NHS
Royal Devon
University Healthcare
NHS Foundation Trust

Consent

What you have a right to expect

Other formats

If you need this leaflet in another format such as Braille, large print, high contrast, British Sign Language or translated into another language, contact the Patient Advice and Liaison Service:

- 01392 402093 (for Mid Devon, East Devon and Exeter services)
- 01271 314090 (for North Devon services)
- rduh.pals@nhs.net

What does consent really mean?

Before any doctor, nurse or therapist examines or treats you, they must seek your permission or 'consent' . 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. At times this will involve asking 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.

You are free to withdraw your consent at any time.

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

If you become too ill to make or express your views, people providing healthcare 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 they have been given that authority by a Lasting Power of Attorney that has been registered. 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.

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. 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.

What sort of information do I need?

In order to decide, you need to have information from healthcare professionals about the treatment or investigation which is being offered to you. 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.

How much time can I take to decide?

Your doctor, nurse or therapist may 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.

Can I refuse treatment in advance?

You may be 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. If in the future you are unable to express your wishes, the wishes stated in your living will can be used.

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 considering refusing.. If you change your mind it is important to inform people so this information is available and known.

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 of treatment. These wishes would not be binding in the same way as a living will.. You cannot insist on a particular kind of treatment, including cardiopulmonary resuscitation, if a healthcare 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 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.

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

Any 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 will be given an information sheet about the research project, which will be discussed through with you, 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. and you are free to withdraw your consent at any time.

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

Please tell your doctor, nurse or therapist that you're worried, so any concerns can be noted and addressed

But if you're still not satisfied, you are entitled to complain. Details are given in our 'Your experience counts' leaflet which outlines how to comment or complain about our services. You may also contact PALS on 01392 402093.

Your notes

With thanks to St Christopher's and HarrisHospisCare

www.stchristophers.org.uk

www.harrishospiscare.org.uk

PALS

The Patient Advice and Liaison Service (PALS) ensures that the NHS listens to patients, relatives, carers and friends, answers questions and resolves concerns as quickly as possible. If you have a query or concern, please contact PALS:

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Have your say

Royal Devon University Healthcare NHS Foundation Trust aims to provide high quality services. However, please tell us when something could be improved. If you have a comment or compliment about a service or treatment, please raise your comments with a member of staff or the PALS team in the first instance.

You can also share your feedback on the Care Opinion website at www.careopinion.org.uk or freephone 0800 122 3135.

Scan the QR code to visit the Care Opinion website →

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www.royaldevon.nhs.uk

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