

Consultation on Code of Practice F: Donation of solid organs and tissue for transplantation (Part Two – Deceased organ and tissue donation)

Summary

This consultation seeks views on the revised [Code of Practice F: Donation of solid organs and tissue for transplantation](#). This Code of Practice has been revised to reflect amendments to the Human Tissue Act 2004 (HT Act) as a result of the Organ Donation (Deemed Consent) Act 2019, due to come into force in 2020. The new law will only apply in England.

This consultation will be open from **Thursday 4 July – Thursday 26 September (5pm) 2019**.

About this consultation

The Human Tissue Authority (HTA) publishes seven Codes of Practice to provide guidance on activities within the scope of the HTA's remit.

Code of Practice F provides practical guidance on consent for healthcare professionals working in organ and tissue donation and transplantation. This Code has been revised to include guidance on the new law which introduces a system of 'deemed consent' in England.

The current version of this Code of Practice provides guidance on both living and deceased donation. To accommodate the guidance on 'deemed consent', the revised Code has been split into two sections, which will be published as separate documents. This consultation is on part two only.

Part one: living organ donation

This provides guidance on legal requirements to clinicians working in living organ donation and transplantation and HTA Independent Assessors.

Deemed consent does not apply to living donation, so this guidance remains the same and does not form part of the consultation.

Part two: deceased organ and tissue donation

This provides guidance to Specialist Nurses in Organ Donation (SNODs), Tissue Donor Coordinators, and other professionals who seek consent for deceased organ and tissue donation.

This Code continues to provide practical guidance on 'appropriate consent' as defined by the Human Tissue Act 2004 (as amended) in both England and Northern Ireland. The guidance has been updated to include more information on considerations around faith and beliefs, and on the role of the family in different donation situations.

For practitioners in England, it also provides guidance on the circumstances in which consent can be deemed or where that may not be appropriate.

In revising the Code, the HTA has engaged with representatives from faith and cultural organisations, as well as professionals working in this area of healthcare.

Scope of consultation

This consultation seeks feedback on the HTA Code of Practice only, not on the Organ Donation (Deemed Consent) Act 2019 itself.

This Code of Practice aims to help practitioners ensure valid consent is in place, providing practical advice on what is necessary to comply with the law. While the Code is written for practitioners, we are happy to receive feedback from members of the public with an interest in this area. The HTA publishes a separate public guide to the Code which will also be updated before the changes to the law come into force.

* 1. Are you responding as a professional/on behalf of an organisation, or as a member of the public?

- I am responding as an individual member of the public
- I am responding as an individual in a professional capacity
- I am responding on behalf of an organisation

* 2. Please indicate whether you agree to your submission, or part of it, being published anonymously.

- I give permission for my submission, or part of it, to be published anonymously
- I do not give permission for my submission, or part of it, to be published anonymously

3. If you agree to be contacted further regarding your feedback, please provide your contact details below

Name

Organisation

Role

Email Address

Phone Number

The following questions require you to have read the [draft version of Code F: donation of solid organs part two](#) .

* 4. Is the Code of Practice clear?

- Yes
 No

5. If no, which part(s) are difficult to understand?

* 6. Are the examples in the Code of Practice helpful to practitioners?

- Yes
 No
 Don't know

7. If no, please tell us why.

* 8. Does the Code of Practice make clear in which situations consent may be deemed?

- Yes
 No
 Don't know.

9. If no, please tell us why.

* 10. *Role of the Family (paragraphs 48-54)*

Is the role of the family clear within the Code of Practice?

- Yes
- No
- Don't know

11. If no, please tell us why.

* 12. *Faith and cultural considerations (paragraphs 55-64)*

Are considerations around faith and culture captured appropriately within the Code of Practice?

- Yes
- No
- Don't know

13. If no, please tell us why.

* 14. *Ordinarily resident (paragraphs 129-137)*

Does the Code of Practice make clear how practitioners will decide whether a person is ordinarily resident in England?

- Yes
- No
- Don't know

15. If no, please tell us why.

* 16. *Information that a person would not have wanted to be donor (paragraphs 148-157)*

Where deemed consent is a possibility, does the Code of Practice provide sufficient clarity about who can provide information that a person would not have wanted to be a donor?

- Yes
- No
- Don't know

17. If no, please tell us why.

* 18. Are the steps that the Specialist Nurses for Organ Donation /Specialist Requesters would need to take to assess the information clear?

- Yes
- No
- Don't know

19. If no, please tell us why.

20. Is there any information that should be included in the Code of Practice that is currently missing?

21. Is there anything you else to which you would like to specifically draw our attention?

The HTA will publish an analysis of the responses received once the consultation has closed, including a list of all organisations who responded.

If you have any questions about this consultation, you can contact our team at code@hta.gov.uk.

More information on what we do with your personal information is in our [privacy notice](#).