

Encryption of Cremation Form 4 using Egress

Guidance for General Practitioners

1. Background

- 1.1 Since the start of the Covid19 pandemic and the changes introduced by the Coronavirus Act 2020 it has become normal practice to complete an electronic version of Cremation Form 4 and email it to the Funeral Director.
- 1.2 Legal requirement for Cremation Form 4 to be completed by a Registered Medical Practitioner, and therefore cannot be delegated to a non-doctor to complete.
- 1.3 The completed form must be signed, which can be by using an electronic signature, by attaching a scanned signature, or by printing out and signing with ink.
- 1.4 Concerns have been raised as some practices have been sending the completed form unencrypted via an unsecure email link, and that some Funeral Directors have refused to accept encrypted emails. In both of these scenarios there is a risk that a breach of data protection regulations may occur.
- 1.5 LLR LMC has worked in conjunction with the Senior Coroners, Funeral Directors, Medical Registrars, and CCGs to develop this guidance.

2. Information Governance

- 2.1 The core information contained in the form relates to a deceased person. Although this means that the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (DPA2018) do not apply there are still requirements to comply with the Common Law Duty of Confidentiality (CLDoC).
- 2.2 The replies to Questions 14 and 15 of the form may frequently include personal information about living data subjects, and this data is subject to GDPR/DPA2018.

3. Solution

- 3.1 It has been agreed that general practices will send completed Cremation Form 4s using NHSmail (nhs.net) in an encrypted format to funeral directors.
- 3.2 Encryption is applied to an NHSmail email using the embedded Egress system by adding “[Secure]” to the subject line:



The screenshot shows an email composition interface. The 'To...' field contains 'funeral.director@anywhere.net'. The 'Subject' field contains 'Crem Form 4 [Secure]', with the word '[Secure]' circled in red. Below the subject line, the text 'Dear Sir/Madam' is visible.

- 3.3 If a funeral director refuses to accept an encrypted email, then we expect them to arrange to collect a copy from the GP surgery.