

EQIA Submission – ID Number

Section A

EQIA Title

Renewal of contracts with the NHS for the provision of mortuary facilities and staff to carry out post mortems on behalf of the Kent and Medway Coroner Service

Responsible Officer

Rebecca Rhodes - GT GC

Type of Activity

Service Change

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

Commissioning/Procurement

Strategy/Policy

No

Details of other Service Activity

No

Accountability and Responsibility

Directorate

Growth Environment and Transport

Responsible Service

Coroner Service

Responsible Head of Service

Debbie Large - GT GC

Responsible Director

Stephanie Holt-Castle - GT GC

Aims and Objectives

Context

Kent County Council (KCC) is responsible for supporting the Senior Coroners for Kent and Medway to provide the coroner service to Kent and Medway residents.

The Coroner has a duty to investigate a death where there are reasons to suspect that:

- The deceased died a violent or unnatural death;
- The cause of death is unknown;
- The deceased died while in custody or otherwise in state detention.

When a death is reported to the Coroner, he or she

- Establishes whether an investigation is required;
- If yes, investigates to establish the identity of the person who has died; how when and where they died and any information to register the death; and
- Uses information discovered during the investigation to assist in the prevention of other deaths where possible.

In some cases the Coroner will require a post mortem examination by a suitably qualified medical

practitioner such as a Pathologist to find out the cause of death. This involves an invasive procedure to open and examining the body and in some cases body fluid and tissue samples will be taken for analysis. A new technique is becoming available in some part of the country (nearest Oxford and Birmingham) whereby the deceased has a non invasive post mortem procedure, a CT scan which in some cases but not all can establish the cause of death. This procedure is favoured by some religious groups (Jewish and Muslim) and in such cases the Coroner is able to consider requests from next of kin ((NOK)/personal representative)) for a CT of the deceased. If the Coroner agrees to a CT scan, and it is not conclusive, the Coroner will order an invasive post mortem. By law the Coroner is not required to obtain consent to the post mortem examination from the NOK. The NOK cannot attend a post mortem but the coroner is legally required to tell the NOK where and when the post mortem will take place and the NOK may ask to be represented at the post mortem by a doctor of their choice. A Coroners Officer acting on behalf of the Coroner will explain this to the NOK and the reasons why the post mortem is necessary, and what happens after the post mortem. The NOK will also be sent a copy of the Guide to Coroner Services which is published by the Ministry of Justice. This gives an overview of coroners and investigations and the standards of service that can be expected.

The Coroner has physical control of the body (as evidence) from the time he/she has been informed of the death, until the time the all the necessary enquiries have been concluded, at which point the body can be released to the family. The Coroner's control of the body is absolute (jurisdiction) and supercedes any claim on the body by the family, or for example any other organisations such as the police.

The NOK or a representative of their choice may be asked to formally identify the body and sometimes this will take place at the mortuary. This is usually done through a glass window rather than being in the same room. Viewings by the NOK are at the discretion of Coroner but are not normally allowed as the expectation is that viewings take place at the funeral directors premises after the coroner has released the body.

On behalf of the Kent Senior Coroners, KCC is responsible for putting contracts in place for the provision of mortuary facilities, body storage and specialist staff to carry out post mortems to help establish the cause of death. The contracts for Post-Mortem Facilities for the Mid Kent & Medway, North West Kent, and East Kent coroner areas are due for renewal in October 2022.

Aims and Objectives

- Ensure statutory compliance by KCC and the Kent Senior Coroners
- Ensure best value in the use of public funds through a formal procurement process

Outcome

No major change - no potential for discrimination and all opportunities to promote equality are currently being taken in line with KCC policies and statutory requirement. Should any issues arise they will be dealt with in accordance with KCC policies and statutory requirements.

The Equalities Impact Assessment (EqIA) completed in 2019 for this service was reviewed in 2021 when contract extensions were awarded. Nothing has changed since then, and no issues have been identified by the service.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

No

It is possible to get the data in a timely and cost effective way?

Yes

Is there national evidence/data that you can use?

