

## **Death Certification Programme – National Steering Group**

Note of meeting held on 27 January 2011  
Royal College of Pathologists, London

### **Present:**

**Simon Bennett** – Deputy Chair, Department of Health  
**Paul Ader** – Department of Health  
**Catherine Betley** – Cruse Bereavement Care  
**Chris Brooks**, Secretariat - Department of Health  
**Sally Bye** – Local Government Association  
**Rachel Craine** – BMA Forensic Medical Committee  
**Dr Martin Donnelly** – DHSSPS Northern Ireland  
**Chris Dorries** - Coroners' Society  
**Jane Draper** – DH Legal Services  
**Dr Alan Fletcher** - Sheffield Pilot  
**Mark Green** – Bereavement Service Association  
**Jonathan Guy** – e-Learning for Health  
**Geraldine Hughes** – Local Government Association  
**Christine Hurst** – Coroners' Officers Association  
**Debbie Kerlake** - Cruse Bereavement Care  
**Debbie Large** - Coroners' Officers Association  
**John Lee** – General Register Office  
**Prof. Sebastian Lucas** – Royal College of Pathologists  
**Jo Noble** – Ministry of Justice  
**Peter O'Neill** – The National Society of Allied & Independent Funeral Directors  
**Meena Paterson** – Department of Health  
**Richard Powell** – The Federation of Burial & Cremation Authorities  
**Lucy Vickers** – Office for National Statistics  
**Anne Wadey** – Bereavement Advice Centre  
**Dr Michael Wilks** – BMA Forensic Medicine Committee

### **Apologies:**

**Prof. John Newton**, Chair – NHS South Central  
**Liz Catherall** – Ministry of Justice  
**Prof. Peter Furness** – Royal College of Pathologists  
**Helen Johns** – Ministry of Justice  
**Ramon Kaur** – Ministry of Justice  
**James Lowell** – Association of Anatomical Pathology Technologists  
**Tim Morris** – Institute of Cemetery & Crematorium Management  
**Dr Peter Old** – National Clinical Assessment Service  
**John Pollard** - HM Coroner South Manchester (Coroners' Society)  
**Nigel Lymn Rose** - National Association of Funeral Directors  
**Eleanor Sanders** – Welsh Assembly Government  
**Daisy Shale** – Sheffield Pilot  
**Frauke Sinclair** – Scottish Government  
**Stephen White** – Cremation Society of Great Britain

## **1. Welcome and introductions**

- 1.1 Simon Bennett welcomed everyone to the meeting of the Death Certification Programme – National Steering Group. He passed on apologies from Professor John Newton, the Chairman of the Group who was unable to attend due to a SHA Public Board meeting.

## **2. Minutes of last meeting and matters arising**

- 2.1 Members agreed that the minutes of the last meeting represented a true and accurate record.
- 2.2 Lucy Vickers (Office for National Statistics) updated the Group regarding statistical implications of the reforms. Lucy reported that all pilots had agreed to provide data to ONS so a 3-month comparison could be carried out on data, on the causes of death proposed by doctors before advice from medical examiners and causes of death confirmed after scrutiny. To date, ONS has received data from three pilots. Once ONS has analysed the data and held discussions with the DH programme team, a joint presentation will be given to the Royal Statistical Society's Health Statistics User Group in March.
- 2.3 Simon relayed the message he received from the DH Minister for Public Health (Anne Milton), that this was an important piece of work.
- 2.4 Simon informed the Group that after his meeting with Anne Milton, the decision was reached not to proceed with the proposed letter from the Group to MOJ regarding coroner reform. Instead, Anne Milton wrote to Jonathan Djangoly at the MoJ about his announcement on plans for changes to the coroner system, in England and Wales. In his response, the MOJ minister gave assurances to consult jointly with DH on the draft regulations for the new death certification system, any future guidance and implementation. He said that he was keen to see the delivery of improvements to the process of death certification.

