

# livingtogether

## Next of Kin

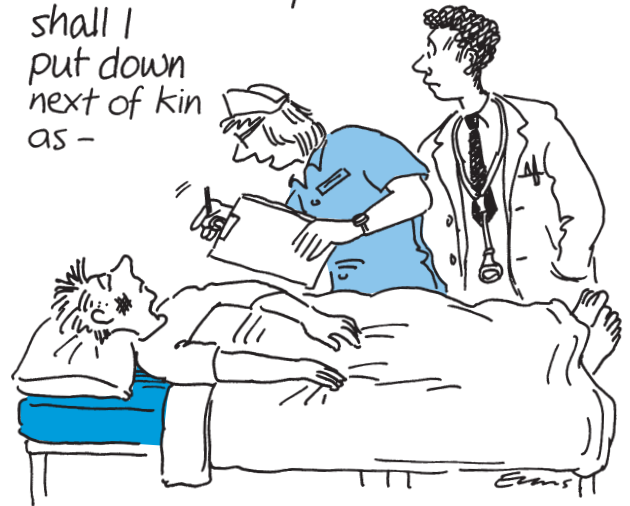
Whether or not you would be recognised as your partner's 'next of kin' in the event of an emergency is something that worries many cohabiting couples. Would you be informed if your partner was in an accident? Would you be given information about your partner's condition? Would you even be allowed to see them in hospital? Might your family even argue about who was your next of kin?

Despite the widespread use of the phrase, 'next of kin' is not defined by the law. This means it could be anyone. Practice hospitals have generally recognised spouses and close blood relatives as next of kin and have sometimes excluded cohabiting partners. This has been more common with same-sex partners, but has also happened to male-female couples.

As families have become more diverse, the policy in most NHS trusts is to ask you to nominate your next of kin formally, on your admission to hospital. Make sure you always choose the same person as you have put on this card (if possible). If you are unable to say, because for example you are unconscious, they will try to work out who is the person closest to you. They may get this wrong, particularly if your personal circumstances are confusing or "unusual" (for example, if you consider your best friend to be your next of kin, rather than your dad).

We've created the next of kin card to make it absolutely clear to medical staff who you have chosen as your next of kin, and how to contact them. It has been designed to fit in your wallet and can be carried with you everywhere. If there is any disagreement while you are unconscious, your next of kin can be contacted.

Well he looks a bit like Prince Harry - shall I put down next of kin as -



**NHS TRUSTS MAY GET YOUR NEXT OF KIN WRONG IF YOU ARE UNCONSCIOUS...**

advice**now**.org.uk

### Next of Kin

**To NHS staff:**

My name is: \_\_\_\_\_

My next of kin is: \_\_\_\_\_

Please inform him/her if I have been in an accident or admitted to hospital.

Landline: \_\_\_\_\_

Mobile number: \_\_\_\_\_

Address: \_\_\_\_\_

The person named above is the person that I am closest to. Please discuss my condition with them.

## What you need to think about before you complete the card

There are no rules about who can and who cannot be your next of kin. You can nominate your partner, a member of your family, or a good friend. For some people, choosing their next of kin may be obvious, others may need to consider it carefully.

Before completing the form, discuss your decision with the person you have chosen. Make sure they are willing to be your next of kin for medical purposes (you could show them this leaflet).

## What does it mean?

By completing this card and carrying it with you, you are making it clear that you wish the named person to be treated as your next of kin if you are admitted to hospital. This means that they would be informed that you are in hospital, and hospital staff would look to them for guidance about your care if you were unable to communicate (for example, if you were unconscious). If you were to die, your next of kin would be consulted about issues such as making funeral arrangements or a hospital post-mortem.

Your next of kin cannot consent or refuse consent to treatment on your behalf (nobody can do that). But they can let doctors know what decisions they believe you would make if you were able to.

A next of kin has no legal liabilities, and no rights to your medical notes or personal possessions.

## What else should I do?

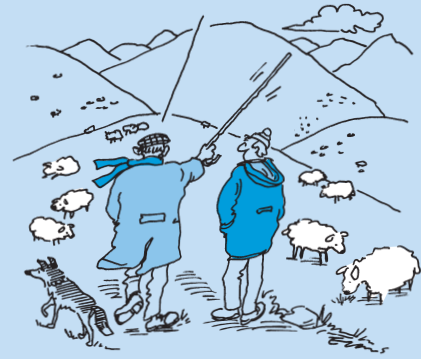
You should let your friends and family know who you have chosen as your next of kin and let them know where you keep this card.

Discuss with your next of kin how you would like to be treated in the event of serious illness (for example, if you wish to donate your organs).

*-and if I'm in a coma when you visit - wake me up!*



*Oh - and donate my whistlin' fingers to any other shepherd as 'll ave 'em!*



**SAY IF YOU WANT TO DONATE YOUR ORGANS WHEN YOU DIE.**

**This leaflet is one of a series produced by [advicenow.org.uk](http://advicenow.org.uk)'s LivingTogether campaign.**

The LivingTogether campaign aims to increase awareness and understanding of the legal issues around living together. We explain exactly what rights couples living together really have, and show you practical ways you can protect yourself and your partner.

**For more information about your rights when you are living with your partner see [www.advicenow.org.uk/livingtogether](http://www.advicenow.org.uk/livingtogether)**

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The LivingTogether campaign is led by Advice Services Alliance in partnership with One Plus One ([www.oneplusone.org.uk](http://www.oneplusone.org.uk)) and is funded by the Ministry of Justice.

Advice Services Alliance (ASA) is the co-ordinating body for UK advice services. ASA members include AdviceUK, Age UK, Citizens Advice, DIAL UK, Law Centres Federation, Shelter and Youth Access. ASA works with its membership and government to develop policy on delivery of legal and advice services; champions the development of high quality information, advice and legal services; and provides supporting services to advice networks.

**The LivingTogether Campaign applies to England and Wales only. The law in Scotland and Northern Ireland is significantly different.**

**The law is complicated and every case is different. If in doubt, get advice.**

Written by Khaleda Khan and Mary Webber. Series edited by Mary Webber. July 2010.

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