

Mr James Harvey

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11 July 2011

Dear Mr Harvey

**Re: Freedom of Information request - 1081**

Further to your request under the Freedom of Information Act 2000 (the Act) dated 13 June 2011, I am writing to confirm the information that the Trust does and does not hold. The text of your request is repeated below in bold, followed by our response:

**Can you tell me if NHS patients are given priority over private patients as recipients of donated livers at King's College Hospital**

It may be helpful if I explain that the Act provides the right to ask for recorded information held by public authorities. As your question does not request recorded information or documentation, I should advise you that on this occasion we have not considered your question under the provisions of the Act.

However, I am able to tell you that all patients coming to King's College Hospital for liver transplant surgery are assessed and prioritised according to clinical need only. Like all transplant centres, we follow the rules and regulations for liver transplant surgery and the allocation of organs as determined by NHS Blood and Transplant.

Patients are categorised as either Group 1 or Group 2 patients. Group 1 includes all UK and EU patients. EU patients have the same entitlement to UK donor organs as UK patients. This includes if they pay for their treatment privately. Payment is received for the costs associated with the transplant operation, not for the organs from deceased patients, which (like UK patients) EU patients are legally entitled to anyway.

Group 2 refers to all other non EU patients. Only when a donor liver has been declined by all liver transplant centres in the UK for group 1 patients can it be offered

to group 2 patients.

You can find out more about the Act and other information resources released by the Trust on our website at: [www.kch.nhs.uk](http://www.kch.nhs.uk)

If you are dissatisfied with the Trust's response, you may appeal to us in the first instance. For contact details and a copy of our FOI appeal process, please see our website or email us at [kch-tr.foi@nhs.net](mailto:kch-tr.foi@nhs.net)

If you remain dissatisfied, you have the right under section 50 of the Act to apply to the Information Commissioner to seek resolution to the matter. Further details can be found on their website at [www.ico.gov.uk](http://www.ico.gov.uk).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Nicholls', written in a cursive style.

**Fiona Nicholls**  
**FOI Lead**

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