## **3. Programme Manager's update**

### Implementation timetable

- 3.1 Simon informed the Group about the introduction to Parliament of the Health and Social Care Bill on 19 January 2011. The main impact on the programme would be the transfer of responsibility from PCTs to local authorities of the appointment of medical examiners. He noted the Bill had been introduced later than expected which could have a possible impact on the timing of the death certification regulations.
- 3.2 Simon informed the Group of a joint letter from Professor John Newton and Professor Sir Bruce Keogh sent to all Directors of Public Health (DsPH) outlining the reforms of the death certification process just before the

Christmas period. He reported that there had been a positive response with DsPH keen to engage with the Programme.

#### Consultation document

- 3.3 Simon updated the Group on progression of the consultation document. Work was progressing well and on course to be published by April although this could change due to the late introduction of the Health and Social Care Bill. Included within the document will be the draft regulations and the draft quality standards with the latter going before the RCPATH's Medical Examiners Committee for their endorsement.
- 3.4 Simon asked members to identify the top 3 to 5 issues that the new process might create for those they represent, and which members would suggest are addressed in the consultation.

#### **ACTION: Members to inform programme team of possible issues**

#### Issues log (DCNSG\_01)

- 3.5 Simon asked the Group to consider the risks and issues log. He reported that the majority of issues were making good progress. He asked the Group to consider the log and report back to the programme team any items they thought were not covered.

#### **NOTE: Group to note possible issues and inform programme team**

#### **4. MoJ update on the coroner reform programme (DCNSG\_02)**

- 4.1 In the absence of Helen Johns, Jo Noble presented a discussion paper on the coroners reform programme. She asked the Group to consider the paper and the attached draft Statutory Instrument (SI) on Section 18 Regulations and asked for their views.
- 4.2 The Group had a number of concerns about the SI. Chris Dorries raised the point that he had spent a long time discussing with MOJ lawyers what should go into the SI, but that these were not reflected in the current draft.
- 4.3 A discussion regarding 'unnatural' deaths ensued. The Group were unsure of what this meant and agreed it was too vague. Criticism was made of how the regulations avoided using the word 'unnatural' whilst trying to list every possible 'unnatural' cause of death. It was agreed that this was a potential 'can of worms' where every death could end up being reported.
- 4.4 Simon Bennett stressed that regulation 3 was very important to the programme and was disappointed it was not more cohesive. He informed members that this needed to be more primed so the regulation could be included in the forthcoming consultation document.

- 4.5 It was agreed that in its current form, the SI would result in negative consultation responses. The Group agreed that guidance is a critical part of the process and will need to be resolved as quickly as possible.
- 4.6 On a more positive note, Simon reported that Helen Johns had begun work with Paul Ader on scrutinising the forms. Simon thanked Jo for standing in for Helen and Jo asked members to contact her or the MOJ team with comments or any feedback regarding the draft regulations.

**ACTION: Members to respond to the questions in Helen Johns' paper (DNNSG\_02) on regulations about deaths to be reported to the coroner. (Joanne.Noble@justice.gsi.gov.uk)**

## **5. Medical examiner e-Learning resource demonstration**

- 5.1 Jonathan Guy (e-Learning for Healthcare) gave a demonstration of the e-Learning Medical Examiner module. He explained that the 90 learning sessions available will provide much of the essential training required by newly recruited medical examiners.
- 5.2 Of the 90 sessions, 76 are complete. Each session lasts between 20 and 30 minutes and is either knowledge or scenario based. At the end of each session, the user is given an assessment although this is not recorded. The database keeps a record of who has used it and can create certificates for users who have completed sessions.
- 5.3 Jonathan explained the system was self-learning and became easier the more the user utilized it. He summarised by confirming the project was in a healthy state and nearing completion. He concluded by expressing his thanks to Alan Fletcher, George Fernie, Chris Dorries and many other authors who had given their time and expertise in developing the sessions and the project as a whole.
- 5.4 Simon thanked Jonathan for the demo. He informed the Group that medical examiners will be expected to undertake some e-Learning sessions prior to applying for a post, but will not be expected to complete the whole 90 sessions due to the amount of time, it takes. A pathway combining a compromise of the 90 sessions was the best way to use the resource sitting along side the face-to-face element of the training. Simon also confirmed that the project has now been handed over to the Royal College of Pathologist and it was now their remit to renew the contract.
- 5.5 Simon encouraged members of the Steering Group to inform the programme team if they wish to access the medical examiner e-Learning module.

