

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 guardian may find the leaflet helpful too.

What does consent mean?

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.

Am I able to give consent?

- You can give consent if you're able to 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're not able to give your consent, you can still be involved in discussions about your health care if that's what you want.



Who decides if I'm able to give consent?

- A doctor or someone else looking after your health, like a dentist, will decide if you are able to give consent. They will decide this by talking to you. They have to be sure that you can understand the kind of examination or treatment they are suggesting, and its possible effects.
- Your doctor or dentist may decide you're not able to give consent. If you're not happy 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'm not able to?

- If you're not able to give consent, your parent or guardian 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 guardian 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 that you agree to this.
- Sometimes you may be asked to say whether you agree.
- If the examination or treatment is complicated, like an operation, you may be asked 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.

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 may 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 mind up.

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 parents and doctor should always listen to you, even if they don't agree with your decision.
- In very unusual cases, if you have said no to treatment and you have a very serious condition, your parent or guardian may disagree with you and want to talk things over with a lawyer. This is only because they want what's best for you. It doesn't always mean they will make you do something you don't want to. **Your opinion will still be listened to.**

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 your care.**

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.
- It's up to you to decide if you want to. You don't have to say yes. If you say no, you'll still get the best possible care.
- If you do want to take part, your parent will also need to agree to this.

What if I'm not happy?

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 or another adult you trust to do this for you.

If you are still not happy, you can make a complaint. The leaflet **Have your say** tells you how to do this. Ask for this leaflet anywhere you get health care, or get it online (www.hris.org.uk).

What if I need more information?

If you need help or advice about consent, a lot of people can help. You can choose from any of the places that we've listed in this section. There are lots of ways to get in touch – 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 **0800 328 8970**
(for under 18s)
Email enquiries@sccl.org.uk
Free text enquiry service: text 'SCLC'
followed by your question to **80800**
(replies will be sent to your mobile)
Website www.sccl.org.uk

- **Scotland's Commissioner for Children and Young People** can give you information about your rights and tell you about organisations that can help you.

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

Freephone **0800 019 1179**
(for young people)
Email enquiries@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 **0800 1111**
(24 hours a day, seven days a week)
Email scotland@childline.org.uk
Website www.childline.org.uk



Information about health rights

This leaflet is part of the following series:

- **Confidentiality – your rights** tells you how the health service keeps information about you private.
- **Have your say! – your right to be heard** tells you how you can make your comments, suggestions or concerns about your health care heard.
- A more detailed version of this leaflet called **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 any other places where you get NHS care
- the NHS helpline on **0800 22 44 88** (textphone **18001 0800 22 44 88**) which can also provide an interpreting service
- www.hris.org.uk



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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