

Freedom of Information request 488-22

Request

Please provide all and any recorded information pertaining to any "End of life care" plan(s) or treatment(s) or protocol(s) including details of voluntary, none-voluntary and involuntary Euthanasia plans, if held, by NHS Borders for members of the British public - particularly those who are deemed disabled, elderly or nurses of NHS Borders itself.

Clarification:

I am not seeking an individual or particular patient's records.

I am seeking all plans that I suspect NHS Borders have which are plans to accommodate voluntary euthanasia requests by patients, execute none - voluntary euthanasia judgments made by other aware people upon other unaware patients and to enforce involuntary euthanasia against the explicit prior will of patients.

As for the resources used to extract all and any information on these plans the NHS Trust have had particularly active since the pandemic, I do not believe such would exceed the foia act.

Please therefore provide all copies of all plans the hospital have for "End of Life Care" plans it issues to clinicians for patients since 2018 to today's data which includes instructions to carry out voluntary, none voluntary and involuntary euthanasia. Such as but not limited to - the eugenical, Liverpool Care Plan.

Response

In July 2013, the independent review of the Liverpool Care Pathway (LCP) "More Care, Less Pathway" was published. The report was critical about aspects of the pathway including communication with patients and relatives; withdrawing/withholding hydration and nutrition; and the over-sedation of patients with inappropriate doses of medications. The review recommended that the LCP should be phased out and for each patient to have an individualised and condition specific care plan.

Thereafter, a short life working group which had been set up within NHS Borders asked staff what they felt was needed to enhance the end of life care that they provided. The response to this question was twofold.

The first significant point raised was the need to identify when someone was dying and to ensure all staff agreed and recognised this. The other was to have documentation available which focussed on the care needs of a patient and their families at the end of life, and which supported all members of the multidisciplinary team to deliver this care, both in its format and in terms of encouraging and prioritising person-centred hands on care and a realistic medicine approach.

In order to achieve this, The Care Record for End of Life document (CREOL) was designed by the Specialist Palliative Care Team, and following a successful trial in the Margaret Kerr Unit, has now been rolled out to all relevant clinical areas throughout the Borders.

Please find attached the NHS Borders Care Record for End of Life that supports the documentation of care at the end of a patient's life; this has been in place since 2018 to present:



Care Record for End of Life (CREOLE).pdf

The links provided below pertain to end of life care and are also followed by NHS Borders:

National guidelines to support end of life care symptom management:

<https://www.palliativecareguidelines.scot.nhs.uk/>

National guidelines to support anticipatory care planning:

<https://www.nhsinform.scot/care-support-and-rights/decisions-about-care/anticipatory-care-planning-acp-thinking-ahead>

National Policy for “Do not attempt cardiopulmonary resuscitation – integrated adult policy:

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2016/08/decisions-cardiopulmonary-resuscitation-integrated-adult-policy/documents/00504976-pdf/00504976-pdf/govscot%3Adocument/00504976.pdf>

RESPECT process to support discussions around future emergency care treatment:

<https://www.resus.org.uk/respect>

NHS Borders does not have a policy or make plans with a patient for euthanasia as we would not, under any circumstance, deliberately end a person's life and to do so, whether to accommodate a voluntary decision from a patient or non-voluntary request from a person on behalf of a patient or involuntary decision against the will of a patient, would be against the law. The definition of patients is all members of the public; including those who are 'deemed disabled, elderly or nurses of NHS Borders'.

Therefore, as defined in Section 17, Freedom of Information (Scotland) Act 2002 (FOISA), this information is not held.

Please note NHS Borders' definition of this term would be:

- Euthanasia is the act of deliberately ending a person's life to relieve suffering
- Voluntary euthanasia – where a person makes a conscious decision to die and asks for help to do so
- Non-voluntary euthanasia – where a person is unable to give their consent (for example, because they're in a coma) and another person takes the decision on their behalf, perhaps because the ill person previously expressed a wish for their life to be ended in such circumstances

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **488-22** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both

the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.