

## Refusing consent

You have the right to refuse to consent to any treatment, procedure or disclosure of information at any time, even if this may be detrimental to your health. You may also withdraw your consent if you change your mind.

If you refuse your consent to a medical procedure or referral your doctor will discuss with you the risks associated with refusing you're the investigation or treatment. They will not do anything you have not consented to. You should make it clear to your doctor if you are only refusing your consent for part of the procedure.

Similarly, if you withdraw your consent your doctor will explain the consequences of stopping the procedure or treatment and make sure that you understand if this may be detrimental to your health.

You should not give your consent if you feel pressured to do so (whether by a clinician or a member of your family) or if you do not understand what is being said.

If you have any questions about what is involved with the procedure you are being asked to consent for you should ask your doctor or nurse.



Dr T.E. Davies, Dr J.C. Howard,  
Dr C.L. Laband, Dr C. Thomas &  
Dr L C Martin

Cheddar Medical Centre  
Roynon Way  
Cheddar  
BS27 3NZ

Phone: 01934 742061  
E-mail: [cheddarmc@chedmed.nhs.uk](mailto:cheddarmc@chedmed.nhs.uk)  
[www.chedmed.co.uk](http://www.chedmed.co.uk)

CHEDDAR  
MEDICAL  
CENTRE

**GIVING AND  
WITHOLDING YOUR  
CONSENT**



**This leaflet explains when we need your consent and how we will ask for it. It also explains what you need to know about refusing your consent and who can consent on your behalf**

Dr T.E. Davies, Dr J.C. Howard,  
Dr C.L. Laband, Dr C. Thomas &  
Dr L C Martin

## When we need your consent

We need to have your consent for a wide range of processes. For example:

- To examine you
- To give you vaccinations or perform minor surgery
- To take blood, urine or other samples and to send them away for analysis
- To take photographs or video
- To share your personal information with another care provider (e.g. when we refer you to a specialist)
- To give your health information to your carer or a member of your family
- If a medical student is to be present for your appointment
- If your medical records are requested by a third party not connected to your healthcare (e.g. a solicitor or insurance company)

There are some situations where we do not need your consent, for example:

- Purely statistical (anonymous) information which is analysed by the NHS to assess the performance of NHS service and the healthcare needs of the community
- When disclosure of information is required by law (e.g. reporting births and deaths) or a formal court order has been issued.

## Types of consent

For consent to be valid it must be given by a person competent to consent, be informed (which means that you must have all the relevant facts about what you are consenting to) and be voluntary.

Your doctor or nurse will give you all the information you need about what you are consenting to, what the procedure involves and why you need it.

Consent can be either explicit or implied by your actions.

**Explicit consent** is where you have been asked whether you consent and you have agreed to this either verbally or in writing. In most cases we will seek your explicit consent.

**Implied consent** is where it can be presumed from your actions that you consent. An example of this might be if you attend for a blood test we presume that you consent to the drawing of the blood and to sending the blood to an outside laboratory for analysis.

### REMEMBER

**You have to right to refuse your consent to any procedure or disclosure of information and to withdraw your consent at any time.**

## Who can consent

Adults over the age of 16 are presumed to be competent to consent to medical procedures or disclosure of information unless demonstrated otherwise.

### Children

Children under 16 may be competent to make their own decisions about treatment and disclosure of information. This will depend on the child and will be determined by the clinician. Information about children will not be given to parents of a competent child against their wishes except in exceptional circumstances. In younger children then parent or guardian accompanying them will be asked to consent on their behalf.

### Adults who lack the capacity to consent

Some adults will not have the capacity to consent, or to refuse to consent, to procedures or disclosure of information. This will be determined by the clinician. Family members of vulnerable adults do not have the ability to consent on their behalf unless they have the authority of the court (e.g. through a lasting power of attorney or court order).

If a clinician does not believe the adult has the capacity to consent they may still proceed with the procedure or disclosure if this is in the patient's best interest.