

Tús Áite do
Shábháilteacht **1** Othar
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Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Quality and Patient Safety Directorate

Consent: A guide for young people



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1. Introduction

Before a doctor, a nurse, or anyone else looking after your health or providing care to you can examine or treat you or provide services for you, they need to ask for consent. That means they must ask for your agreement and usually the agreement of your parents as well. The reference to parents in this guide also includes legal guardians.

This short leaflet explains what consent is and how it may affect you and your care. There is a lot more detail in the *National Consent Policy* which you are encouraged to read on the HSE website www.hse.ie

2. What is Consent?

Getting consent certainly involves asking for permission, but it is more than that:

- Firstly it is very important that you and your parents are given enough information, in language that you can understand, on the treatment or procedure in question so that you and your parents can decide whether to agree or not. The kind of information you might want is listed in Section 4.
- Secondly, you and your parents must be able to understand the information and be able to let the doctors, nurses or care providers know what your decision is.
- Thirdly, it is important that you make this decision yourself and that you have not been put under unreasonable pressure by anyone else.

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3. When am I old enough to give my own consent?

- In Ireland if you are over 16 you can give your own consent to surgery, medical or dental treatment. This means your parents do not have to be asked to give permission but it is usually a good idea to involve them in your care as well so they can help you think through your decision and support you.
- If you are over 16 and you refuse treatment or care then your decision will generally be respected. But if you refuse treatment or care in circumstances where this will have very serious consequences for you, your parents and others may wish to discuss your decision further with you to try to understand your reasons and to help address any worries you may have about the treatment or care. In some very serious circumstances, it may be necessary to refer the matter to court for a decision.
- If you are under 16 your parents will usually also be involved in decisions about your health and their permission will usually be sought for your medical treatment or any care to be provided to you. The *National Consent Policy* recommends that in exceptional circumstances the doctor or other professional may decide you are mature enough to understand what is involved in your treatment and to make a decision by yourself. In those situations he or she may provide the advice or treatment to you if it is in your best interests but he or she will advise you that it is best to have your parents involved.

4. What kind of information will I be given?

The amount of information you will be given may depend on how complicated or risky the procedure is and how much information you want. For example, for a minor procedure like changing a wound dressing, the doctor or nurse might just tell you what they are going to do and warn you that it might hurt a little bit when the dressing is taken off. On the other hand, if a major decision is required, such as whether or not to have an operation, you might want to ask the doctors things like:

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- why they think the treatment will be good for you;
- what sort of things it will involve;
- what benefits they hope will result;
- how good the chances are of you getting such benefits;
- whether there are any alternatives;
- whether there are any risks;
- whether the risks are small or big; or
- what may happen if you don't have the treatment.

It is completely normal that hearing this kind of information can sometimes be confusing and worrying so you should always ask questions if you don't understand or you want to know more or you need more time to think about it. One of your parents will usually be with you as well so they can help you if you need help understanding the information.

Sometimes in an emergency such as if you were in an accident, you might not be able to have as much time as you might like to think about it, or you may be too ill for the doctors to talk to you. In those circumstances the doctor might have to make a decision to save your life or prevent serious harm being caused to you. They will do their best to contact your family to let them know what's going on.

5. How do I give consent?

Sometimes you can give permission verbally such as for example where the doctor or nurse asks can they look at your ears or your throat, but if the procedure is more complicated such as an operation you and your parents may be given a detailed information leaflet containing important information about the questions people usually ask about the particular procedure.

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You and your parents should read this very carefully and make sure you ask about anything that is unclear to you. You and your parents will then be asked to give written consent by signing a consent form.

Sometimes, particularly with medical procedures that are planned in advance like getting your tonsils out, there may be a delay between the date that you give your consent in the doctor's clinic and the actual date of the procedure. If you are not sure that you can remember the earlier information you were given or if your condition has changed at all in the meantime please let the doctor know so he or she can give you more up-to-date information and make sure that you are happy to go ahead. You can, of course, change your mind at any time.

6. Will the doctor tell my parents or anyone else?

Sometimes young people want to be able to get advice or treatment from a doctor or other professional but may not want to tell their parents. Although usually doctors and others will keep such information private, if you are under 16 he or she will probably want to discuss it with your parents and get their permission for your treatment or care as well. If the doctor or other professional does have to speak to your parents, he or she should talk to you about it first and explain why. You should be also aware that your parents have a right to see your medical or other records if they choose.

The doctor or other professional might have to report sexual activity if you are under the legal age of consent and he or she is concerned about protecting you from the possibility of sexual abuse.

If you have any concerns about confidentiality in relation to information which you give to the doctor or other professional in relation to your treatment or care, you should discuss these with the professional at the beginning of the consultation.

