**Policy 25: Do Not Resuscitate Policy**

**Last updated by:** SH, RS

**Links to policies:**

<table>
<thead>
<tr>
<th>Version</th>
<th>Changes</th>
<th>Policy Date</th>
<th>Next Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>Jan 16</td>
<td>Jan 2018</td>
</tr>
</tbody>
</table>


What to do in the event of a service users death whilst under the care of Age UK York.

1. Introduction

1. It is sadly the case that service users die. Such a death may occur while a service user is making use of an AUKY service;

2. A death may occur in the presence of an Age UK York (AUKY) worker, for example at a Day Club or while being transported to or from a service provision;

3. On other occasions, an AUKY worker may be first on the scene after a death has occurred;

4. This policy sets out guidance for action by the worker on such occasions;

5. AUKY Trustees emphasise their understanding that such situations can be very distressing for workers. Responsibility will always rest with the Trustees for the care of workers on such occasions. Workers may be offered, and should always seek, emotional support following such events.

2. Legislation

1. AUKY works within the relevant legislation including the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and acknowledges the Human Tissue Act 2004 (England, Wales and Northern Ireland), the requirements of the Care Quality Commission and guidance issued by the Resuscitation Council UK;

2. The Trustees have devolved day to day responsibility for the implementation and procedures required for services of AUKY onto the Chief Officer (CO). However, final responsibility rests with the Board of Trustees.

3. Definitions and abbreviations

    'appropriate adult' The person best able to take charge of the overall situation where a service user has died.

    'carer' The service user's own carer, not the AUKY worker providing or intending to provide the AUKY service.

    'competent adult' The person or persons with medical training or knowledge best able to deal with the actual service user.

    CPR Cardiopulmonary resuscitation. The so-called 'heart massage'.

    CQC Care Quality Commission. The body registering and regulating service providers under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

    DNR Do Not Resuscitate. This is an instruction signed by the service user or the person holding their Power of Attorney
4. The service user's folder

1. When AUKY agrees to provide a service to any individual, a discussion takes place as to the nature of the service and any requirements on the part of that individual or anyone else having responsibility for them;

2. We will always endeavour to ascertain if there exists a DNR order or a living will on behalf of the service user, and if this information is available to us it will be included in our information folders where appropriate.

3. In the case of some of our more formal services e.g. In Safe Hands; Bridge the Gap; Home from Hospital or Day Clubs, a folder is created. This contains the following information:
   - The service user's own name, address and phone contact, next of kin and their contact details;
   - If any medication is involved in our arrangements with the service user, and its administration details;
   - Any Power of Attorney or Guardianship agreement and those contact details;
   - Any living will and its requirements such as DNR;
   - Whether an organ donor card is in existence and signed;

4. All forms will be correctly signed and dated;

5. For historical reasons, the CO is executor for a very few service users. This fact must also be noted in the folder. In such cases, a conflict of interest may arise. In any such instance, where a line manager needs advice, the Deputy CO will take on the role of the CO;

6. One copy of the folder is kept at the AUKY main office under confidential conditions. The original of the folder is kept at the service user's own home but may, at the discretion of the service manager, accompany the service user on outings or to day clubs. The content of the folder may also have to be compiled very carefully, bearing in mind the mental capacity of the service user.

5. Duties of service managers

1. Service managers will take particular notice of the relevant sections of the guidance following the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, as provided by the Care Quality Commission. The specific sections are set out at the end of this Policy;

2. Service managers will bring to the particular attention of the relevant workers the existence of Powers of Attorney, organ donor cards and Do Not Resuscitate forms;

3. Service managers will put in place arrangements to ensure that information in service user's folders remain current and appropriate.
6. Duties of workers in the event of a service user death

1. The various services provided by AUKY have their own policies setting out duties and responsibilities of workers;

2. This policy, the Do Not Resuscitate policy, is relevant to all AUKY services and should be read alongside the specific service policy and appear within the overall organisational Health and Safety Policy.

3. The Trustees recognise that individual AUKY workers, both staff and volunteers, have experience, understanding and may have training so that workers are likely to deal with a service user death situation in different ways;

4. There is no requirement that workers should undertake training beyond what their particular service provision requires. Workers will not be criticised for any action they take, if they are doing the best they can in the event of a service user death and, following use of the 999 emergency service, report to their line manager as soon as practicable, unless they do nothing at all.

