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Dear colleagues,

We are writing to update you on the impact that the COVID-19 pandemic has had on organ donation and transplantation across the UK.

As you know from previous communications, it is rare for people to be able to donate their organs when they die - only around 1 in 100 people die in such circumstances. Those who do choose to donate, save and improve the lives of people waiting for an organ transplant.

The COVID-19 pandemic has impacted the UK’s organ donation and transplantation services in two ways.

First, it’s even less likely that someone will be able to donate their organs when they die, as donation will not be considered for someone suspected to have, or dying with, the infection. Where donation *is* a possibility, our specialist nurses continue to sensitively approach families and to answer any questions the family may have. For example, around how beliefs or culture would be respected if the family supports organ donation going ahead.

Second, we have seen a significant reduction in the number of organ transplants taking place. It is always important to balance the risks versus benefits when considering whether to accept an organ for a waiting patient. The risk is increased at the moment as post-transplant, patients are more vulnerable to infection and many will require intensive care. Therefore, over recent weeks, transplants have only been progressing for those with an urgent need for a life-saving transplant.

Without doubt, the COVID-19 pandemic has been a challenging time for patients waiting for transplants. We are working closely with the wider NHS to ensure that we have robust plans in place to return these vital NHS services to normal as soon as it is safe to do so.

As you know, the law around organ donation is changing in England. The Government remains committed to saving as many lives as possible through the gift of organ donation and to ensuring that the legislative process is successfully completed and comes into effect on 20th May.

In February, the Government laid secondary legislation relating to Max and Keira’s Law - the Organ Donation (Deemed Consent) Act. Before the Act can come into effect, Parliament needs to approve the final piece of legislation to clarify the organs and tissues that will be excluded from deemed consent (eg face or limb donation) and the Code of Practice our specialist nurses will be following. We are awaiting an update from the Department of Health and Social Care around when the secondary legislation is going before Parliament.

The Government has advised that it is unlikely that transplants will proceed under deemed consent during the current COVID-19 pandemic because people are distanced and communication between relevant parties is more challenging. Therefore, while we continue to deal with COVID-19 within the NHS, where possible and supported by the local donor hospital, we will continue to approach families about donation and will do so with our usual empathy and sensitivity. Where there isn’t a recorded or known decision, we will support families to make a decision on behalf of their loved one.

People always have a choice about whether or not to donate and can record their decision at any time – before or after the opt out system comes into effect. Where donation is a possibility, families are always consulted to ensure we know what the person who has died wanted to happen.

Where someone follows a faith or belief system, we understand that donating organs in line with these can be important to them. That’s why our specialist nurses explore whether this is relevant when discussing the possibility of donation, to ensure that if donation does go ahead it only does so if in line with these beliefs. If a family has any concerns, our specialist nurses will support them to address these and agree the best approach.

We would like to reassure you that we will continue to educate and inform people about the law change and this will not change after 20th May. Our awareness campaign was launched over a year ago in April 2019. We reduced our campaign activity over the last few weeks, as it was vital that people heard the coronavirus campaign messages and follow the social distancing guidance to protect the NHS and help save lives. However, we are committed to ensuring that people are aware of the law change and that organ donation is always an individual’s choice.

We are planning the next phase of the campaign, which will go live later this year. It is difficult for us to be more specific on plans and timings at this stage, as we need to carefully consider the impact of COVID-19 on media consumption and awareness levels around the law change and organ donation.

We hope you will continue to support organ donation and help to communicate this important new law change over the coming weeks. By doing so, you will help ensure that people understand that they still have a choice about whether or not they want to donate their organs. We know many people have lots of questions about the organ donation process. Please continue to share our facts, assets and resources, which you can download from <https://www.nhsbt.nhs.uk/how-you-can-help/get-involved/download-digital-materials/pass-it-on/> as well as any content you create to help ensure people have the information they need to make the decision that’s right for them. Please refer people to organdonation.nhs.uk to record their decision.

As always, we remain firmly committed to working with you to ensure that people get the information they need to help them in their decision making. Our specialist nurses will continue to approach families with respect and sensitivity about organ donation to ensure that people’s donation decisions are honoured.

Kindest Regards



Professor John Forsythe

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Dr Dale Gardiner

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