

CONSENT FOR MINORS/CHILDREN POLICY

INTRODUCTION

The purpose of this policy is to set out the Neaman Practice's approach to consent and the way in which the principles of consent will be put into practice. It is not a detailed legal or procedural resource due to the complexity and nature of the issues surrounding consent.

Where possible, a clinician must be satisfied that a patient understands and consents to a proposed treatment, immunisation or investigation. This will include the nature, purpose, and risks of the procedure, if necessary by the use of drawings, interpreters, videos or other means to ensure that the patient understands, and has enough information to give 'Informed Consent'.

IMPLIED CONSENT

Implied consent will be assumed for many routine physical contacts with patients. Where implied consent is to be assumed by the clinician, in all cases, the following will apply:

An explanation will be given to the patient what he / she is about to do, and why.

The explanation will be sufficient for the patient to understand the procedure.

In all cases where the patient is under 18 years of age a verbal confirmation of consent will be obtained and briefly entered into the medical record.

Where there is a significant risk to the patient an "Expressed Consent" will be obtained in all cases (see below).

EXPRESSED CONSENT

Expressed consent (written or verbal) will be obtained for any procedure which carries a risk that the patient is likely to consider as being substantial. A note will be made in the medical record detailing the discussion about the consent and the risks. A Consent Form may be used for the patient to express consent (see below).

OBTAINING CONSENT

Consent (Implied or Expressed) will be obtained prior to the procedure, and prior to any form of sedation.

The clinician will ensure that the patient is competent to provide a consent (16 years or over) or has "Gillick Competence" if under 16 years. Further information about Gillick Competence and obtaining consent for children is set out below.

Consent will include the provision of all information relevant to the treatment.

Questions posed by the patient will be answered honestly, and information necessary for the informed decision will not be withheld unless there is a specific reason to withhold. In all cases where information is withheld then the decision will be recorded in the clinical record.

The person who obtains the consent will be the person who carries out the procedure (i.e. a nurse carrying out a procedure will not rely on a consent obtained by a doctor unless the nurse was present at the time of the consent).

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The person obtaining consent will be fully qualified and will be knowledgeable about the procedure and the associated risks.

The scope of the authority provided by the patient will not be exceeded unless in an emergency.

The Practice acknowledges the rights of the patient to refuse consent, delay the consent, seek further information, limit the consent, or ask for a chaperone.

Clinicians will use a Consent Form where procedures carry a degree of risk or where, for other reasons, they consider it appropriate to do so (e.g. malicious patients).

No alterations will be made to a Consent Form once it has been signed by a patient.

Clinicians will ensure that consents are freely given and not under duress (e.g. under pressure from other present family members etc.).

If a patient is mentally competent to give consent but is physically unable to sign the Consent Form, the clinician should complete the Form as usual, and ask an independent witness to confirm that the patient has given consent orally or non-verbally.

Other aspects which may be explained by the clinician include:

Details of the diagnosis, prognosis, and implications if the condition is left untreated

Options for treatment, including the option not to treat.

Details of any subsidiary treatments (e.g. pain relief)

Patient experiences during and after the treatment, including common or potential side effects and the recovery process. Probability of success and the possibility of further treatments. The option of a second opinion.

IMMUNISATIONS

Informed consent must be obtained prior to giving an immunisation. There is no legal requirement for consent to immunisation to be in writing and a signature on a consent form is not conclusive proof that consent has been given, but serves to record the decision and discussions that have taken place with the patient, or the person giving consent on a child's behalf.

CONSENT FOR CHILDREN

Everyone aged 16 or more is presumed to be competent to give consent for themselves, unless the opposite is demonstrated. If a child under the age of 16 has "sufficient understanding and intelligence to enable him/her to understand fully what is proposed" (known as Gillick Competence), then he/she will be competent to give consent for him/herself. Young people aged 16 and 17, and legally 'competent' younger children, may therefore sign a Consent Form for themselves, but may like a parent to countersign as well.

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For children under 16 (except for those who have Gillick Competence as noted above), someone with parental responsibility should give consent on the child's behalf by signing accordingly on the Consent Form

PARENTAL RESPONSIBILITY

Birth mothers automatically have parental responsibility (PR) Married fathers automatically have PR and do not lose it, even on divorce. Unmarried fathers have automatic PR for their children if they are named on the birth certificate and the birth was registered after 1st December 2003. If this is not the case, unmarried fathers don't have automatic PR, but may obtain it by:

- Marrying the mother
- Having the name re registered on the birth certificate
- Making a Parental Responsibility Agreement with the mother
- Obtaining a Parental Responsibility Order from the court
- Obtaining a Residence Order from the court , or
- Becoming the child's guardian

A step-parent, even if married to a parent of the child, does not automatically have PR for a child. Step-parents can acquire PR through:

- A Court order, or
- A formal agreement to obtain Parental Responsibility

Other people (including step-parents) can also obtain PR

- If appointed as the child guardian
- By way of a residence order from the court
- By having an Adoption Order made in their favour

The local authority can acquire PR through an Emergency Protection Order or Care Order Always check with foster parents what PR they have assigned to them.

CONSENT FOR MINORS/CHILDREN POLICY

This form is for parents/guardians to give permission for their child to be vaccinated.

Name of parent/guardian:

Child's name and NHS number (if known):

Address of parent/guardian:

Postcode:

Phone number of parent/guardian:

Date of birth of child:

Date of vaccination:

Please inform the person giving the vaccination, if your child:

- has had a severe reaction to any medicines, including vaccines,
- is allergic to anything, or
- has a condition for which he or she has, or is, receiving medical treatment.

Vaccines may contain minute traces of animal products and other components. If you have concerns about any of the contents in the vaccine you can check at:

(Doctor/nurse to insert link to the appropriate vaccine at: <http://www.medicines.org.uk/emc/>)

If you are signing this at home and/or are unable to speak to the person giving the vaccination, this web link gives full details about what the vaccine is for and how it will be given. It also describes any expected side effects that may occur afterwards.

By signing this form you will be giving consent for your child to have the vaccination described.

Having read the above information and/or listened to the doctor/nurse, I agree to my child being vaccinated with:

(Doctor/nurse to enter brand name of vaccine)

Signed:

Name:

Date:

Office use only

Vaccine given

Vaccination site

Batch number

Expiry date

Name and address of administrator

Postcode

Signed

Date

CONSENT FOR MINORS/CHILDREN POLICY

This form is for parents/guardians to give permission for their Minor/child to be seen by a member of the clinical team at Neaman Practice on their own/appointment guardian for medical treatment/procedure.

Name of parent/guardian:

Child's name and NHS number (if known):

Address of parent/guardian:

Postcode:

Phone number of parent/guardian:

Date of birth of child:

Date of appointment:

By signing this form you will be giving consent for your child to be seen by a member of the clinical team at the Neaman Practice for their medical treatment or procedure.

Signed:

Name:

Date:

Office use only

Advice/treatment/Procedure completed:

Name of Clinician

Signed

Date