7. What to do in the event of a service user death

a) Where the worker is alone with the service user

1. If a worker enters the home of a service user, when no other competent adult is present, and the service user appears to be dead, even if the worker is confident from the situation that the service user actually is dead, the worker must dial 999, explain the situation and be guided by the 999 operator. If the existence of a DNR form or organ donor card is recorded in the service user's folder, this information must be given to the 999 operator;

2. Subsequently, the worker must contact her/his line manager for instructions.

b) Where the worker is in the company of other competent adults

1. The worker will already be aware of the most appropriate adult on site to take charge of the situation. This might be the service user's carer, a qualified medical worker or the person currently in charge of the service provision, for example;

2. In the event of the death, the worker will inform the appropriate adult (since the service user might be in a side room, or apparently simply sitting down, for example);

3. The worker will then carry out any tasks that the appropriate adult might request, for example, reassuring other service users or making phone calls;

4. At a convenient moment, the worker must contact her/his line manager to inform of the situation and request instructions.

c) Where the worker is the only competent adult but there are others present

4 Policy 26 Do Not Resuscitate V1
1. It is possible that other individuals, such as children, are also present with the service user;

2. The worker's first duty is still to dial 999 and explain the situation but also to ensure that the presence of others needing support is clearly explained to the 999 operator;

3. The worker must also contact her/his line manager as soon as possible and can expect immediate physical support;

4. The worker will also be doing what is possible to support the other individuals present.

8. Ethical considerations

1. Some workers will have thought about, or have experience of, questions of organ harvesting and Do Not Resuscitate decisions;

2. Workers will have been made aware by their service manager of the existence of DNR forms and organ donor cards;

3. In appropriate cases, organ donation, or organ harvesting, can be valuable for other people. Workers may feel they should attempt to preserve life or carry out CPR with such considerations in mind. However, unless they already have specific medical training, all the worker's actions must be guided by the 999 operator;

4. Only the service user's family has the authority to carry out the wishes outlined in the DNR form or on the organ donor card. Such a form or card must be shown to medical workers as soon as they arrive on the scene.

Appendix to Policy .....Do Not Resuscitate Policy

Extracts from the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

Regulation 9

9.—

1. The care and treatment of service users must—
   a. be appropriate,
   b. meet their needs, and
   c. reflect their preferences.
2. But paragraph (1) does not apply to the extent that the provision of care or treatment would result in a breach of regulation 11.
3. Without limiting paragraph (1), the things which a registered person must do to comply with that paragraph include—
   a. carrying out, collaboratively with the relevant person, an assessment of the needs and preferences for care and treatment of the service user;
   b. designing care or treatment with a view to achieving service users' preferences and ensuring their needs are met;
c. enabling and supporting relevant persons to understand the care or treatment choices available to the service user and to discuss, with a competent health care professional or other competent person, the balance of risks and benefits involved in any particular course of treatment;

d. enabling and supporting relevant persons to make, or participate in making, decisions relating to the service user's care or treatment to the maximum extent possible;

e. providing opportunities for relevant persons to manage the service user's care or treatment;

f. involving relevant persons in decisions relating to the way in which the regulated activity is carried on in so far as it relates to the service user's care or treatment;

g. providing relevant persons with the information they would reasonably need for the purposes of sub-paragraphs (c) to (f);

h. making reasonable adjustments to enable the service user to receive their care or treatment;

i. where meeting a service user's nutritional and hydration needs, having regard to the service user's well-being.

4. Paragraphs (1) and (3) apply subject to paragraphs (5) and (6).

5. If the service user is 16 or over and lacks capacity in relation to a matter to which this regulation applies, paragraphs (1) to (3) are subject to any duty on the registered person under the 2005 Act in relation to that matter.

6. But if Part 4 or 4A of the 1983 Act applies to a service user, care and treatment must be provided in accordance with the provisions of that Act.

Regulation 11

11.—

1. Care and treatment of service users must only be provided with the consent of the relevant person.

2. Paragraph (1) is subject to paragraphs (3) and (4).

3. If the service user is 16 or over and is unable to give such consent because they lack capacity to do so, the registered person must act in accordance with the 2005 Act*.

4. But if Part 4 or 4A of the 1983 Act** applies to a service user, the registered person must act in accordance with the provisions of that Act.

5. Nothing in this regulation affects the operation of section 5 of the 2005 Act*, as read with section 6 of that Act (acts in connection with care or treatment).

* Mental Capacity Act 2005

** Mental Health Act 1983