STANDARD OPERATING PROCEDURE
RECORDING NEXT OF KIN

Document Reference	SOP21-023
Version Number	1.1
Author/Lead **Job Title**	Colette Conway Assistant Director of Nursing, Patient Safety and Compliance
Instigated by: **Date Instigated:**	Hilary Gledhill, Executive Director of Nursing September 2021
Date Last Reviewed:	September 2022
Date of Next Review:	September 2025
Consultation:	Patient Safety team Legal services team Clinical systems team Divisional Governance Leads
Ratified and Quality Checked by: **Date Ratified:**	CRMG 8 September 2022

VALIDITY – All local SOPS should be accessed via the Trust intranet

CHANGE RECORD

Version	Date	Change details
1	*Oct-21*	*New SOP written*
1.1	*Sept-22*	*Reviewed - No changes. Approved at CRMG 08/09/22.*

Contents

1. INTRODUCTION

This Standard Operating Policy provides clear guidance to staff regarding the collection and recording of information on next of kin involvement.

2. SCOPE

All clinical staff are responsible for registering and checking that the patient's next of kin details are both recorded and up to date. For inpatients the next of kin details should be confirmed on every admission. For community and general practitioner patients next of kin details should be confirmed at least annually.

3. DUTIES AND RESPONSIBILITIES

The clinical director, divisional clinical leads and divisional mangers will ensure dissemination of standard operating procedures.

4. PRINCIPLES

- Next of kin/carer(s), should be engaged appropriately, whilst gathering information to inform the assessment process, and should be given an opportunity to express and/or discuss any concerns they may have.
- Next of kin/carer(s) should be involved in the decision-making process and care planning for their family members.
- Where a patient is accompanied by a relative or carer, a collateral history should be obtained.
- Parents/carers have a right to respect and should be consulted with and involved in matters concerning their families.
- Carers and users may have specific communication and information needs e.g. interpreting and translation.

5. WHO IS THE NEXT OF KIN?

The simple answer is anyone the patient chooses. Ideally the next kin would be a person who is readily contactable, and whom the patient is confident will act in a sensible way. The difficulty is that since the 'next of kin' has no legal status, being undefined in English law, there is no legal guidance. In particular, there is no distinction between blood relatives, family, friends and acquaintances.

6. POWERS OF THE NEXT OF KIN

Since the role is not defined in law, the next of kin has no legal powers. However, clinicians must seek information as to the wishes, feelings and beliefs of an incapacitated patient. It is sensible to begin this search with the person nominated as next of kin, although this quest may well become more extensive. It is also the next of kin who would be notified in the event that the patient dies or suffers serious injury.

7. MULTIPLE NEXT OF KINS

There may be the situation where the patient has arrived lacking capacity and there is no recorded 'next of kin'. If a number of people self-appoint themselves, all those who self-appoint should be given the same information, bearing in mind the rules on confidentiality.

8. RECORDING NEXT OF KIN

Next of kin should be recorded as follows (see link to appendix):

- Lorenzo
- SystmOne
- PCMis

9. DESTINCTION BETWEEN NEXT OF KIN AND LASTING POWER OF ATTORNEY (LPA).

Lasting Power of Attorney is a legal document enabling a nominated person to make decisions on an individual's behalf if they lack the mental capacity to do so themselves.

There are two different types of LPA:

a. **Health and Welfare LPA** is for decisions about both health and personal welfare. A Health and Welfare attorney can only act and make decisions on the patient's behalf when the patient lacks capacity to make those decisions.

b. **Property and Finance LPA** is for decisions about financial matters. A Property and Finance attorney can act even if the patient has capacity.

9.1 Legality of the LPA

Staff should ask to see the LPA (if the document is not available, it is possible to telephone the Office of Public Guardian on 0845 330 2900 between 9am-5pm Monday to Friday to check the details. Outside these hours the attorney will have to be asked to bring the LPA for verification). Staff need to check the LPA for authenticity. All pages need to be numbered sequentially. Every version of a registered LPA will have a perforated stamp at the bottom of the front page, saying 'Validated'. A stamp or box or both on the front page of the form will also show the date of registration.

Always makes sure you have the entire document when receiving an LPA and verify the name of the patient (referred to in the LPA as the "donor") and of the attorney(s) within the document. Some LPAs will also state specific power for attorneys or impose certain limits beyond the general authority that standard LPAs provide.

The patient's consultant should be informed of the existence of an attorney as soon as possible and a photocopy of the LPA should be taken immediately and filed in the patient's Electronic Patient Record.

10. DISTINCTION BETWEEN NEXT OF KIN AND NEAREST RELATIVE

Unlike the next of kin, the Nearest Relative is legally defined and is clearly identified under the Mental Health Act 1983.

Under Section 26 of the Mental Health Act 1983 the Nearest Relative of a patient has a number of specific rights and functions designed to act as a safeguard for the patient's interests and help ensure that the compulsory powers of the Act are used appropriately.

Patients and their Nearest Relative should be given full details of their rights and responsibilities when a patient is detained under the Mental Health Act. It is the role of an Approved Mental Health Professionals (AHMP) to identify the person's Nearest Relative as defined in Section 26 and can only be one of the people as defined in the legislation.

11. CONFIDENTIALITY AND CONSENT

The identification of next of kin/carer(s) and significant others, and the level of their involvement must be guided by the wishes of the patient and should be routinely reviewed.

Refusal of consent by the patient to inform and involve family/carer(s) must be clearly documented and a multi-disciplinary discussion should take place to consider the appropriateness of the refusal of consent to share information.

If there is an immediate risk identified by the admitting staff this refusal may be overridden to protect the safety of the patient or others. For example: concerns for the welfare of a child, a vulnerable adult or the patient own safety will take precedence over confidentiality. The Trust's Information Governance and Safeguarding teams can provide specific advice regarding disclosures.

12. CONTACTING NEXT OF KIN WHEN NO NEXT OF KIN RECORDED

As detailed above there are no set laws in place that establish a legal order for next of kin in the UK. However, there may be occasions when the Trust needs to identify the next of kin, for example if a patient sadly dies whilst in our care and there is no recorded next of kin.

If there is no next of kin recorded and no one presenting themselves as the patient's next of kin it is recommended that the order of priority used in intestacy is followed.

The order of priority is as follows:

1. Spouse or civil partner

   Generally, if the deceased person was married or in a civil partnership when they passed away, the spouse or civil partner is usually thought of as their next of kin, which is still the case if they are separated (but not divorced). In the event of a separation, it is important to note that the spouse might decide not to claim the responsibility of being next of kin. If the patient is divorced, the ex-spouse should not be considered as the next of kin.

2. Children

   If the deceased person's spouse or civil partner passed away before them or they are divorced, their next of kin would be their children, if they had any. If the children are younger than 18 the patient's parents can be considered the next of kin.

3. Parents

If there is no surviving spouse, civil partner or children over the age of 18, the deceased patient's parents will then usually be their next to kin.

4. Siblings - brothers and sisters

In the event that the deceased patient passed away with no spouse, civil partner, children or parents then their siblings can be considered to be the next of kin.

13. REFERENCES/DEFINITIONS

Department of Health (2008) Refocusing the Care Programme Approach CSIP (2006) Our Choices in Mental Health: a framework for improving choice for people who use mental health services and their carers.

Jones. R. (2014) Mental Capacity Act Manual (Sixth Edition) London. Sweet & Maxwell

Green, J. and Green, M. (2006) Dealing with Death: A Handbook of Practices, Procedures and Law 2nd ed. Jessica Kingsley Publishers: London

14. RELEVANT POLICIES/PROCEDURES/PROTOCOLS/GUIDELINES

Mental Health Act Policy

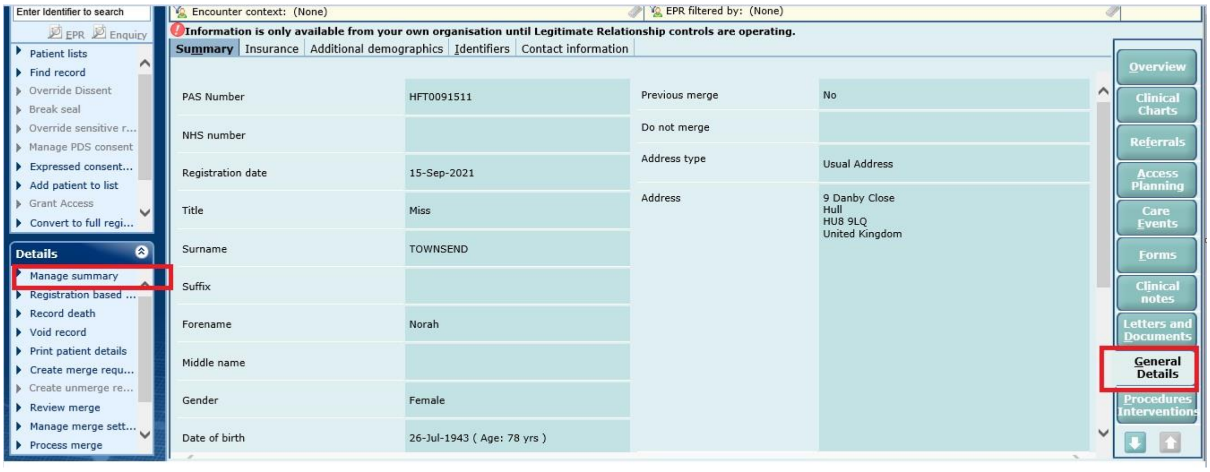
National Institute for Clinical Excellence (NICE) (2011) Clinical Guidance 136 – Service user experience in adult mental health: improving the experience of care for people using adult NHS mental health services.

