Wrightington, Wigan and Leigh Teaching Hospitals
NHS Foundation Trust

Giving Consent for Post Mortem Examinations

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Giving Consent for Post-Mortem Examinations

Patient Information

Bereavement Services

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Introduction

This information has been put together as a result of investigations made by the Human Tissue Authority (HTA). Events that occurred during the Alder Hey & Bristol organ retention enquiries led to a change in legislation of the 1961 Act, replacing it with the 2004 Act, which outlines the changes regarding the removal and retention of any organs and tissues.

This leaflet helps to give you an explanation of why your consent is required before a post-mortem examination can be undertaken.

The Post Mortem and Bereavement Services have a dedicated and experienced team who are trained to undertake consent, following the codes of practice for consent and the guidelines of the 2004 Act, issued by the Human Tissue Authority.

The Team is also assisted by other trained technical staff in undertaking two types of post-mortems – Coroners and Hospital (voluntary consented post-mortems). The differences between these will be explained to you. There is also a team of staff within the Maternity Department, who have been trained to take consent for post-mortems. This team will only deal with taking consent for hospital post-mortems requested through Maternity, and no others.

We understand that this is a difficult time to consider such an issue. We hope this leaflet will help you understand the purpose of ‘informed consent’, by giving you an understanding of what a post-mortem entails, what the benefits and risks will be, and its potential value to yourself and others.

What is consent?

Consent is now a legal requirement and needed before the undertaking of any procedure both in life and death. It can be given for anything from a blood test to organ donation. In the case of a patient’s death, consent is required to undertake a hospital post-mortem (voluntary). However, if the death has been referred to the coroner, consent is not required. The coroner’s role is to investigate why the person has died and establish a cause of death; therefore, a post-mortem must be conducted by law. The coroner may ask for any tissue to be retained until a full investigation has been completed.

To give consent, it must be your own decision.

How it works

The seeking and giving of consent should not be a one-off event. It should be a continual process of communication between you, the clinician requesting the post-mortem examination, and the Consent Team.

When should consent for post-mortem be sought?

If there is no involvement from the coroner, then the doctor treating the deceased will issue a Medical Certificate of Cause of Death (or a Perinatal / Stillbirth Certificate), and then approach the family to request a hospital post-mortem. This is the same procedure for both adults and children, and usually occurs soon after the death.

How is consent sought?

In some cases, consent is given before death. This will be written consent by the patient in life and is enough evidence for undertaking a post-mortem. A copy of this consent should be provided. A child who is competent to reach a decision and give consent is no different from that of an adult. The consultant or most senior clinician may approach you to discuss the option of a post-mortem. For adults, either a nominated representative, or someone in a qualifying relationship should give this permission of their own free will. (The term ‘qualifying relationship’ is explained below).

Who qualifies to give consent?

The patient themselves before death, the deceased’s appointed representative or a person in a qualifying relationship, which is in order of ranking:

- Spouse or partner (including civil or same sex partner).
- Parent or child (in this context, a child who is competent to reach a decision).
- Brother or Sister.
- Grandparent or Grandchild.
- Niece or Nephew.
- Step-Father / Mother.
- Half-Brother / Sister.
- Friend of long standing.

The qualifying person, such as spouse or partner, may be too upset or unable to deal with this. In such cases, the next person in the order of ranking would become the appropriate

person to give consent.

You should be encouraged to discuss the issues with other members of the family before making your final decision.

Please note for anyone who has Power of Attorney, this will cease when the patient dies.

What happens next?

There will be no further discussion if the request is rejected.

Adult Deaths

If the request is accepted, then the Mortuary Consent Team will be contacted. The Team will arrange for you to be provided with the necessary information to read. Arrangements will be made for you to meet with the Mortuary Consent Team and the Clinician; this will give you the chance to raise any concerns you may have, prior to completing the consent form.

This can take place either in the Bereavement relatives' room or Mortuary; if the consent is taken in the Mortuary, you will be offered the opportunity to view your relative if you wish to.

Baby or Child Death

In the event of a post-mortem on a baby or child (including stillbirths and foetuses), ideally, we would ask both parents to consent, but this is not always possible. Consent will be given by the mother in most cases, and in exceptional circumstances, the father can be approached.

You will be given information to read by the Maternity Consent Team, which provides you with an explanation of the post-mortem and tissue retention processes. The Team will be on hand to answer any questions you wish to raise, and if after reading the information, you decide to give your consent, then the Maternity Team will undertake the consent process with you and your partner, if present.

In either of the above cases, you will be given a signed copy of the original consent form.

What happens if I change my mind?

The Consent Team will advise you that you have the right to change your mind and withdraw your consent. The consent can be withdrawn up to 24 hours after making the

informed consent, or the next working day if consent was taken on a Friday.

If at any point before the agreed time you decide to withdraw consent, then contact the Post-Mortem and Bereavement Services on either 01942 822000 or 01942 822524. Your original consent form will be amended, and a copy will be given to you.

Comments, complaints, and suggestions

We are determined to provide the best possible service to bereaved relatives for the taking of consent for a post-mortem. We welcome all comments on the service we provide, whether good or bad, to improve the service we provide. If you have any comments on the service you have experienced, you can make your comments to the person in charge of the department, or you can write to or telephone:

Designated Individual for H.T.A

Mortuary Manager, The Mortuary, Royal Albert Edward Infirmary, Wigan Lane, Wigan, WN1 2NN,

Tel: 01942 244000 Ext. 3565



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