

Human Tissue Authority – Living organ donor leaflet

The role of the Human Tissue Authority in living organ donation

The Human Tissue Act 2004 (HT Act) provides a legal framework for organ donation in England, Wales and Northern Ireland. In Scotland the framework is provided by the Human Tissue (Scotland) Act 2006.

The Human Tissue Authority (HTA) provides advice and guidance about the HT Act. We regulate the donation of organs from living people in the UK by making the decision on whether each case can go ahead, based on criteria set by Parliament.

We recommend that you read this leaflet alongside the other information provided by your transplant unit. This will help to inform you about what is involved for both the living donor and the organ recipient.

The Independent Assessment process

The HTA interviews will take place after the donor has been deemed medically and clinically suitable to donate by their medical practitioner.

The Living Donor Coordinator (LDC) will organise the interview at a time that is suitable to the donor, recipient and the IA. The LDC will also organise a translator or any other special requirements if they are needed.

After the interview the IA has 10 working days to submit a report of the interview to the HTA. The HTA has to make a decision on all cases that are referred to it by the transplant unit. Some cases can be assessed by a member of HTA staff, while other cases are assessed by a panel of three Board members.

The HTA aims to assess all non-panel cases within five working days and all panel cases within ten working days of being referred. The timeline starts from the point at which the HTA has all the information it needs to assess the case.

Once the decision is made on each case the LDC and the medical practitioner with responsibility for the donor will be informed. The LDC communicates the decision to the donor and recipient on the HTA's behalf.

The Independent Assessor interview

All donors and organ recipients are required to see an Independent Assessor (IA) who is trained and accredited by the HTA.

The IA interviews the donor and recipient both separately and together on our behalf and is independent of the healthcare teams who are involved with the medical parts of the process.

The purpose of the interviews is to ensure that donors are not forced to do something against their wishes, to ensure that no reward has been sought or offered and to ensure that the donor has the capacity to make an informed decision.

Depending on complexity, most interviews range in time from 30 minutes to one hour. Donors and recipients will be asked to bring along proof of their identity and proof of their relationship, such as passports, birth certificates and photographs spanning the duration of the relationship.

It is a criminal offence to carry out a transplant operation between two living people if the conditions of the HT Act are not met, meaning valid consent must have been given. There must be HTA approval in place prior to proceeding with transplantation. It is also an offence to be involved in the buying or selling of human organs. The penalty for these offences is a prison sentence of up to three years, a fine, or both. All donors are asked to provide the IA with a signed declaration form to confirm confirming there is no reward associated with the organ donation and transplantation.