Duty of Candour Policy and Procedure

Deceased or Dying Patients – Guidance for staff Responsible for Care after Death (Last Offices)

Appendix 1: Recording Next of Kin in Lorenzo

- In the patient record click onto General Details
- Select Manage Summary from the Task Pane



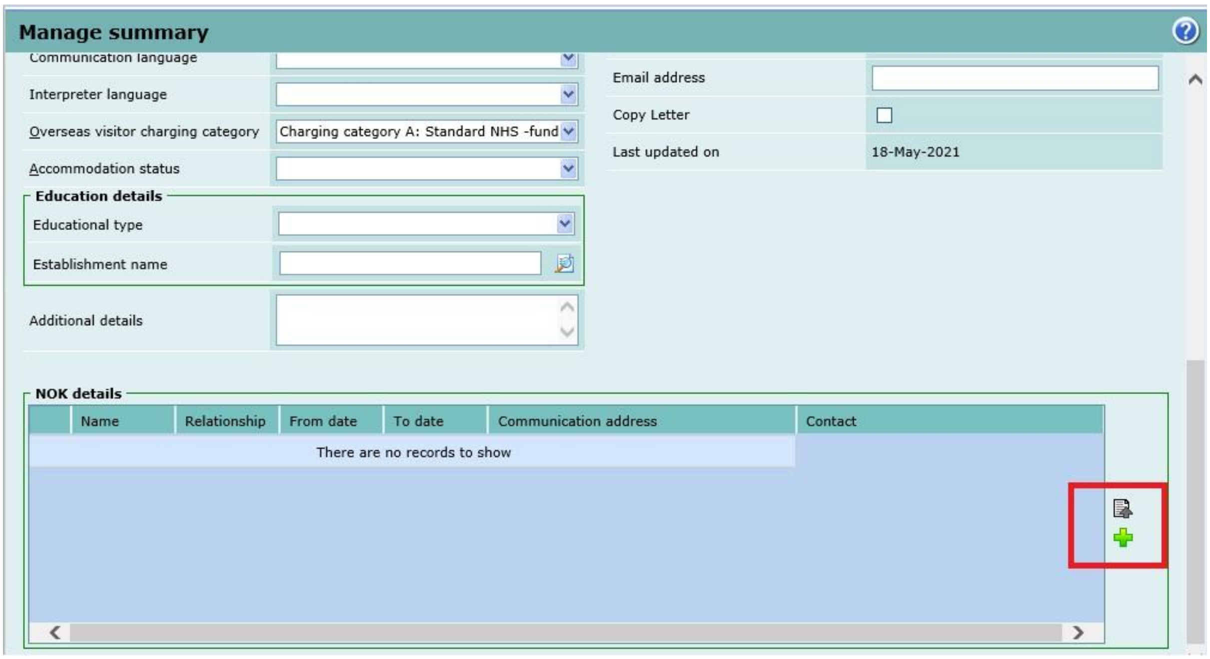
Encounter context: (None)

EPR filtered by: (None)

Information is only available from your own organisation until Legitimate Relationship controls are operating.

PAS Number	HFT0091511	Previous merge	No
NHS number		Do not merge	
Registration date	15-Sep-2021	Address type	Usual Address
Title	Miss	Address	9 Danby Close Hull HU8 9LQ United Kingdom
Surname	TOWNSEND		
Suffix			
Forename	Norah		
Middle name			
Gender	Female		
Date of birth	26-Jul-1943 (Age: 78 yrs)		

- Scroll down the page to see the next of kin information area
- Click on the Plus button to add in a new next of kin


Manage summary

Communication language		Email address	
Interpreter language		Copy Letter	☐
Overseas visitor charging category	Charging category A: Standard NHS -fund	Last updated on	18-May-2021
Accommodation status			

Education details

Educational type	
Establishment name	

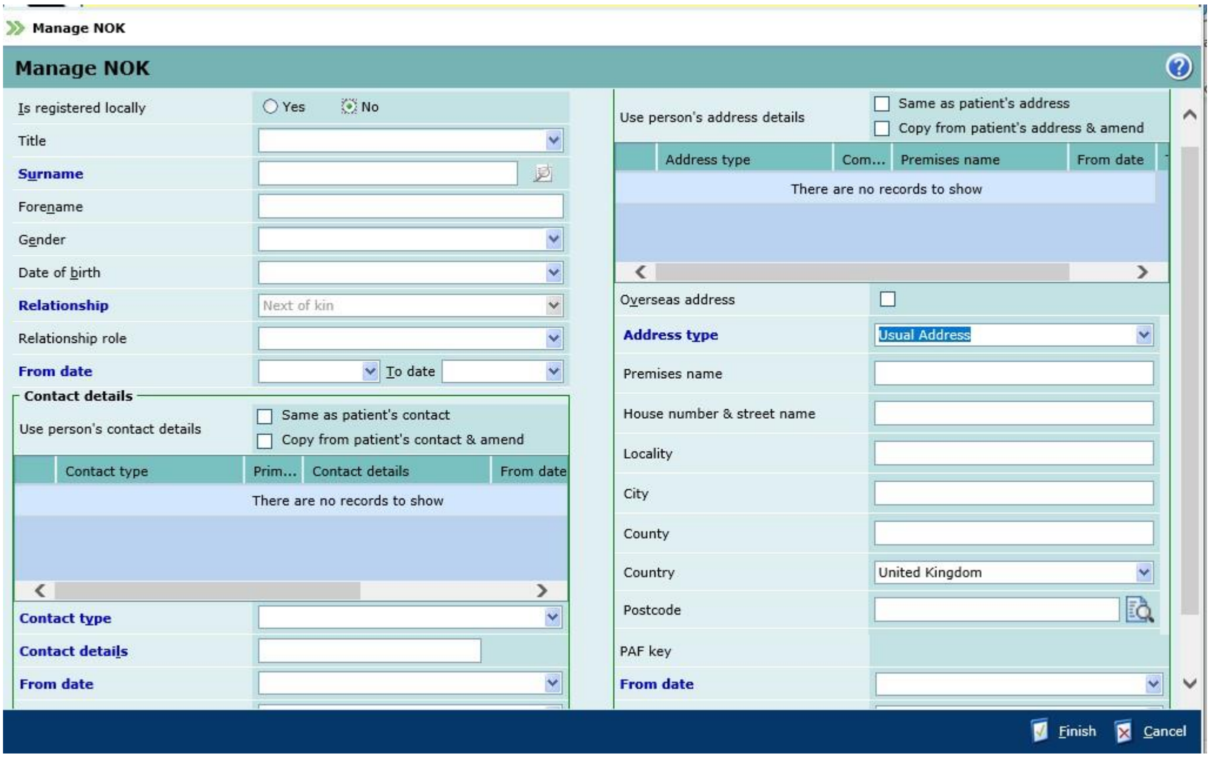
Additional details	

NOK details

Name	Relationship	From date	To date	Communication address	Contact
There are no records to show					

- Type in the relevant information, including the blue mandatory fields

Click Finish to add this to the record



Is registered locally ○ Yes ● No
Title
Surname
Forename
Gender
Date of birth
Relationship Next of kin
Relationship role
From date To date

Contact details
Use person's contact details ☐ Same as patient's contact ☐ Copy from patient's contact & amend

Contact type	Prim...	Contact details	From date
There are no records to show			

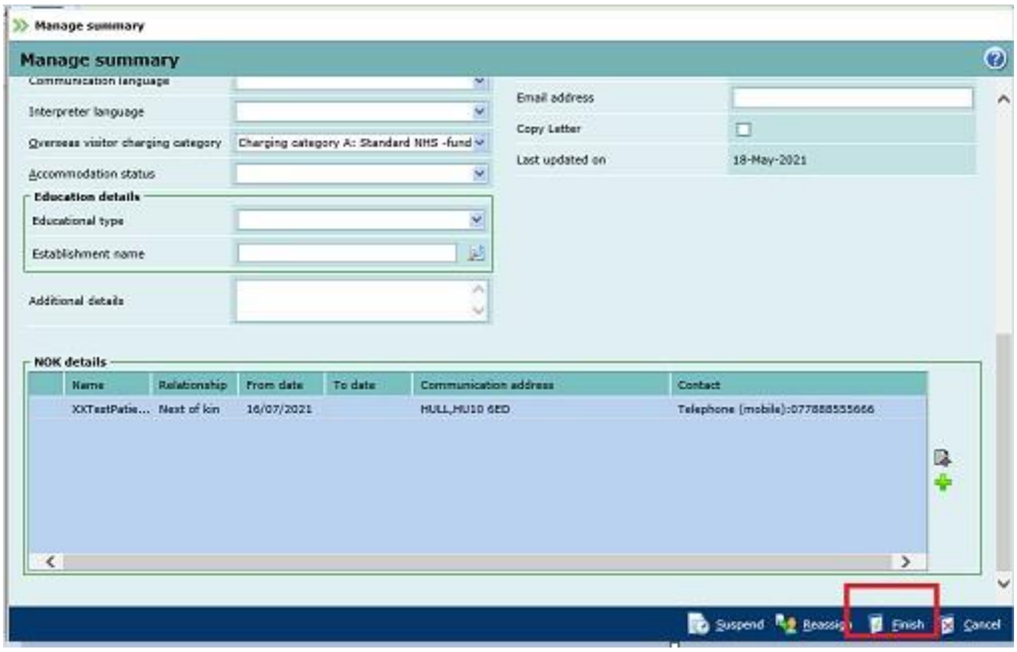
Contact type
Contact details
From date

Use person's address details ☐ Same as patient's address ☐ Copy from patient's address & amend

Address type	Com...	Premises name	From date
There are no records to show			

Overseas address ☐
Address type Usual Address
Premises name
House number & street name
Locality
City
County
Country United Kingdom
Postcode
PAF key
From date

- Click Finish again, to leave the recording screen



Communication language
Interpreter language
Overseas visitor charging category Charging category A: Standard NHS -fund
Accommodation status

