11 Within 14 days Cert. of Registration (Form 14) Social Security registration form Form BD8 DWP if applicable Form PF when reporting a death to the Procurator Fiscal	Within 28 days G.R.O. 21 Form Certifying Information of Death give to Registrar G.R.O. 3 Copy of the entry in Register Form 36 DWP form Certificate of Registration of Notification of Death



- Understand the Registrar's duty to report a death

There are certain circumstances a death must be reported to a Coroner.



Understand the purpose of the Coroner's Office

What is the correct title of the Coroner?

Her Majesty's Coroner for ?

What are the main duties of the Coroner?

- (i) to investigate all sudden and unexpected deaths,
- (ii) to investigate all deaths that happen abroad where the body is repatriated to the United Kingdom,
- (iii) to give permission to remove bodies out of England and Wales,
- (iv) to act for the Crown in respect of Treasure Trove.



Understand the purpose of the Coroner's Office

It is the Coroner / Procurator Fiscal's duty to investigate a death that occurred in their district which has been reported to them. Also to investigate deaths occurring abroad where the deceased has returned to their district.

The Coroner / Procurator Fiscal will decide if an inquest is to be heard. It is possible in certain circumstances that the inquest may be held in another jurisdiction.



Other things to consider:

Information required by the Registrar

Registration by Declaration (England & Wales)

Tell Us Once (England & Wales)

Identify the three parts of Registrar's Certificate for
Burial or Cremation

Details of the forms issued by the Coroner / Procurator Fiscal



What circumstance of death must be reported to the Coroner ?

Violent or unnatural death

Sudden death of which the cause is unknown

Death which has occurred in prison

Death which has occurred in police custody

Death of a foster child

Death which has occurred in a Psychiatric Unit

A Fatal Accident Enquiry

In Scotland a Fatal Accident Enquiry (FAI) is a public enquiry into the circumstances of the death.

Once the investigation of the death is complete the procurator Fiscal can apply to the Sheriff Court to hold an FAI.

An FAI can also be held where there are issues of public safety or matters of general public concern arising from a death.

An FAI cannot make any findings of fault/blame against individuals.



