

ECONOMIC PROSPERITY SCRUTINY COMMITTEE

8 NOVEMBER 2016

CEMETERY REGULATIONS AND THE INTRODUCTION OF A MEDICAL EXAMINER SERVICE – MONITORING OF POLICY REVIEW RECOMMENDATIONS

REPORT OF THE HEAD OF AREA ARRANGEMENTS, SCRUTINY AND MEMBER SUPPORT AND CHIEF OPERATING OFFICER PLACE

1. Purpose of the Report

- 1.1 To set out the progress being made on the implementation of scrutiny recommendations contained in a previous policy review into the Council's Cemetery Regulations and the Introduction of a Medical Examiners Service.
- 1.2 To update the Committee on the latest position with regard to the introduction of a Medical Examiner Service in England and Wales.

2. Background

- 2.1 During 2014/15, the Council's City Services Scrutiny Panel undertook a review into the Council's Cemetery Regulations and the Introduction of a Medical Examiners Service. The aim of the review was to examine maintenance and upkeep issues at the city's cemeteries and consider the implications of any revisions to the Cemetery Regulations. The review also took the opportunity to consider the implications for the Council of the proposed establishment of a Medical Examiner service in the city. The report and its recommendations were approved by Cabinet on 24 June 2015.
- 2.2 It is the responsibility of the Scrutiny Committee to monitor progress with regard to the implementation of recommendations contained in previous policy reviews. This report therefore comes before the Committee to consider the progress that has been made to date and consider recent developments on the proposed introduction of a Medical Examiners Service in the city.

3. Current Position

- 3.1 A table setting out the recommendations of the review, together with the progress made to date in implementing the recommendations is set out in appendix.
- 3.2 In summary, the report of the Panel considered the overall upkeep of the Council's cemeteries to be good and that they were being well maintained. However, the report also found that the cemetery regulations which govern the upkeep of cemeteries had not been reviewed since the 1990's. While overall they were fit for purpose it was felt that they needed some amendment to deal with a number of issues affecting cemetery maintenance.
- 3.3 One of the most notable of these was the recent growth in the number of unauthorised kerb sets. These kerb sets often adversely affect the appearance of

our cemeteries, make maintenance more challenging and are of concern to the families of neighbouring graves who may find their own access hindered by them. The Panel considered that it would be beneficial for all future kerb sets to be required to adhere to a clear policy set out in our cemetery requirements.

- 3.4 The report stressed that any revision of our cemetery regulations should be handled sensitively given the emotive nature of the service provided and should follow a process of consultation. The Committee also considered that any review of the cemetery regulations should take account of the specific needs of faith communities and reflect the value of friends groups for future improvements to our cemeteries.
- 3.5 As part of the review, members also considered the implications for the Council of the establishment of a Medical Examiner service. The introduction of an independent Medical Examiner service was a key proposal of the Coroners and Justice Act 2009 and was designed to strengthen safeguards for the public through the independent scrutiny of all deaths which occur in England and Wales. The Act provides for a Medical Examiner service to be delivered by the Local Authority, and the reforms proposed will for the first time introduce a unified system of scrutiny by Medical Examiner of all deaths not investigated by the Coroner. The Medical Examiner service also presents an opportunity to enhance the quality of key public health information and intelligence through the improved accuracy of death certification. In addition, in the Medical Examiner families will have an independent officer to whom concerns and issues can be reported and discussed and where appropriate investigated. Close working between the Senior Coroner and Medical Examiner is imperative.
- 3.6 In conclusion, Members were impressed with the level of preparation and planning being undertaken by the Council for the introduction of the Medical Examiner service and the degree of joint working taking place with the Coroner and other partners. However, toward the end of the review, the Panel was informed that there had been a delay in any further Government announcement regarding the introduction of the service. It was therefore suggested that the situation be monitored.
- 3.7 In March 2016, the Government issued a consultation paper on policy and draft regulations for the Medical Examiner and the reform to Death Certification in England and Wales. The paper entitled "Introduction of Medical Examiners and reforms to death certification in England & Wales" sets out the Government's view on how the Medical Examiner system will work in practice together with its legal framework. Sunderland City Council responded to the consultation in June 2016.
- 3.8 Karen Lounton (Bereavement and Registration Services Manager) will be in attendance to outline the progress being made on the implementation of the scrutiny recommendations relating to the Council's Cemetery Regulations and the current position with regard to the proposed introduction of a Medical Examiners Service.

4. Recommendations

- 4.1 It is recommended that the Scrutiny Committee consider the progress made to date.

5. Glossary

None

6. Background Papers

6.1 Scrutiny Committee papers 2014/15

Contact Officer: Jim Diamond Scrutiny Officer
0191 561 1396
James.diamond@sunderland.gov.uk