Education details
Educational type
Establishment name

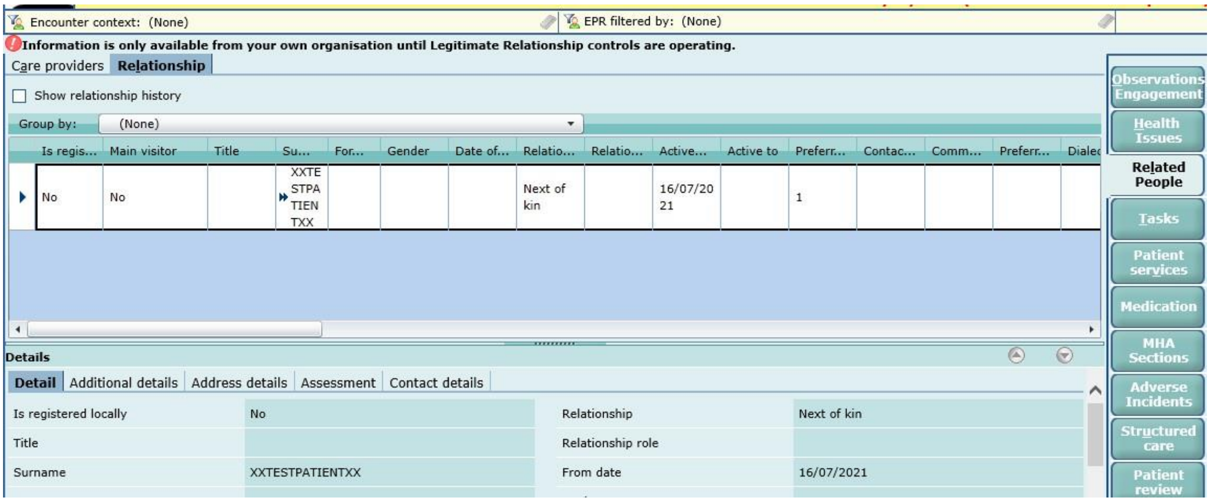
Additional details

Email address
Copy Letter ☐
Last updated on 18-May-2021

NOK details

Name	Relationship	From date	To date	Communication address	Contact
XXTestPatie...	Next of kin	16/07/2021		HULL,HU10 6ED	Telephone (mobile):077888555666

- The next of kin will show in the Related People tab



Encounter context: (None)

EPR filtered by: (None)

Information is only available from your own organisation until Legitimate Relationship controls are operating.

Care providers **Relationship**

☐ Show relationship history

Group by: (None)

	Is regis...	Main visitor	Title	Su...	For...	Gender	Date of...	Relatio...	Relatio...	Active...	Active to	Preferr...	Contac...	Comm...	Preferr...	Dialec
▸	No	No		XXTESTPATIENTXX				Next of kin		16/07/2021		1				

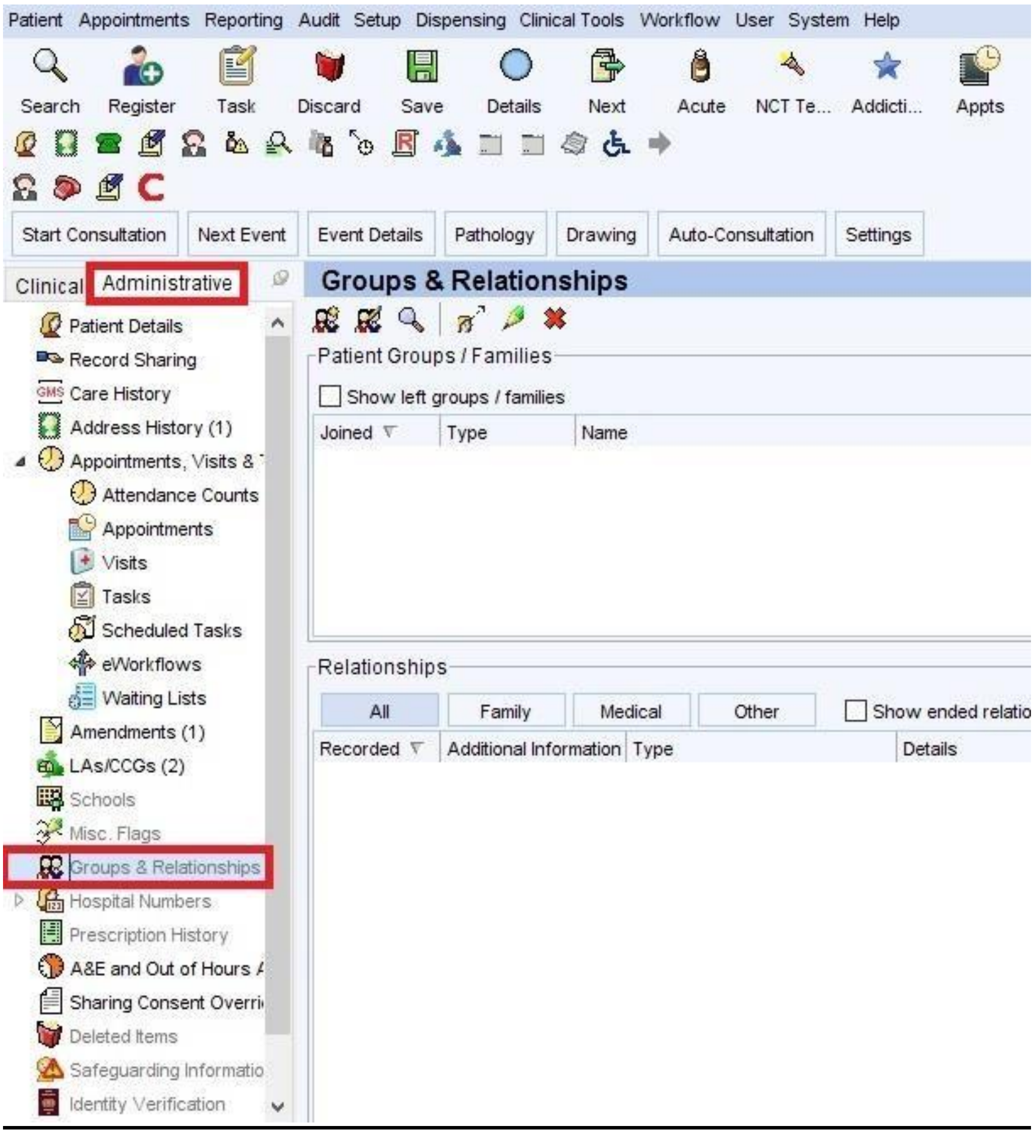
Details

Detail Additional details Address details Assessment Contact details

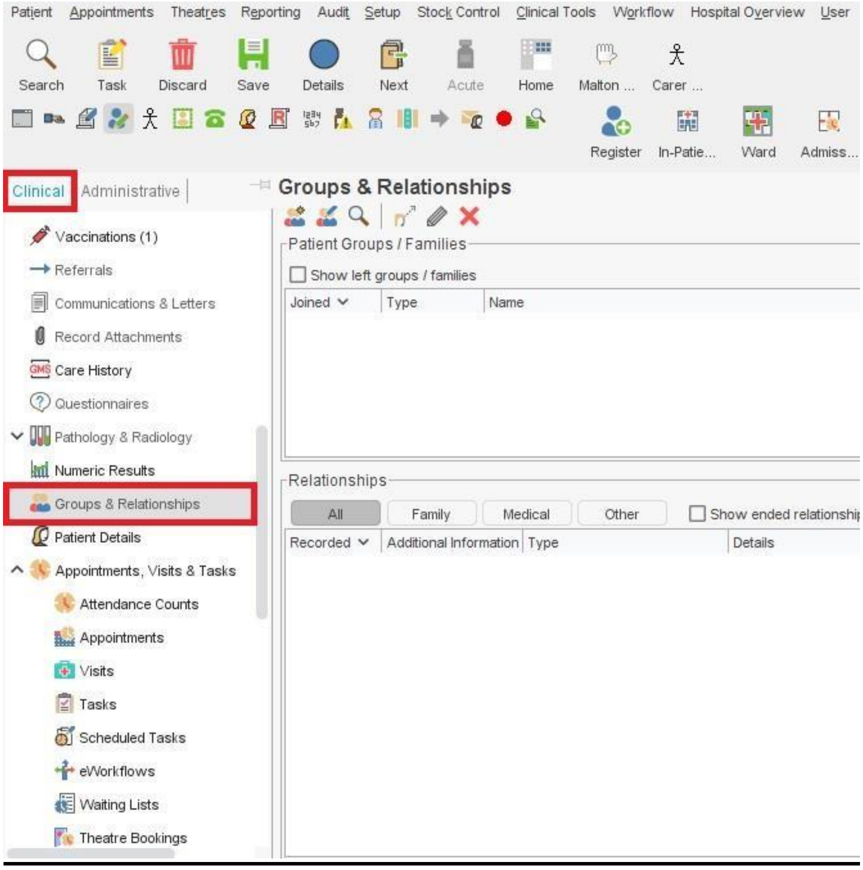
Is registered locally	No	Relationship	Next of kin
Title		Relationship role	
Surname	XXTESTPATIENTXX	From date	16/07/2021