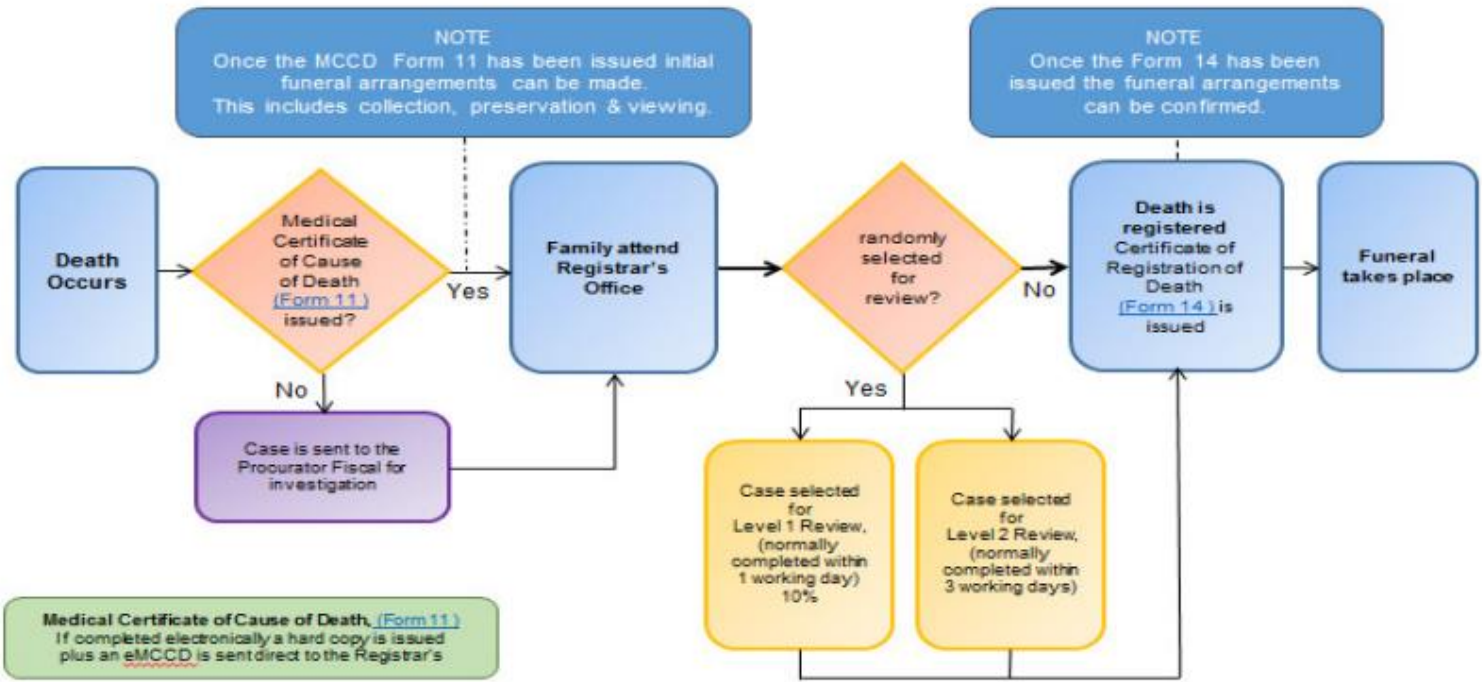
SCOTLAND

Registration of a Death and Procurator Fiscal Procedures and Documentation

- All deaths must be registered prior to burial or cremation taking place
- Doctor certifies the death and issues a Medical Certificate of Cause of Death (MCCD). - Form 11
- Once the MCCD Form 11 has been issued the initial funeral arrangements can be made. This includes collection, preservation and viewing
- A death can be registered in any registration office in Scotland and must be registered within eight days of death
- Once registration is complete Certificate of Registration of Death (Form 14) is produced, this is required prior burial or cremation taking place. This form confirms the death has been registered and the funeral arrangements can now be confirmed.
- PF will issue Form E1, Procurator Fiscal's Certificate for the cremation.



Family in communication with Funeral Director



CREMATION

Statutory and non-statutory documentation
For
England & Wales
Scotland
Northern Ireland



Non-Statutory:

Non-Statutory forms are those required by the crematorium authorities for their own administration purposes.

- Instruction Form
- Ashes Certificate



Statutory:

Statutory are documents required to be completed as defined by an Act of Parliament

In addition there is also:

Secretary of State Order to Cremate

This is issued when exhumed remains are to be cremated and cremation medical certificates are not available



Battery powered and other implants:

- Pacemakers Implantable
- Cardioverter Defibrillators (ICDs)
- Cardiac resynchronization therapy devices (CRTDs)
- Implantable loop recorders
- Ventricular assist devices (VADs): Left ventricular assist devices (LVADs), Right ventricular assist devices (RVADs), or Biventricular assist devices BiVADs)
- Implantable drug pumps including intrathecal pumps
- Neurostimulators (including for pain & Functional Electrical Stimulation)
- Bone growth stimulators
- Hydrocephalus programmable shunts
- Any other battery powered implant
- Fixion nails
- Brachytherapy to the prostate



The Cremation of Body Parts

The format of the documentation for the cremation of body parts is contained in the legislation:

Cremation 2 Application for cremation of body parts

Cremation 8 Certificate releasing of body parts for
cremation

Cremation 12 Authority to cremate body parts

Preliminary Application/Notice of Crematorium



If cremation of body parts takes place at a crematorium different to where the body was cremated:

A Certified Copy of the Entry of Death

Cremation Form 2

Cremation Form 8

Preliminary Application/Notice of Cremation



Know the Options of disposal for cremated remains and for Memorialisation

Administration of Cremated Remains
Procedure

Administration of Cremated Remains
Procedure

Know the guidelines for Baby and Infant Cremation



Burial

Places of burial ?

Churchyards

Cemeteries

Woodland

Faith-based

Private land

At sea

Three Types:

1. Churchyards
2. Cemeteries administered by local authorities
3. Privately owned burial grounds

Different types of churchyard and cemeteries

Churchyards

Parish church

Baptist Church

Methodist Church

Roman Catholic Church

Cemeteries

Local Authority / District Councils

London Borough Councils

The Common Council of the City of London

Parish Councils

Privately owned

Jewish Cemetery

Muslim Cemetery

Green Burial Grounds

Different types of grave

Lawn

Brick

Vault

Mausoleum

Common / Earthen

Lair

What do we need paperwork wise to make a burial happen ?

Interment Notice

Registrar Certificate (Colour) or Coroners order for Burial (Colour) or Non liability to register (Colour)

Still Birth Certificate
(Colour)

(Form 14 in Scotland)

Ownership
Statutory Declaration – Supporting evidence – Affidavit Cost ?

Next session

Tuesday 18th December

Revision Module 3

