**Statutory Requirements Guide**

 [**Obtain a Medical Certificate of Cause of Death (MCCD)**](https://muslimburialcouncil.org/statutory-requirements/#521e9b5bb7bc9b216)

* The GP or Hospital Physician who was treating the deceased prior to their death needs to confirm the cause of death
* The GP or The Hospital Bereavement Services Dept will issue the correctly filled out MCCD
* The Medical Certificate shows the cause of death (this is free of charge and will be in a (sealed) envelope addressed to the Registrar of Births, Deaths and Marriages)
	+ It is important this certificate is properly and fully completed (clear cause of death, when last seen the deceased, General Medical Council number), otherwise it will cause delay in getting the death registered.

**Death Certification by Doctors:**

A licensed qualified Medical Practitioner should not sign a Medical Certificate as to the cause of Death (MCCD) in respect of a Death from wholly natural causes unless he or she:

* Has attended (this means not just seen but treated and/or assessed) the patient in and for the patient’s last illness **and**
* Has seen the body within 28 days before the death or has seen the body after death **and**
* Is satisfied as to the cause of death **and**
* Is satisfied that the death is wholly from natural causes **and**
* Is satisfied that the death is not otherwise reportable to the Coroner.

In all other cases/situations the death must be reported to the coroner, (see Coroner – reportable deaths section).

***Please note: Without the Medical Certificate the Death (MCCD), the death cannot be registered and the funeral cannot take place***

**Died at Home**

Expected and Natural Death:

* If a loved one dies during the day immediately contact the deceased persons GP (surgery) and inform them of the death. The GP may wish to attend to see the deceased body or may call you into the surgery.
* If a loved one dies during the night and if the deceased person’s GP is available (on call) try and contact them otherwise you can wait until the morning when the surgery opens before contacting them. If you are unsure, then you should call the NHS helpline (111) and they should be able to advise you on what to do next.

Unexpected and Sudden Death:

* If you witness someone die suddenly, you should immediately call the doctor (GP) or 999. The doctor or paramedics may attempt resuscitation or confirm the death. Depending on the circumstances of the death the Police may be called by the GP or paramedics. In some cases where the GP is not in attendance/reachable or deemed suspicious circumstances then the body may be taken to the (coroner’s) mortuary.
* If the cause of death is clear and natural, the GP will be able to certify the cause of death and he/she will give you MCCD. However, if the GP is unsure of the cause, not treated/assessed the patient during a recent illness, the death is sudden and unnatural then they will have to refer the death to the coroner and will NOT be able to issue a MCCD straightaway.

**Died at Hospital**

If the death occurs in hospital, the hospital staff will contact the person named by the deceased as next of kin. If close family or friends are in hospital, it is important that you make sure that hospital staff are aware of and have recorded details of the next of kin in case of emergency.

Expected Death

**For All Non-Reportable Deaths (no need to report to the Coroner):**

* Any Physician who has looked after the patient (prior to their death) can determine the cause of death. Once they are satisfied to the cause of death is in line with their illness and is natural, they can sign off on the cause of death. In some cases there may be a delay if the doctor is doing rounds or in clinic.
* If the death has occurred during office hours; the Nurse in charge of the Ward/Department should inform the Bereavement Services Department of the death and what needs to be done. The Bereavement Services Team will endeavour to expedite the process by liaise with the family (or representative) so the deceased body can be released from the Hospital Mortuary.
* If the death has occurred at night or weekends; the Clinical Site Manager is in overall charge and with the Nurse in Charge of the Ward/Department they should go through and complete the Checklist and Early Release of Body Forms. In some cases there may be a delay if the doctor who has looked after the patient (prior to their death) is not on duty.

You may need to clarify the Hospital (early) release policy, as some hospitals require the death be registered before the hospital will release the body.

**Hospitals Duty Care of the (Muslims) Deceased and Family:**

* At death the body should preferably not be touched by non-Muslims, therefore healthcare staff should wear disposable gloves and if possible consult with members of the family before carrying out any procedure.
* Staff should do all they can to prevent delays as this further adds to the distress. If a delay is unavoidable staff should ensure the reason/s are properly communicated and understood by the relatives.
* In cases where there is no Coroner involvement the body should be prepared according to the wishes of the family. Disposable gloves should be worn.
* All catheters, venflons and other equipment should be removed. If necessary apply bandages to any areas where blood or other bodily fluids won’t stop leaking.
* The body should not be washed but simply labelled and covered with a plain white sheet.

The hospital will keep the body in the hospital mortuary until the next of kin arranges for it to be taken away. Hospital staff will also arrange for the next of kin to collect the deceased’s possessions.

In some circumstances you may be asked permission to carry out a post-mortem where deaths are non-Reportable Deaths (no need to report to the Coroner). This may be for research or other such purposes. As this is not a legal requirement, you do **NOT** have to agree to this. Please consult a religious Scholar in terms of permissibility with the tenants of Islam. Our understanding is that Islam does not permit post-mortems if they are not required by the law.

Unexpected Death

* If a person dies from reasons other than what they were admitted or treated for and/or the cause of death is not clear and natural, then the doctor will not be able to sign off on the cause of death.
* Where the doctor can determine the cause of death and is not within the ‘reportable to the coroner list’ then they should be able to sign off and the MCCD should be issued. Under all other circumstances the hospital will have to refer the matter to the coroner and they will NOT be able to issue a MCCD straightaway.

In such circumstances the Hospital Bereavement Team need to expedite the process as efficiently as possible, so that the funeral may not be unduly delayed.

The family (next of kin) should be informed of the death, if not already present. In cases where there is no family available, the Hospital Muslim Chaplin should be contacted for advice.