Appendix 2: Recording a Relationship (inc. NoK) on SystmOne

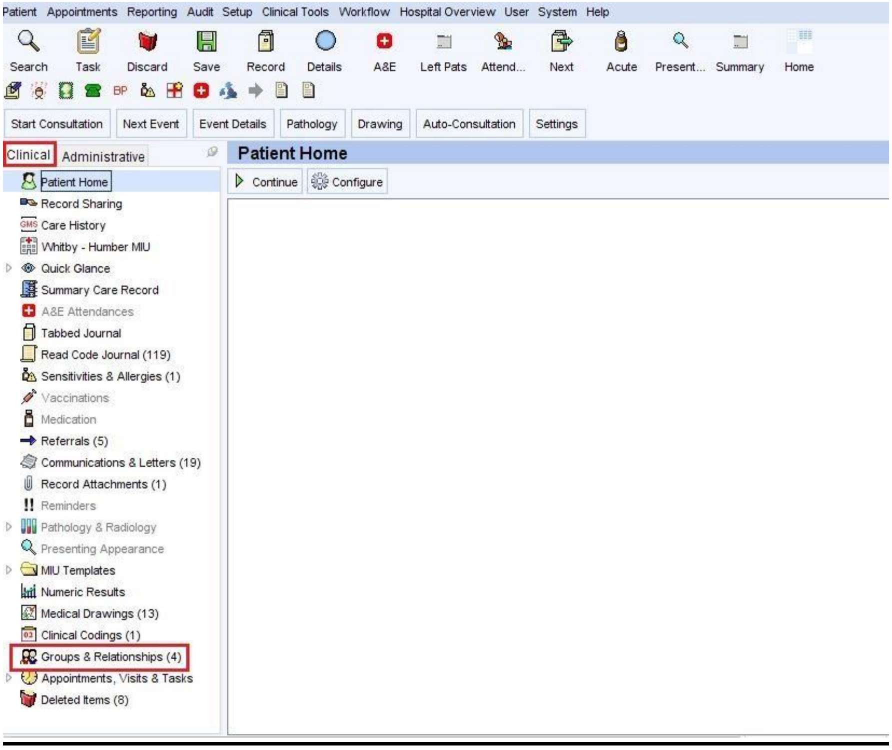
- Retrieve the patient's record.
- Select the correct tree to find Group and Relationships, this can be found in either the Clinical or Administrative Trees (in MIU and Ward environments this is found in the Clinical Tree)
- Select Group and Relationships (if this is grey it means that no Groups or relationships have yet been recorded)



Example 1 – Administrative Tree

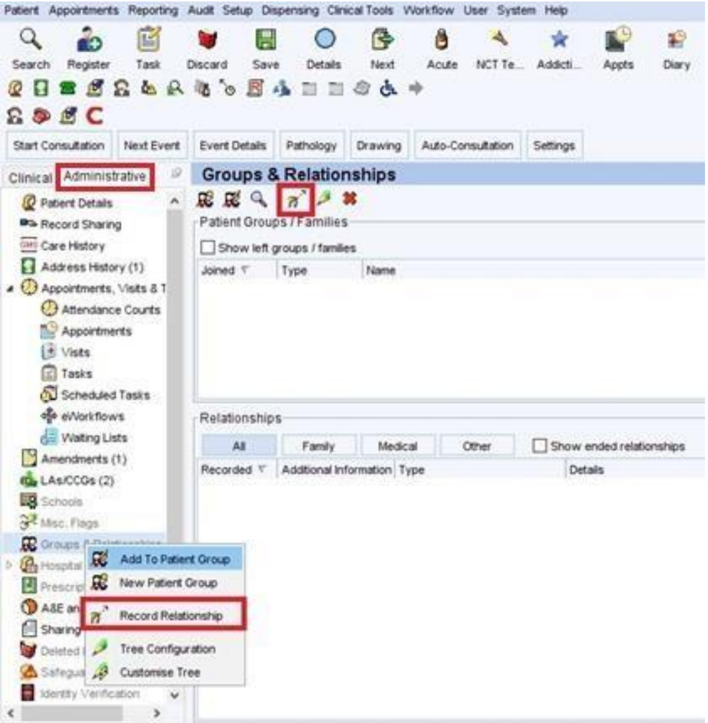


Example 2 – Clinical Tree on a Ward

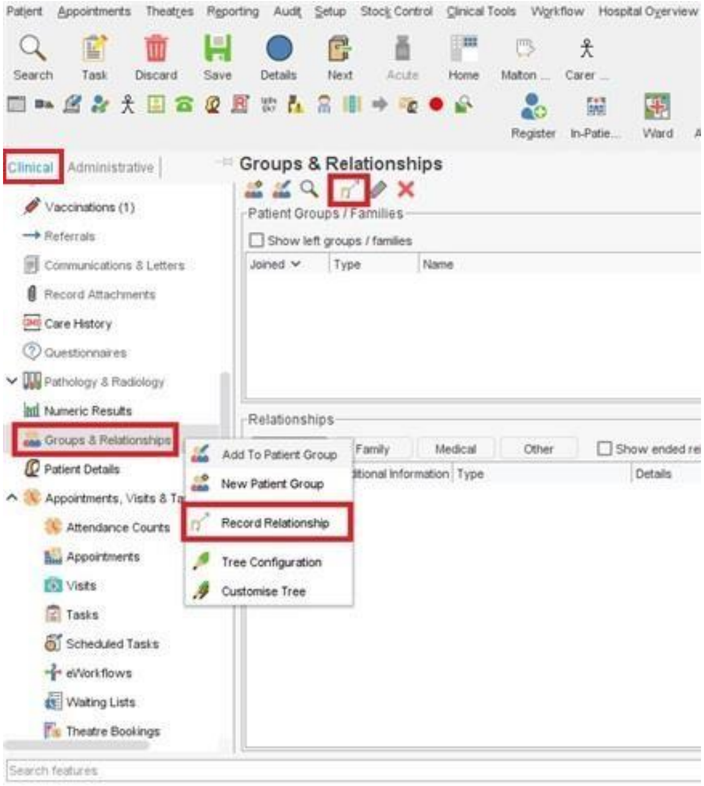


Example 3 – Clinical Tree on MIU

- To record a new relationship, either right click on Groups and Relationships in the tree and click Record relationship OR select the Record new Relationship icon on the screen

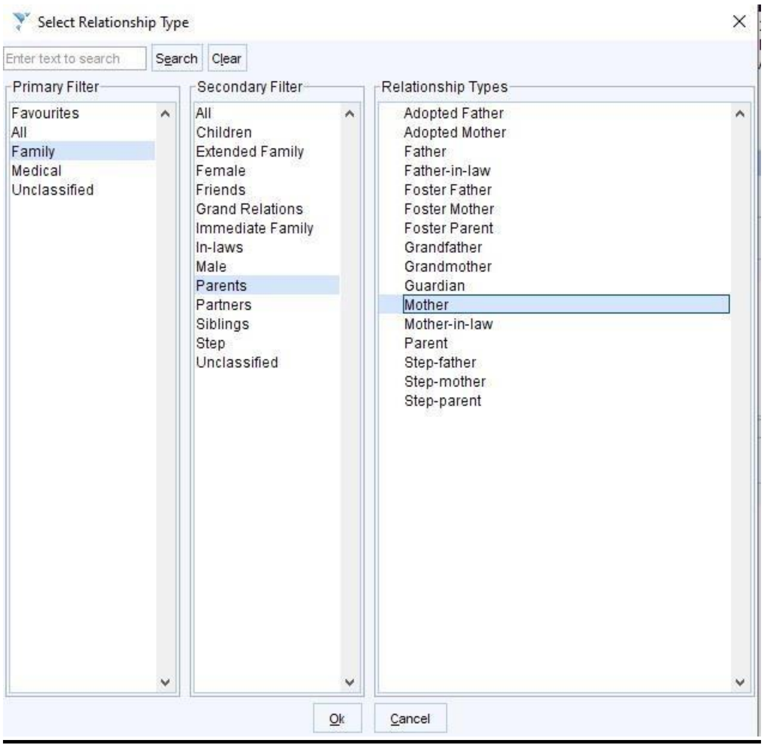


Example 1.2 – Administrative Tree

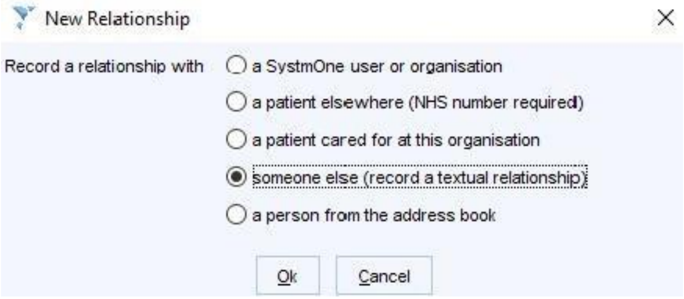


Example 2.2 – Clinical Tree

- After this point the process is the same
- Select the relevant options in each of the 3 columns depending on what type of relationship you wish to record



- Click OK
- Select “someone else (record a textual relationship)”



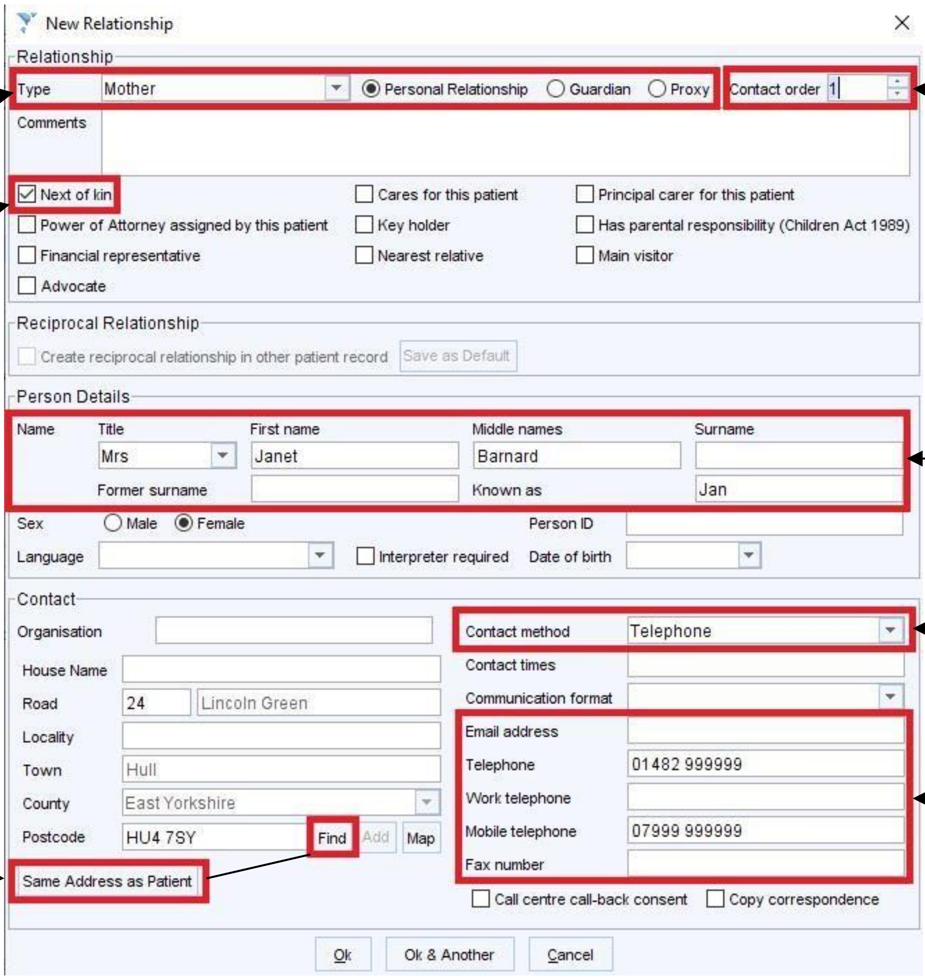
Record a relationship with
○ a SystmOne user or organisation
○ a patient elsewhere (NHS number required)
○ a patient cared for at this organisation
● someone else (record a textual relationship)
○ a person from the address book

- Click OK

Select any of the relationship types as appropriate.