Yes
Have you consulted with stakeholders?
Yes
Who have you involved, consulted and engaged with?
Coroner Service staff Growth, Economic Development and Communities Cabinet Committee NHS Trusts (service providers)
Has there been a previous Equality Analysis (EQIA) in the last 3 years?
Yes
Do you have evidence that can help you understand the potential impact of your activity?
Yes
Section C – Impact
Who may be impacted by the activity?
Service Users/clients Service users/clients
Staff No
Residents/Communities/Citizens No
Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?
Yes
Details of Positive Impacts
Race - If the Next of Kin attending an identification cannot speak English, this will already be known by the Coroner. There may be a family member or representative who can translate, if not the Coroners Officer can arrange for a translator to be present. Religion and belief - The Coroner is able to consider a request for a non invasive post mortem on religious and belief grounds but is under no obligation to agree to it.
Negative impacts and Mitigating Actions
19.Negative Impacts and Mitigating actions for Age
Are there negative impacts for age?
Yes
Details of negative impacts for Age
For the elderly and children, where it is deemed necessary and appropriate for them to attend a mortuary, they may need to be accompanied at an identification or viewing.
Mitigating Actions for Age
Next of Kin (NOK) are not allowed to attend a post mortem. There is no age restriction as regards attending an identification or a viewing although in the latter case, the presumption is for this to take place at the funeral director's premises. For the elderly and children, where it is deemed necessary and appropriate for them to attend, it is for the NOK, not the Coroner to arrange for them to be accompanied at an identification or viewing.
Responsible Officer for Mitigating Actions – Age
Debbie Large
20. Negative impacts and Mitigating actions for Disability
Are there negative impacts for Disability?
Yes
Details of Negative Impacts for Disability
There is a low risk of potential access restrictions to the mortuary.
Mitigating actions for Disability
The Coroners Officer will explain the access arrangements to the Next of Kin (NOK), and mortuary staff will

always be on hand to assist if necessary. If for any reason there are any access restrictions these will be explained by the Coroners Officer.
Responsible Officer for Disability
Debbie Large
21. Negative Impacts and Mitigating actions for Sex
Are there negative impacts for Sex
No
Details of negative impacts for Sex
Not Applicable
Mitigating actions for Sex
Not Applicable
Responsible Officer for Sex
Not Applicable
22. Negative Impacts and Mitigating actions for Gender identity/transgender
Are there negative impacts for Gender identity/transgender
No
Negative impacts for Gender identity/transgender
Not Applicable
Mitigating actions for Gender identity/transgender
Not Applicable
Responsible Officer for mitigating actions for Gender identity/transgender
Not Applicable
23. Negative impacts and Mitigating actions for Race
Are there negative impacts for Race
No
Negative impacts for Race
Not Applicable
Mitigating actions for Race
Not Applicable
Responsible Officer for mitigating actions for Race
Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief
Are there negative impacts for Religion and belief
Yes
Negative impacts for Religion and belief
1. If the Coroner agrees to a non invasive post mortem and it is not conclusive the Coroner is likely to order a full or partial invasive post mortem. 2. For some faiths it is custom and practice to bury the deceased within 24-48 hours although in cases where the death is referred to the Coroner, this is not always possible as the need for the Coroner to complete his/her enquiries takes precedence.
Mitigating actions for Religion and belief
1. There is no appeal mechanism against a Coroners judicial decision to order an invasive post mortem other than by way of a Judicial Review through the courts. 2. The Coroner will though make every effort to release the body as soon as possible after the post mortem examination.
Responsible Officer for mitigating actions for Religion and Belief
Debbie Large
25. Negative impacts and Mitigating actions for Sexual Orientation
Are there negative impacts for Sexual Orientation
No
Negative impacts for Sexual Orientation

Not Applicable
Mitigating actions for Sexual Orientation
Not Applicable
Responsible Officer for mitigating actions for Sexual Orientation
Not Applicable
26. Negative impacts and Mitigating actions for Pregnancy and Maternity
Are there negative impacts for Pregnancy and Maternity
Yes
Negative impacts for Pregnancy and Maternity
If the Next of Kin (NOK) attending an identification or viewing has young children that need caring for whilst the identification or viewing is in progress it is for the NOK to put these arrangements in place with other family members or friends.
Mitigating actions for Pregnancy and Maternity
The Coroner is able to consider a request to meet any reasonable costs for putting alternative care arrangements in place, but only for an identification. If the NOK in discussion with the Coroners Officer raises the need for care dependency, the Coroners Officer will seek authority from the Coroner to reimburse reasonable care costs.
Responsible Officer for mitigating actions for Pregnancy and Maternity
Debbie Large
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships
Are there negative impacts for Marriage and Civil Partnerships
No
Negative impacts for Marriage and Civil Partnerships
Not Applicable
Mitigating actions for Marriage and Civil Partnerships
Not Applicable
Responsible Officer for Marriage and Civil Partnerships
Not Applicable
28. Negative impacts and Mitigating actions for Carer's responsibilities
Are there negative impacts for Carer's responsibilities
Yes
Negative impacts for Carer's responsibilities
If the Next of Kin (NOK) attending an identification or a viewing is a carer, it is for the NOK to put alternative care arrangements in place during his/her absence.
Mitigating actions for Carer's responsibilities
The Coroner is able to consider a request to meet any reasonable costs for putting alternative care arrangements in place, but only for an identification. If the NOK in discussion with the Coroners Officer raises the need for care dependency, the Coroners Officer will seek authority from the Coroner to reimburse reasonable care costs.
Responsible Officer for Carer's responsibilities
Debbie Large