## **6. Communications – getting the message out there (DCNSG\_03)**

- 6.1 Meena Paterson addressed members regarding the programme's communication plan. She stressed that a robust communications plan was key for the successful implementation of the programme and that input from steering group members would be key in achieving this.

- 6.2 Meena asked members to let the programme team know of any events or conferences where the team could provide the [Death Certification Overview booklet](#), provide communication contacts from the organisations they represented and to let the programme team know of any external publications or bulletins where the team, working in tandem with stakeholders could draft a paragraph for inclusion.
- 6.3 Meena stated a systematic approach was required where a wide audience needed to be reached. The programme's plan needed to stretch wider than just electronic forms. Simon informed the Group that the plan would be re-visited numerous times throughout the coming months.

#### **ACTIONS:**

- i. **Provide feedback on the Programme's communications plan – including an outline plan of any specific communications and engagement activities that members intend to deliver to their stakeholders**
  - ii. **Provide details of any external publications members know about that might need to be updated or revised to reflect new process.**
7. **Update on death certification pilots, including clinical governance arrangements (DCNSG\_04 & DCNSG\_05)**

#### Pilots

- 7.1 Members noted that the pilots were progressing well. Paul Ader highlighted that one of the aims of the Programme is to use data from the pilots, in particular, covering the winter period for the simulation modelling. Pilots had reported an increase in the number of deaths during the period; despite heavy snow particularly in Powys, the medical examiner services had not been affected. Paul hoped to present some outputs from the simulation modelling at the next meeting. **ACTION: Paul Ader**

#### Clinical Governance

- 7.2 A key development of the pilots is clinical governance and the interaction between medical examiners and existing local clinical governance procedures. Paul introduced paper DCNSG\_05. He explained the paper was constructed using feedback from the pilots, asking key questions regarding the role of medical examiners and their relationship with their local team(s) responsible for clinical governance, patient safety, risk management, informatics and public health surveillance. The pilots expressed differing views regarding this relationship.
- 7.3 Each pilot had taken a slightly different approach including using DATIX forms to record any concerns and subsequently carry out local analysis of clusters of concerns. Mid-Essex intend to set up a "Medical Examiners Panel" with support from the Director of Nursing and Director of Legal Services, which

would report to the Trust Board on clinical governance matters that affect existing procedures and facilities.

- 7.4 Simon Bennett said that the Programme team would keep clinical governance in the medical examiner service under review. He envisaged that working relationships between medical examiner services and local governance teams would evolve as medical examiner services matured.

## **8. Update on death certification from Devolved Administrations**

### Department of Health, Social Services and Public Safety (DHSSPS)

- 8.1 Dr Martin Donnelly gave a brief oral update on death certification in Northern Ireland. He informed the Group that the consultation exercise is currently running (17 December 2010 to 11 March 2011) and a number of responses have been received which are currently favouring the Interim Model (Option 1) at this stage.

**Please follow the link for details of the consultation exercise - [Consultation on Review of Death Certification Processes in Northern Ireland](#)**

### Scottish Government

- 8.2 On 24 November, 1 December and 15 December the Health & Sport Committee scrutinised the Certification of Death (Scotland) Bill. At the 15 December evidence session the Minister for Public Health & Sport, Ms Shona Robison MSP, outlined new proposals (additional scrutiny) for the Committee's consideration (see Col 3869 of the [Official Report](#)).

The next step for the Bill is the Stage 1 report from the Health & Sport Committee, which is expected at the end of January 2011.

To keep up to date with developments or view the Bill's documents, visit <http://www.scotland.gov.uk/Topics/Health/bills/certificationofdeath>.

### Welsh Assembly Government

- 8.3 In the absence of Eleanor Sanders, Simon reported that Eleanor was working through the issues of implementation and differences between England and Wales and would report to the Group at the next meeting.

## **9. Any other business**

- 9.1 None.

## **10. Date of next meeting**

The next meeting will take place on 17 May 2011, venue to be confirmed. This has been moved from April to allow members to consider the consultation document.