If recording Next of Kin (NOK) make sure this box is checked.

If the person lives at the same address as the patient, click the Same Address as Patient link, otherwise input the Postcode in the postcode field and click find.



Type: Mother ● Personal Relationship ○ Guardian ○ Proxy

Contact order: 1

Comments:

☑ Next of kin ☐ Cares for this patient ☐ Principal carer for this patient

☐ Power of Attorney assigned by this patient ☐ Key holder ☐ Has parental responsibility (Children Act 1989)

☐ Financial representative ☐ Nearest relative ☐ Main visitor

☐ Advocate

☐ Create reciprocal relationship in other patient record

Name: Title: Mrs; First name: Janet; Middle names: Barnard; Surname:

Former surname: ; Known as: Jan

Sex: ○ Male ● Female; Person ID:

Language: ; ☐ Interpreter required; Date of birth:

Organisation:

House Name:

Road: 24 Lincoln Green

Locality:

Town: Hull

County: East Yorkshire

Postcode: HU4 7SY

Contact method: Telephone

Contact times:

Communication format:

Email address:

Telephone: 01482 999999

Work telephone:

Mobile telephone: 07999 999999

Fax number:

☐ Call centre call-back consent ☐ Copy correspondence

To record contact order, select the number here. 1 is for the first priority contact, 2 is to contact second and so on.

Input the contacts name here.

Choose your Contact Method (*see below) and make sure you capture as much relevant contact information. Telephone numbers are most important.

Contact method: Telephone

Letter
Visit
Telephone
E-mail
Minicom
Telephone Contact Via Proxy
Sign Language
No Telephone Contact

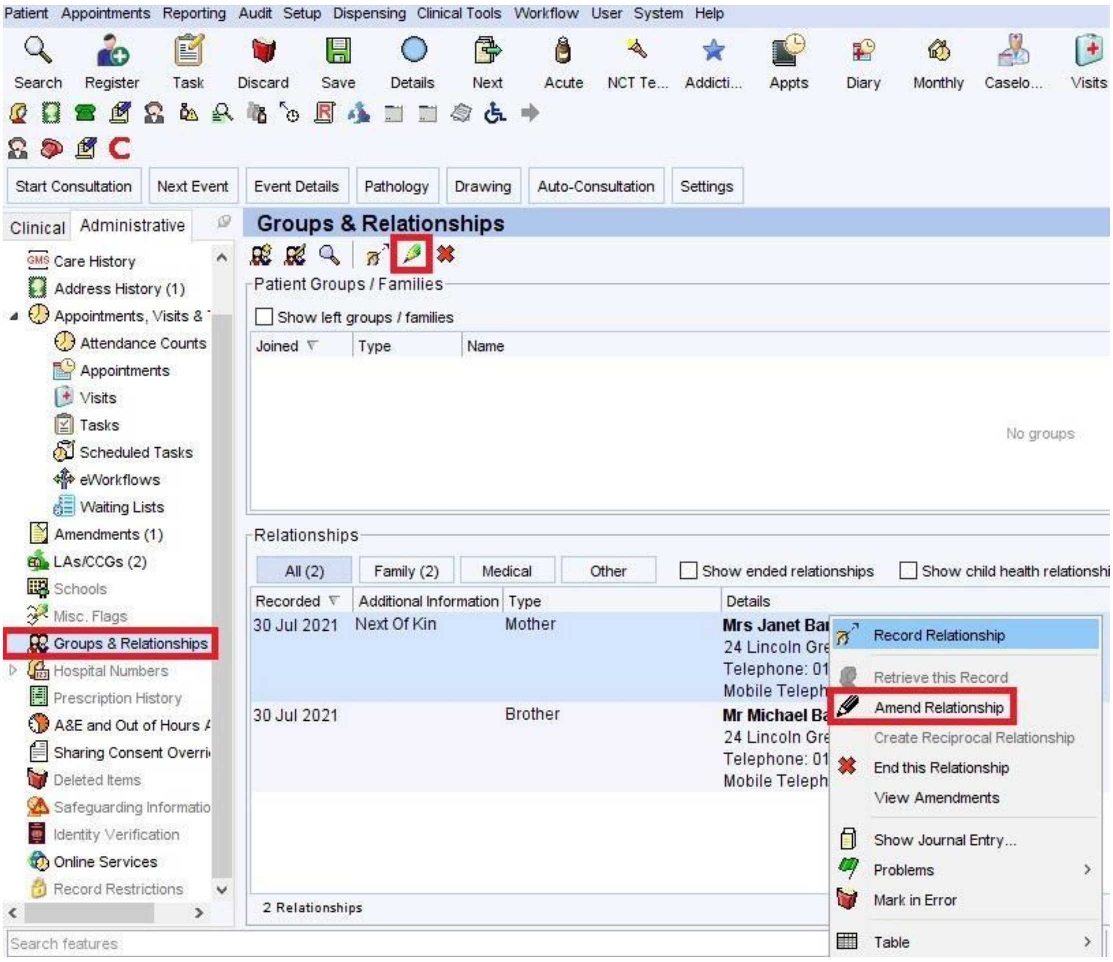
*Choose your Contact Method. Not everyone would want to be contacted by telephone.

- Contact Order – we need this completing for when more than one contact has been recorded as this is the priority order of contact and there have been issues when the wrong person has been contacted before the main contact should have.
- Please ensure that telephone numbers are recorded for contact details as although address is correct, the phone numbers are more important and contacting NOK or other contacts is difficult with no telephone numbers recorded.
- Ensure that everything is correct and click OK.
- The new contact will now show in Groups & Relationships on the Administrative or Clinical Tree (you can clearly see who is Next of Kin and who is the chosen to be contacted first on this screen in Order.)

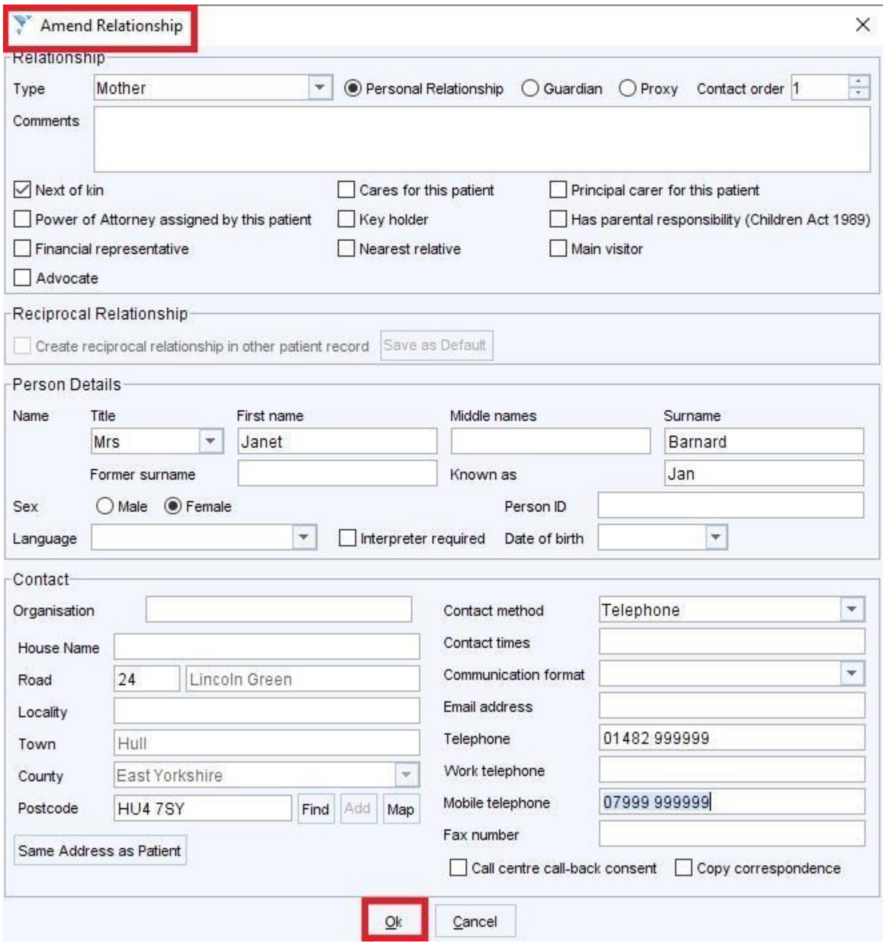
Recorded	Additional Information	Type	Details	Order
30 Jul 2021	Next Of Kin	Mother	**Mrs Janet Barnard "Jan"** 24 Lincoln Green, Hull HU4 7SY Telephone: 01482999999 Mobile Telephone: 07999999999	1
30 Jul 2021		Brother	**Mr Michael Barnard "Mike"** 24 Lincoln Green, Hull HU4 7SY Telephone: 01482999999 Mobile Telephone: 07999999999	2

2 Relationships

- To amend a relationship, either right click on the contact in Relationships and click Amend Relationship **or** select the Amend Relationship icon on top bar.



