

Consent

Making decisions about your health care and treatment

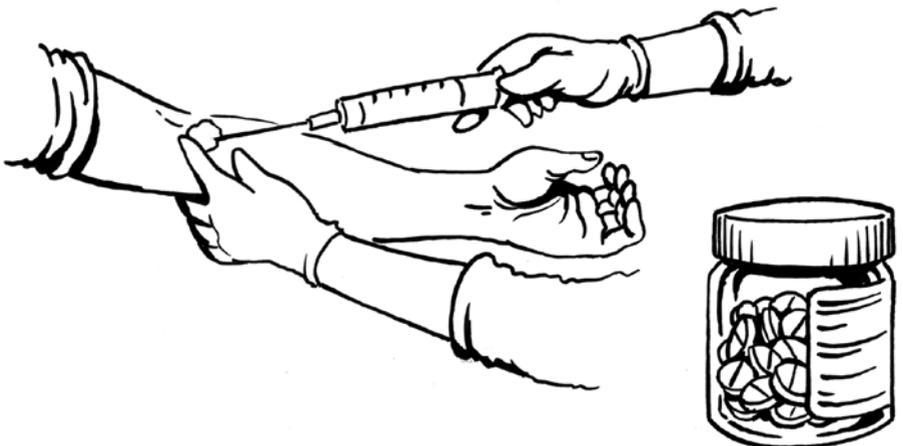


Consent

- Consent means agreeing to something.
- Before a doctor or a nurse can examine you or treat you, they must ask you to give your consent.

Treatment

- Treatment is something that a doctor or nurse gives you to make you better.
- Treatment might be an injection, medicine, an operation or something else.
- A dentist also gives you treatment.



You can give your consent in different ways

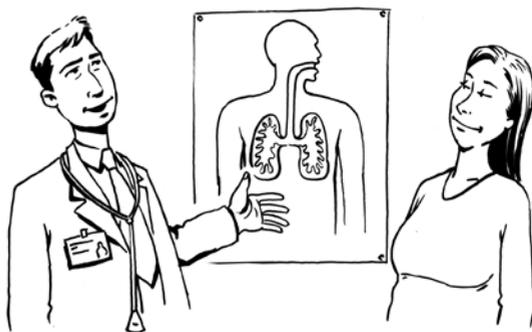
- You can do something to show you agree.
- You can say if you agree.
- You can sign a form if you agree.



You can ask questions before you give your consent to have treatment

Here are some examples of the things you can ask about.

- You can ask why you need to have something done.
- You can ask what will happen.
- You can ask how it will help you.
- You can ask what might go wrong.
- You can ask if something else can be done instead.
- You can ask what might happen if you refuse to have treatment.



- You can ask for more time to think about it.
- You can ask if you will have to pay.
- You can ask the name of the doctor who will look after you.

Your rights

- You have the right to have your say about your health care and treatment.
- You have the right to ask questions if you do not understand anything.
- You have the right to say no to any treatment.
- You can have someone else with you when a doctor or nurse examines you.



- You do not have to be examined or treated by a student.
- You can ask for another doctor to see you.

You can find out more about your rights at the end of this leaflet.

Some people cannot give consent to treatment

Some people cannot give consent because they do not understand things.

If you cannot give consent someone else may be able to give consent for you.

- If you are under 16, your mother or father may give consent for you.
- If you are 16 or over, you can ask someone to be your welfare attorney. Your welfare attorney can give consent for you. Other people cannot give consent for you unless they get permission from a court.
- If you cannot give your consent and there is no one else to give it for you, the law says a doctor can treat you if it will help you.

In an emergency

- In an emergency you may not be able to agree to treatment.
- Doctors can still treat you. But they can only do this if it will save your life or stop you suffering more serious harm.



If you have a mental illness or disorder

- Usually you have the same rights as anyone else.
- But if you are being cared for under the Mental Health Act, a doctor can say you need to go into hospital or need to have medical treatment, even if you don't want to.
- If you disagree the doctor will have to ask a special court for permission to treat you. The court is called the Medical Appeal Tribunal.

If you are not happy about the way you have been treated

- If you are not happy you have the right to complain.
- If you want to complain you should tell the person who is treating you.
- Or you can ask to speak to a senior member of staff.
- Or you can ask to speak to the complaints officer.

Ask at your GP surgery or hospital for our leaflet **‘Making a complaint about the NHS’**.

Or look on the internet at www.scotconsumer.org.uk/hris.

Where to get more information

To find out more about anything in this leaflet:

- ask a member of staff involved in your care
- phone the NHS Helpline on 0800 22 44 88
- ask your local citizens advice bureau (find your nearest bureau on the internet at www.cas.org.uk or in your local phone book).

To find out more about your rights, contact:

● **ENABLE Scotland**

6th Floor

7 Buchanan Street

Glasgow

G1 3HL

Phone: 0141 226 4541 (this line is open between 1pm - 4pm on Monday to Friday for information and advice)

Fax: 0141 204 4398

Email: info@enable.org.uk

Website: www.enable.org.uk

● **People First (Scotland)**

77-79 Easter Road

Edinburgh

EH7 5PW

Phone: 0131 478 7707

Fax: 0131 478 7404

Email: peoplefirst1@btconnect.com

● **Mental Welfare Commission for Scotland**

Argyle House

3 Lady Lawson Street

Edinburgh

EH3 9SH

Phone: 0131 222 6111

Freephone number for service users and carers:

0800 389 6809

Fax: 0131 222 6112

Website: www.mwscot.org.uk

We have tried our best to make sure this leaflet is correct but the law is much more complicated than this. If you plan to take legal action, you should get an advocate, advice service or solicitor to help you.

You can get a longer version of this leaflet, which explains things covered here in more detail. To get the longer version, or to get this information in another language or format, phone your local NHS Board. If you need help to do this contact the NHS Helpline on 0800 22 44 88 (textphone 18001 0800 22 44 88).

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SCOTTISH EXECUTIVE

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