

Consent – your rights

How you should be involved in decisions about your health care and treatment

Who is this leaflet for and what's it about?

If you're under 16, this leaflet is for you. It tells you about your right to decide about your health care and treatment. Your parent or the person who looks after you may find the leaflet helpful too.

What does consent mean?

It means **agreement**. A doctor, nurse, or anyone else looking after your health, like a dentist, has to have your agreement before they can examine or treat you.

Can I give consent?

- You can give consent if you can understand what is involved and decide things for yourself.
- You may not feel able to give consent for some things – each decision is different. Some decisions are more difficult than others.
- Even if you can't give your consent, you can still be involved in discussions about your health care, if that's what you want.



Who decides if I can give consent?

- A doctor or someone else looking after your health, like a dentist, will decide if you can give consent. They will decide this by talking to you. They have to be sure you can understand the kind of examination or treatment they are suggesting, and its possible effects.
- Your doctor or dentist may decide you can't give consent. If you're unhappy about their decision, you can:
 - contact the Scottish Child Law Centre
 - contact ChildLine. Their counsellors will give you help and support.

See page 4 for contact details.

Who can give consent if I can't?

- If you can't give consent, your parent or the person who looks after you will be asked for their consent to your examination or treatment.
- If it's an emergency and there's no time for your parent or the person who looks after you to give their consent for you, doctors can treat you – but only if the treatment is to save your life or stop you becoming even more unwell.

How do I give my consent?

- By doing something to show your agreement. For example, your doctor may ask to examine your foot. If you take off your shoe, it shows you agree to this.
- Sometimes your doctor or another health professional will ask you to say if you agree.
- If the examination or treatment is complicated, like an operation, they will ask you to sign a form.



What information should I be given?

You need enough information to help you make a decision. The doctor, nurse or other health worker must explain things to you in a way you can understand. If they don't do this, you should ask them to explain more clearly.

You may want to know:

- why you are being examined or treated
- what will happen
- what good it will do
- if there are any risks
- if there's a different treatment you could choose instead
- what could happen if you don't have the examination or treatment
- the name of the doctor or other health worker looking after you.

Remember you can ask:

- as many questions as you want
- for some information to take away
- for more time to make your decision.

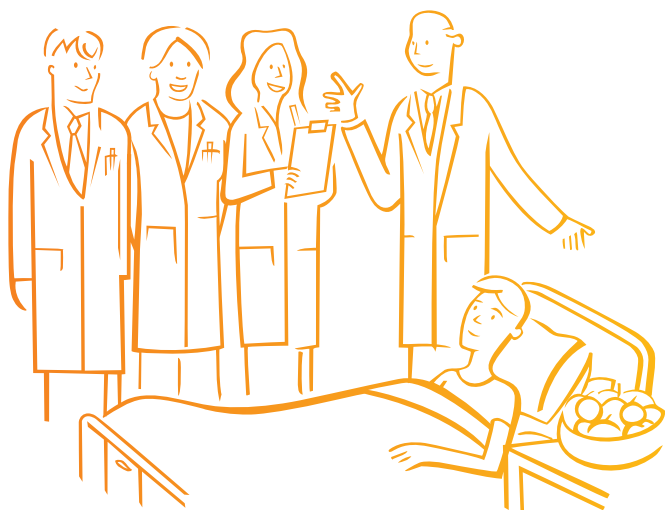
If you need an interpreter, ask a member of staff to arrange this for you in advance.

Can I refuse examination and treatment?

- Yes, as long as you understand how this could affect your health.
- Your doctor and your parent or the person who looks after you should always listen to you, even if they disagree with your decision.
- It may help to talk about this with someone else you trust.
- In very unusual cases, if you have said no to treatment and you have a very serious condition, your parent or the person who looks after you may disagree with you and want to discuss your case with a lawyer.
- **Your opinion will still be listened to** and you can also have your own lawyer to help you. For more information contact the Scottish Child Law Centre (see page 4).

What if I change my mind?

- You can change your mind about agreeing to an examination or treatment at any time. But you need to understand how this could affect your health.
- Tell the person looking after you that you've changed your mind.



What if I'm asked to let students watch while I'm being examined or treated?

Students who are training to be doctors or nurses need to learn how to care for patients. Your doctor or nurse may ask if students can be there while you are being examined or treated. **You can say no if you don't want this – it won't affect the standard of care you receive.**

What if I'm asked to take part in research?

- Research is needed to find out why people become ill and the best way to treat them, and your doctor may ask if you want to take part.
- If you're asked to take part in research, you don't have to agree. If you say no, you'll still get the best possible care. If you do want to take part, for some kinds of research, your parent or the person who looks after you will also need to agree. Your doctor will discuss this with you.

What if I'm unhappy about the decisions made about my care?

You may not be happy about the way you were involved in decisions about your care and treatment. If you can, tell one of the people who has been looking after you about your concerns. Or ask your parent, the person who looks after you or another adult you trust to do this for you.

If you are still unhappy, you can make a complaint. The leaflet **Have your say** tells you how to do this. You can ask for this leaflet anywhere you get health care, or get it from the internet (www.hris.org.uk).

What if I need more information?

If you need help or advice about consent, there are a lot of people who can help. You can contact any of the places we list here. You can contact most of them by phone, email or via a website – just choose the way that suits you best.

- If you don't understand something in this leaflet, or if you have any questions about the law and your rights, the **Scottish Child Law Centre** can give you free and confidential legal advice. This is the only law centre in Scotland that is just for young people.

Scottish Child Law Centre
54 East Crosscauseway
Edinburgh EH8 9HD

Information helpline **0131 667 6333**
Freephone number for people under 18
0800 328 8970
Free text enquiry service –text 'SCLC'
followed by your question to **80800**
(replies will be sent to your mobile).
Email **enquiries@slc.org.uk**
Website **www.sclc.org.uk**

- **Scotland's Commissioner for Children and Young People** can give you information about your rights and how to have a say about your health care.

Scotland's Commissioner for Children
and Young People
85 Holyrood Road
Edinburgh EH8 8AU

Freephone number for young people
0800 019 1179
Email **info@sccyp.org.uk**
Website **www.sccyp.org.uk**

- **ChildLine** is a free and confidential helpline for all children and young people in the UK. You can call or write to ChildLine for help and advice about anything.

ChildLine
Freepost 1111
Glasgow G1 1BR

Freephone number (24 hours a day,
seven days a week) **0800 1111**

Email **scotland@childline.org.uk**

Website **www.childline.org.uk** (Childline offers a counselling service online. Log on to the website to speak to a counsellor.)



Information about health rights

- **Have your say! Your right to be heard** tells you how you can make your comments, suggestions or concerns about your health care heard.
- **Confidentiality – your rights** tells you how the health service keeps information about you private.
- A more detailed version of this leaflet, **Consent – it's your decision** is available in other languages and formats.

To ask for this information in another language or format email: ask@hris.org.uk

You can get these leaflets from:

- GP surgeries, dental surgeries, hospitals and anywhere you get NHS care
- www.hris.org.uk
- the NHS inform Helpline on **0800 22 44 88** (textphone **18001 0800 22 44 88**) which can also provide an interpreting service



We have tried our best to make sure this leaflet is correct, but the law can be more complicated than this. If you are thinking about taking legal action and need advice, you should contact a solicitor, a citizens advice bureau, another advice agency or the Scottish Child Law Centre.

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