- It will bring you to the Amend Relationship screen, where you can change/add any details and then click OK to change.
- Remember Contacts should be regular reviewed on a regular basis to check that they are current and correct.



Amend Relationship

Relationship

Type: Mother ● Personal Relationship ○ Guardian ○ Proxy Contact order: 1

Comments:

☑ Next of kin ☐ Cares for this patient ☐ Principal carer for this patient

☐ Power of Attorney assigned by this patient ☐ Key holder ☐ Has parental responsibility (Children Act 1989)

☐ Financial representative ☐ Nearest relative ☐ Main visitor

☐ Advocate

Reciprocal Relationship

☐ Create reciprocal relationship in other patient record

Person Details

Name: Title: Mrs First name: Janet Middle names: Surname: Barnard

Former surname: Known as: Jan

Sex: ○ Male ● Female Person ID:

Language: ☐ Interpreter required Date of birth:

Contact

Organisation:

House Name:

Road: 24 Lincoln Green

Locality:

Town: Hull

County: East Yorkshire

Postcode: HU4 7SY

Contact method: Telephone

Contact times:

Communication format:

Email address:

Telephone: 01482 999999

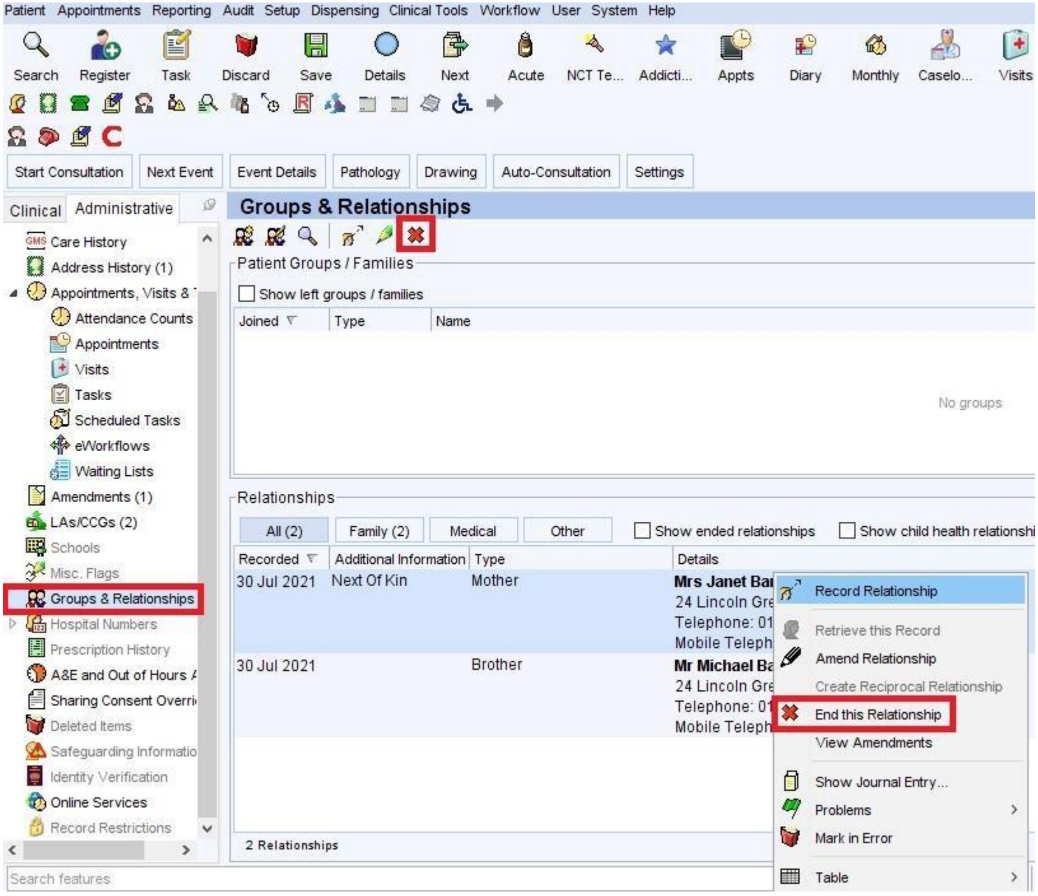
Work telephone:

Mobile telephone: 07999 999999

Fax number:

☐ Call centre call-back consent ☐ Copy correspondence

- To end/remove a relationship, either right click on the contact in relationships and click End This Relationship OR select the End This Relationship icon on top bar. – (In children's services health visitors and school nurses add themselves as a contact, these should always be ended on discharge and not left open.)



Recorded	Additional Information	Type	Details
30 Jul 2021	Next Of Kin	Mother	**Mrs Janet Bai** 24 Lincoln Gre Telephone: 01 Mobile Teleph
30 Jul 2021		Brother	**Mr Michael Ba** 24 Lincoln Gre Telephone: 01 Mobile Teleph

- It will then ask you to record the date the relationship ended.

End date of relationship: 30/07/2021

- Click OK – And the contact will have been removed from relationships.
- Make sure to Save the record to keep the changes.

Appendix 3: SystmOne Help Guidance – Next of Kin/Carer Details (Primary Care)

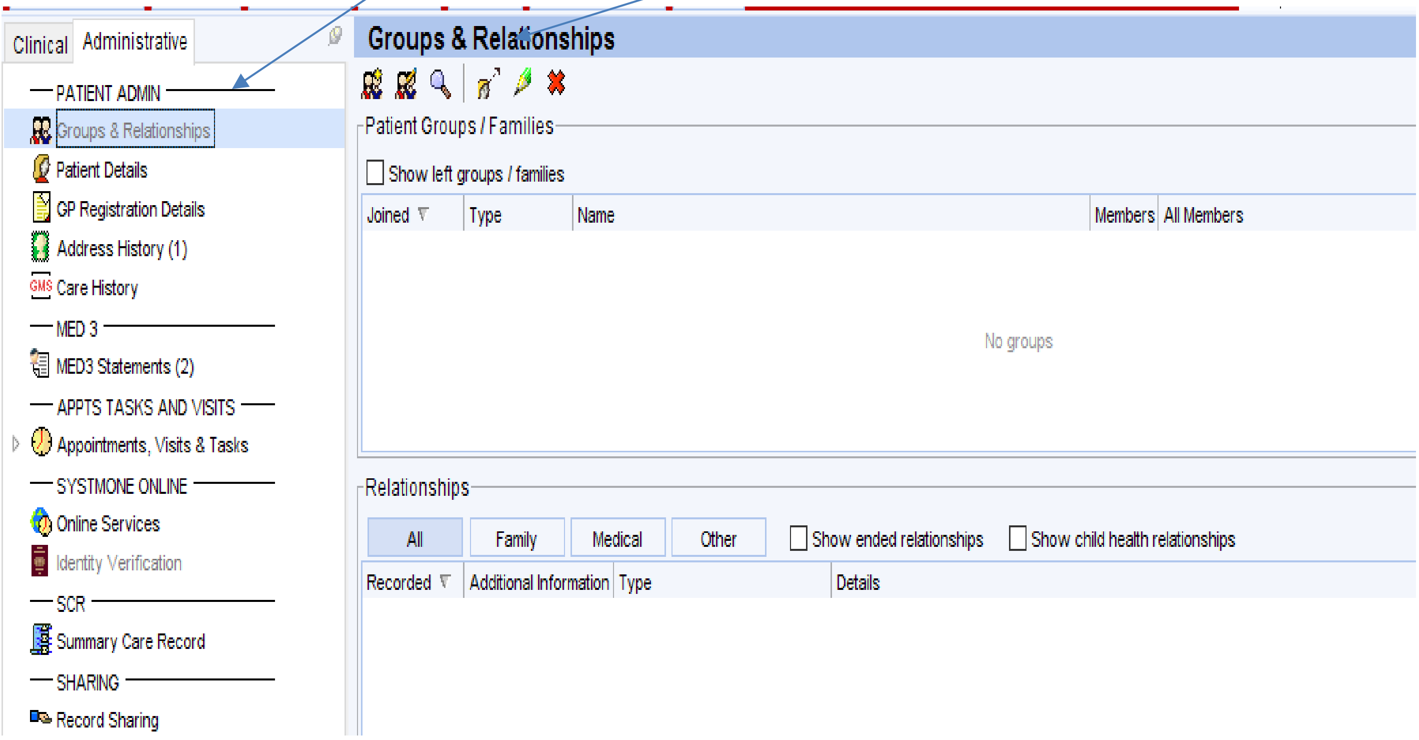
Next of Kin/Carer details are recorded in the Groups and Relationships node on the clinical tree. This may reside in the Clinical tab or the Admin tab of your clinical tree.

N.B. If you cannot view this function in your clinical tree then please go to the end of this document for guidance on how to find it.

Please see instructions below on how to record this information.

Recording NOK

- Find and click on the **Groups and Relationships** node on your clinical tree
- To record a new **Relationship** click on the symbol of a person with an arrow coming out of their head!!

