

StChristopher's

Consent –
what you have a
right to expect

**INFORMATION FOR PATIENTS,
CARERS AND FAMILIES**

1 What does consent really mean?

Before any doctor, nurse or therapist examines or treats you, they must seek your permission or 'consent' to do so. This could simply mean following their suggestions, such as your GP asking to have a look at your throat and you showing your consent by opening your mouth. Sometimes they will ask you to sign a form, depending on the seriousness of what they're proposing or whether it carries risks as well as benefits.

It does not matter so much how you show your consent: whether you sign or say you agree. What is important is that your consent is genuine or valid. That means:

- you must be able to give your consent
- you must be given enough information to enable you to make a decision
- you must be acting under your own free will and not, for example, under the strong influence of another person.

English law assumes that if you're an adult you are able to make your own decisions, unless it's proved otherwise. As long as you can understand and weigh up the information needed to make the decision, you should be able to make it.

2 What if I'm not able to take a particular decision?

If you become too ill to make or express your views, people providing health care can still give you treatment that they believe is in your best interests. The only exception is if you have clearly refused a particular treatment in advance.

No-one (not even husbands, wives, partners or close relatives) can give consent to treatment on behalf of another adult unless you have given them

that authority. However, friends and relatives may have useful advice to give. They may be able to tell healthcare professionals about the person's beliefs and values – for example whether they have accepted or refused certain kinds of treatment in the past or have strong views on some health questions. So it is important to discuss your views with your friends and relatives.

3 What if I'm asked about students being present?

Occasionally you may be asked if you mind students being present while you are treated. If you are undecided, ask what they intend doing – just observing, taking notes or examining you. If you prefer, you can specify students of one sex only. If you are not comfortable about students being present, you can always say no. It will not make any difference to the quality of the care you receive.

4 What sort of information do I need?

In order to make a decision, you need to have information from health professionals about the treatment or investigation which is being offered to you. Health professionals have a legal duty to discuss with you the risks and benefits of all treatment options available, unless they have good reason to believe the discussion could cause you serious harm. You should always ask them more questions if you don't understand or if you want more information. For example:

- What sort of things will the treatment involve?
- What are the benefits they hope will result?
- How good are the chances of getting such benefits?
- Are there any alternatives?
- What are the risks, if any?
- If there are risks, are they minor or serious?

- What may happen if you don't have treatment?

If the person asking for your consent to the treatment isn't able to answer your questions, ask them to find out or arrange for someone else to talk to you about your concerns.

5 How much time can I take to decide?

Your doctor, nurse or therapist may certainly encourage you to accept a particular treatment if they believe it will be helpful for you, but it is your decision whether or not to go ahead. If you want more time to think about your decision, say so.

6 Can I refuse treatment in advance?

You may be quite certain that you would not want a particular treatment in the future. In that case you may like to make a written record of your wishes (a document sometimes called a Living Will), and make sure people close to you know. Then if this situation arises at some point in the future and you are not in a position to tell your wishes to people providing health care, they will be bound by your earlier decision.

It is important to be very precise about any treatment you are refusing in advance, otherwise you could exclude treatments which you would want to accept. For this reason it is advisable to seek medical advice about what treatments you are thinking of mentioning. It is also important to let people close to you know if you have changed your mind so they can pass on this information if necessary.

7 Can I say in advance which treatment I'd prefer?

You may want to write down the sorts of treatment you would rather have, and the concerns that you have about other kinds. These wishes would not be

binding in the same way as an advance refusal. So you cannot insist on a particular kind of treatment, including cardiopulmonary resuscitation, if a health care professional does not believe it is right for you. But if the time ever comes when you can no longer make decisions or tell people about them, it would help people providing health care to have your wishes as a guide when deciding what is in your best interests.

You cannot request something that is against the law, such as euthanasia.

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

This may be as part of your treatment, for example to compare two different treatments; or it may be quite separate, for example being asked to provide extra blood samples for a research project. In any case, a research project will always be approved by a Research Ethics Committee before you are asked to take part in it.

It is for you to decide whether or not to take part. You should usually be given an information sheet about the research project, and you should ask as many additional questions as you want before coming to a decision. If you choose not to take part, this will not affect the rest of your care. If you agree to take part in a research project, and then change your mind, you are free to withdraw at any time.

9 Suppose I'm not happy about how I've been approached about consent?

Please tell your hospice doctor, nurse or therapist that you're worried.

But if you're still not satisfied, you are entitled to complain. Details are given in our leaflet *How to comment or complain about our services*.

It is really important for your care that the information you give us is as full and accurate as possible.

If you would like this information in a different format, such as audio tape, braille or large print, or in another language, please speak to the Communications Team on **020 8768 4500** or email **communications@stchristophers.org.uk**

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