


## Parental Healthcare Decisions

# Consent Process Check List

RELATING TO CHILDREN UNDER 16



PLEASE DO NOT CONSIDER ANYTHING IN THIS DOCUMENT TO BE LEGAL ADVICE. Everyone's circumstances are different and only an experienced lawyer working in the relevant field and who knows your case in detail can give you legal advice.

This list is based on UK regulatory guidelines and best practice (General Medical Council) and is aimed at most common situations. Its aim is to help parents and medical staff ensure that parental consent to any intervention has lawfully been obtained and to encourage best practice.

Children should be included in the process as appropriate to their level of maturity.

## Has valid consent been obtained from the patient?

- Has required information been given in ways the parent/child can understand?  
This should include diagnosis & prognosis, any uncertainties, treatment options incl. option not to treat, purpose of each treatment, incl. any risks and likelihood of success, side-effects & complications, in particular serious adverse outcomes.
- Has the information been given in a balanced way, disclosing any conflicts of interest?
- Has the parent / child been encouraged to ask questions?
- Have staff checked if the information is understood and whether more information is wanted?
- Has the parent or child been told they can change their mind at any time?
- Have they been given time to decide?
- No pressure has been put on parents and their decision has been respected?
- Are the medical staff involved suitably trained, have sufficient knowledge of the proposed investigation or treatment, incl. risks involved, and understand the GMC guidelines?
- If consent is given by a competent minor, has all relevant information been provided and discussed before they were assessed as competent to understand such information?

### **Conflict between parents**

Normally consent of only one parent suffices in law but in some cases, such as vaccination, sterilisation & circumcision both parents need to consent. If medical staff are aware of conflicting views between parents in such cases, treatment cannot proceed. A court needs to decide.

### **Conflict between parents and medical staff**

If parents of a competent minor refuse treatment which is thought to be in the child's best interest, only a court can override this refusal.

A child's best interest is not merely what is clinically indicated, but includes their own views, parents views, cultural and religious beliefs and values and the views of other professionals.