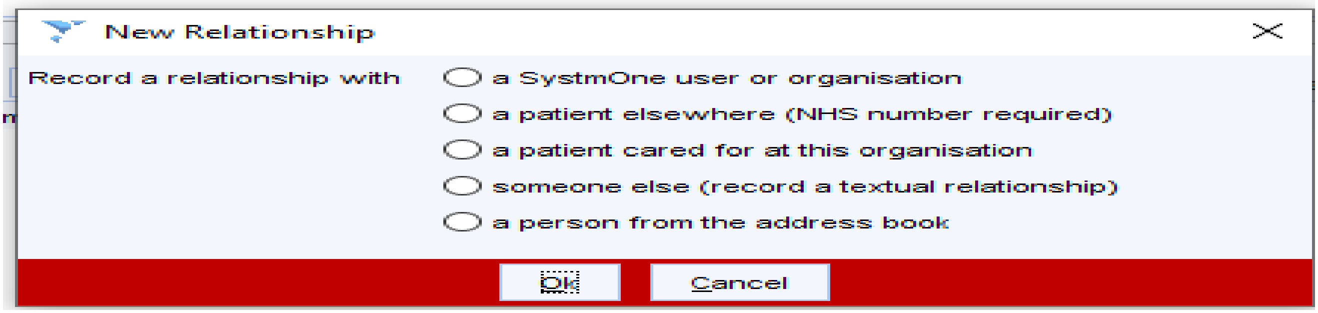


At the next screen shown below. You need to select each type in the 3 filter screens shown below and press **OK** once option chosen:-

- Click on the main type of relationship type (**Family)**
- Click on the second type (**Group the person belongs to**)
- Click on the 3rd type (**Relationship Type**)

The example above shows how to record a patient's wife as a relationship (Family, Female, Wife)

At the next screen you need to choose what type of relationship the person is:-

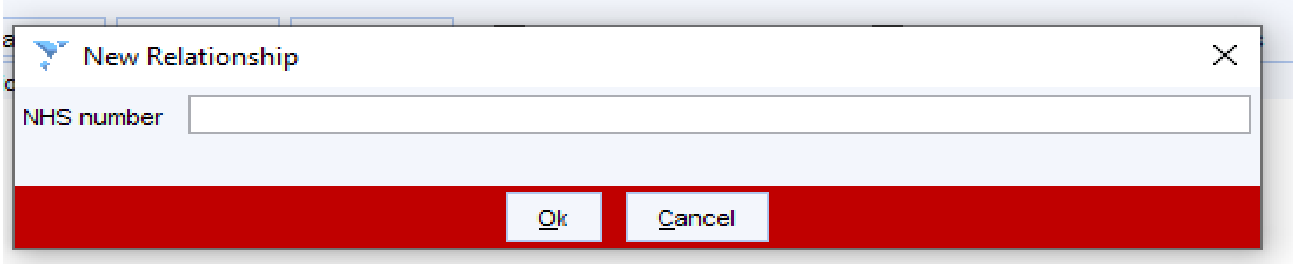


Record a relationship with
○ a SystmOne user or organisation
○ a patient elsewhere (NHS number required)
○ a patient cared for at this organisation
○ someone else (record a textual relationship)
○ a person from the address book

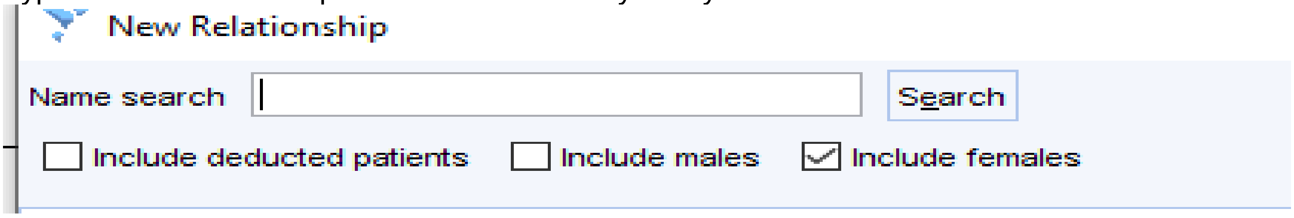
- **Systmone user or organisation -** This is used to add a clinician usually when using the Primary Filter of **Medical** to record someones clinician or medic.
- **A patient elsewhere** – this could be used for a daughter who is the next of kin for a mother but is registered at another practice. Adding the NHS number will update their details automatically from the spine which also ensures if their details change Systmone will be updated immediately when the record is retrieved.
- **A patient cared for at this organisation –** This is used when the person the relationship being recorded is also a patient at your practice.
- **Someone else –** This is for a relationship where the person is not registered with your practice. Where possible it is advised to always record this information using the 2nd option **Patients Elsewhere** using the NHS number to ensure changes to address or telephone numbers are automatically updated as NOK details could be outdated.
- **A Person from the address book –** This is used to add a clinician usually when using the Primary Filter of Medical to record someone's clinician or medic.

When choosing any of the above options the screen you are presented with will differ depending on which option is chosen. I have only given examples below of the non-clinical relationship's options. See examples below:-

Patient Elsewhere – Recording an NHS Number
Type in the NHS number of the patient. This must be 10 digits in line with NHS number standard



A Patient cared for at this organisation
Type in the name of the patient to find them on your Systmone



☐ Include deducted patients ☐ Include males ☑ Include females

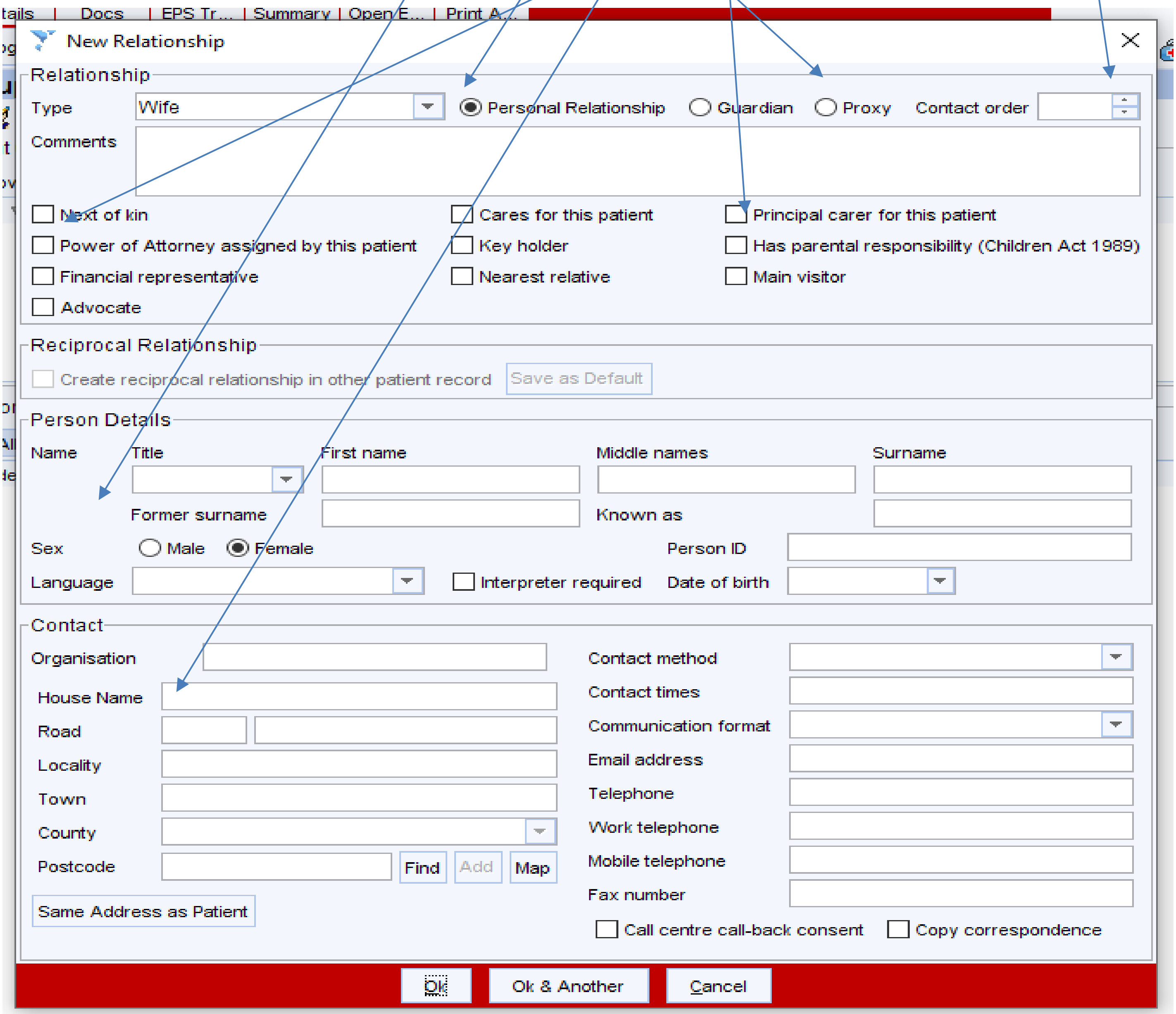
Someone Else (Textural Option)
This option does not give you the patient search screens above but takes the user to the next screen which all options take you too.

This is an example of the next screen which will be displayed.
Items to note are:

- If you have entered an NHS number then the **Person Details** and the **Contact details** will be updated with all information on the spine for that person with that NHS number.
- If the person is registered as a patient at your practice and you have searched for the patient, then the same applies as above.
- If you have chosen the Textural option (not recommended) then most of this part of the screen will be blank for you to enter the details manually.