The family can contact SJFS Funeral Representatives who will be able to advise and assist in dealing with the process, including the Coroner’s Office.

**Died on the way to the Hospital**

* In cases where the person has been confirmed to have died in transit (ambulance, other) en-route to the hospital, the hospital will then liaise with the GP to see if the cause of death can be determined without the need of referring the matter to the coroner. If this is the case then the GP will issue the MCCD and the hospital will release the body.
* If the cause of death cannot be determined or was not due to any recent illness then the matter has to be referred to the coroner.
* The death will have to be registered in the district where the death occurred during transit.

**When a Death is reported to the Coroner**

* In cases where the GP or Hospital has referred the death to the coroner, the coroner’s office will review the details sent to them. Upon reviewing the case, they may decide that the cause of death is clear and natural and as such will instruct the GP or the hospital (doctor) to issue the MCCD and the coroner will notify the Registrar.
* However, if the coroner is not satisfied as to the cause of death then a post-mortem will be ordered to determine the cause of death. The coroner’s office will keep the family informed during their investigation. When a conclusion has been reached, they will issue a form (‘Pink Form – form 100B’) direct to the registrar stating the cause of death. Following which the death can be registered following the normal process. The family can request a Non invasive post-mortem (CT or MRI Scan).
* Following the post-mortem the coroner may still not know the cause of death and under certain circumstances may need to hold an inquest.

**Mortuary**

**Hospital Mortuary:**

* When a person dies in the hospital they will normally move the body to the hospital mortuary and it will be kept there until all the paperwork is all sorted out and the family makes arrangements for the body to be collected.

**Coroner’s Mortuary:**

* When a person dies at home or elsewhere (accident, suspicious, etc) and the body needs to be examined by coroner then it will be moved to the local coroner’s mortuary. Once all the necessary checks have been carried out and required paperwork is completed the family will be instructed to make arrangements for the body to be collected.
* The hospital/coroner’s mortuary will ONLY release the body to a family member or authorised persons (funeral directors) and they must have the correct paperwork.

**Register The Death**

* You are legally required to register the death within 5 days of the death occurring (including weekends).
* Registrations are required to be done in the District or Borough where the death occurred.
* The Registrar is normally based in the Town Hall. Appointments are required to be made during office hours, however most Register Offices will have policy to expedite this process on religious grounds.
* Who can register a Death (known as ‘the informant’)?
	+ A close relative of the deceased
	+ A relative of the deceased who was present at the death
	+ A relative present during the person’s last illness
	+ A relative living in the district where the death took place
	+ Someone who was present at the death
	+ An owner or occupier of the building where the death took place and who was aware of the death
	+ The person making the arrangements with the funeral director
* What information will be required about the deceased?
	+ The date and place of death
	+ The full name and any other names they are or have been known by, including the maiden surname of a woman who has been married
	+ The date and place of birth (town, if born in the UK or foreign country)
	+ Occupation of the deceased (last occupation, if retired)
	+ Their usual (last) home address including postcode
	+ Full names, occupation (last occupation, if retired), date of birth of a surviving spouse, whether the deceased was married or widowed
	+ Details of any state sector benefits/pension
	+ Prescription/Hospital letter (NHS Number)
* What Documents you must provide about the deceased?
	+ Medical Certificate of the Cause of Death, signed by a doctor (unless the Coroner is issuing the paperwork)
	***Note: The registration cannot be completed without the Medical Certificate of the Cause of Death (MCCD) or, if applicable the Coroners paperwork.***
* What documents will you receive from the registrar?
	+ You will be issued a Certificate for Burial (Green Form), without which a burial cannot take place
	Certificate of Registration of Death (Death Certificate) will be issued; additional copies can be bought at the time (additional fees apply)
* Out of Hours
	+ During public holidays or Sundays, (via Funeral Directors/Representatives) to make urgent burial arrangements; the Certificate of Disposal (Burial) can be obtained from the Registrar.

**Arrange the Funeral & Burial**

* Arrange for the transportation of the deceased body (hospital, home, elsewhere).
* Once the Burial Certificate (Green Form) has been issued the burial will need to be booked at the cemetery of your choosing (via the MBC representatives or other authorized representatives).
* When arranging the burial slot, it is important to factor enough time to complete all the religious rites in preparation of the deceased body for burial.
* You will need to complete the Burial (Internment) Form and make arrangements for the payment for the burial fees (cemetery charges).
* Once all the religious rites have been completed the deceased needs to be taken to the cemetery for burial.
* Upon arrival the completed paperwork will need to be given to the Cemetery Registrar (Local Authority) to be checked and ensure everything is in accordance to the statutory requirements prior to them issuing permission for the burial to commence.
* Ensure you arrive at the cemetery in good time and in accordance to the time slot given. Delays may result in the cancellation of the burial and/or additional charges being applied.
* Please adhere to all the rules & regulations of the cemetery and be mindful of the local residents, other users and the surrounding area.

**Notification of the Death**

* All Government bodies/agencies will be required to be informed about the death of the deceased.
* The ‘Tell Us Once’ is a service is offered by most local authorities on behalf of the Department for Work and Pensions (DWP). This can be done during the Death Registration process.
* You may need to put a hold on bank accounts, stopping or redirecting the mail, social media accounts etc.
* Financial support for the costs of the burial and funeral is available from the Government.

**Discharging of the Decease’s Estate**

* You will need to check if the deceased left a ‘Last Will & Testament’, which requires properly executing.
* The appointed Executor or Administrator of the Will is required to discharge the estate in accordance to the Will.
* You may also be required to apply for a probate before anything else can be done.
* You may need to enlist the support and advice of specialists in these areas.