Recording Relationship type

- Tick the appropriate box for the type of relationship
- If you need to record more than one relationship as key contacts, then you can add the contact order
- Tick the appropriate box for the relationship – **Next of Kin** or **Carer**



Relationship

Type: Wife

● Personal Relationship ○ Guardian ○ Proxy Contact order

Comments

☐ Next of kin
☐ Power of Attorney assigned by this patient
☐ Financial representative
☐ Advocate
☐ Cares for this patient
☐ Key holder
☐ Nearest relative
☐ Principal carer for this patient
☐ Has parental responsibility (Children Act 1989)
☐ Main visitor

Reciprocal Relationship

☐ Create reciprocal relationship in other patient record

Person Details

Name: Title / First name / Middle names / Surname

Former surname / Known as

Sex: ○ Male ● Female

Person ID

Language ☐ Interpreter required Date of birth

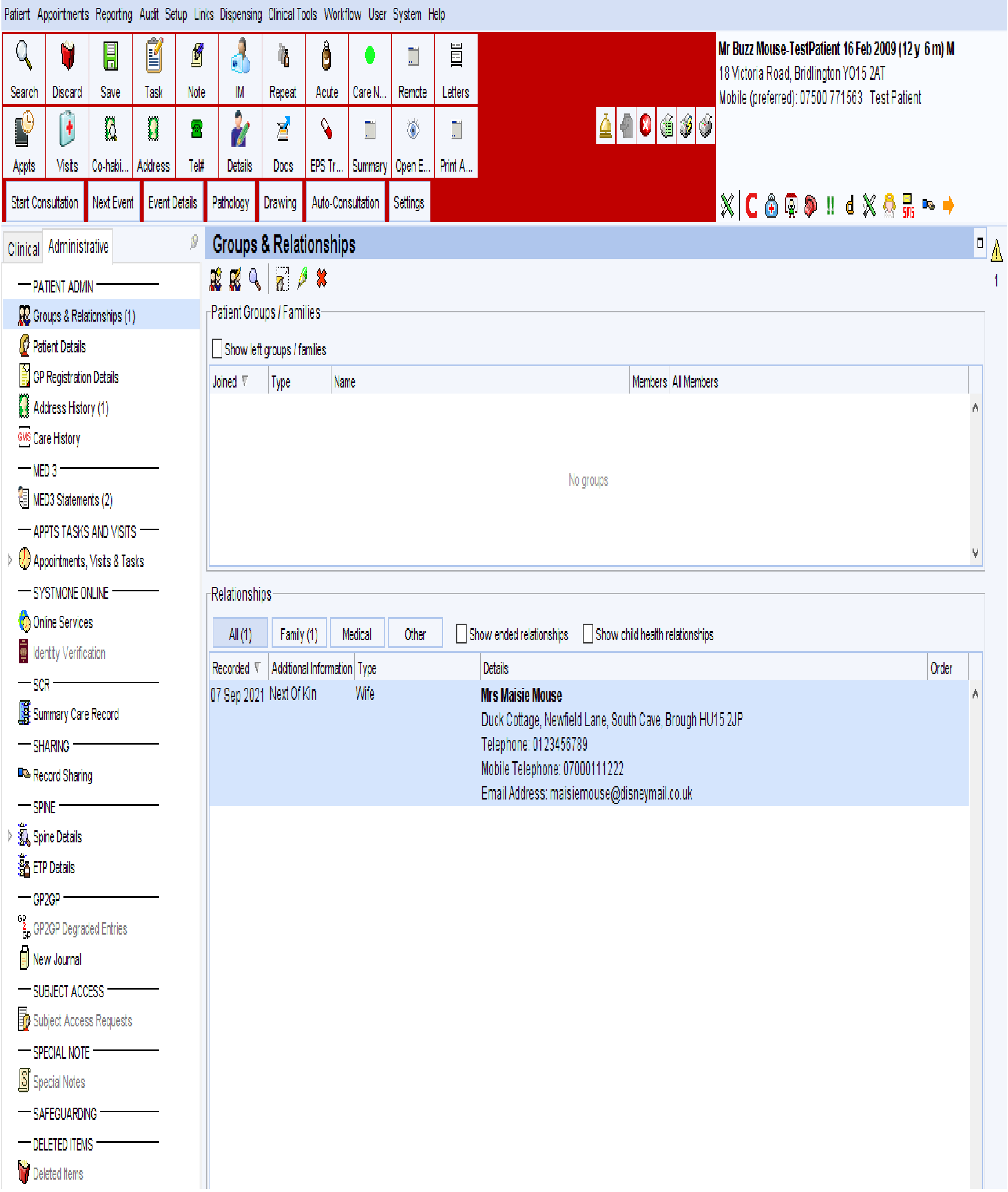
Contact

Organisation / House Name / Road / Locality / Town / County / Postcode

Contact method / Contact times / Communication format / Email address / Telephone / Work telephone / Mobile telephone / Fax number

☐ Call centre call-back consent ☐ Copy correspondence

Complete the entry of the information and click **OK** if no other relationship to record or **OK & Another** if further relationships need to be recorded. The details will now be displayed on the groups and relationships screen.



Mr Buzz Mouse-TestPatient 16 Feb 2009 (12 y 6 m) M
18 Victoria Road, Bridlington YO15 2AT
Mobile (preferred): 07500 771563 Test Patient

Joined	Type	Name	Members	All Members

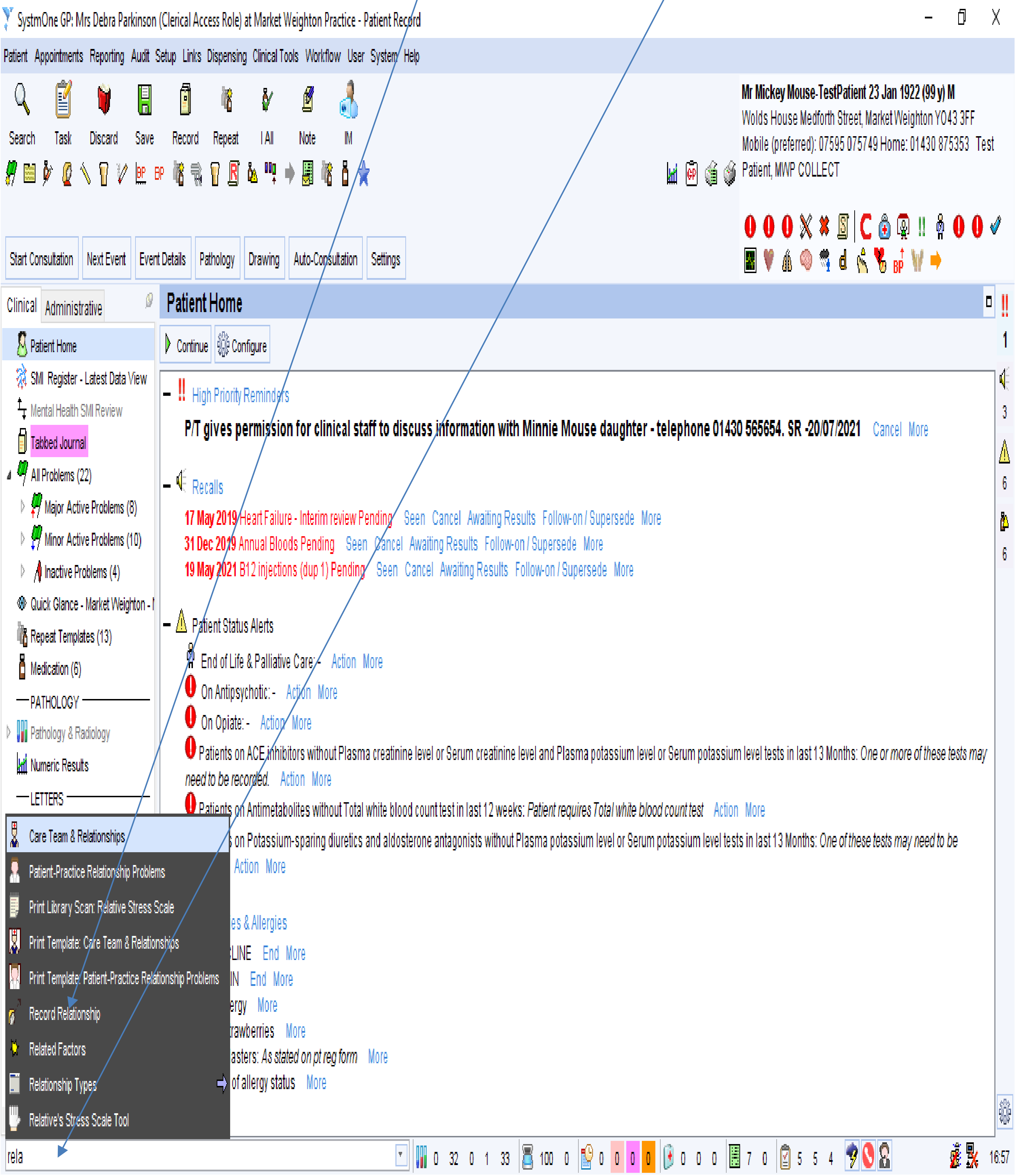
No groups

Recorded	Additional Information	Type	Details	Order
07 Sep 2021	Next Of Kin	Wife	**Mrs Maisie Mouse** Duck Cottage, Newfield Lane, South Cave, Brough HU15 2JP Telephone: 0123456789 Mobile Telephone: 07000111222 Email Address: maisiemouse@disneymail.co.uk	

How to locate the Relationship functions if this is not on your Clinical Tree

Whilst you have a patient retrieved, (search function won't work If patient not retrieve)

- At the bottom of the Systmone screen start typing in the word ***relationship***
- On acceptance a menu will appear
- Click on the option **Record Relationship**
- Follow the guidance at the start of the document to record a relationship



SystmOne GP: Mrs Debra Parkinson (Clerical Access Role) at Market Weighton Practice - Patient Record

Mr Mickey Mouse-TestPatient 23 Jan 1922 (99 y) M
Wolds House Medforth Street, Market Weighton YO43 3FF
Mobile (preferred): 07595 075749 Home: 01430 875353 Test Patient, MWP COLLECT

Patient Home

High Priority Reminders

P/T gives permission for clinical staff to discuss information with Minnie Mouse daughter - telephone 01430 565654. SR -20/07/2021 Cancel More

Recalls

17 May 2019 Heart Failure - Interim review Pending Seen Cancel Awaiting Results Follow-on / Supersede More
31 Dec 2019 Annual Bloods Pending Seen Cancel Awaiting Results Follow-on / Supersede More
19 May 2021 B12 injections (dup 1) Pending Seen Cancel Awaiting Results Follow-on / Supersede More

Patient Status Alerts

End of Life & Palliative Care: - Action More
On Antipsychotic: - Action More
On Opiate: - Action More
Patients on ACE inhibitors without Plasma creatinine level or Serum creatinine level and Plasma potassium level or Serum potassium level tests in last 13 Months: *One or more of these tests may need to be recorded.* Action More
Patients on Antimetabolites without Total white blood count test in last 12 weeks: *Patient requires Total white blood count test* Action More
s on Potassium-sparing diuretics and aldosterone antagonists without Plasma potassium level or Serum potassium level tests in last 13 Months: *One of these tests may need to be* Action More

es & Allergies
LINE End More
IN End More
ergy More
rawberries More
asters: *As stated on pt reg form* More
of allergy status More

rela