



## Consent : Advice for Patients

### Summary of SVC Policy

A copy of the full version of SVC Consent Policy, 2019 is available to SVC service users on request. This document is based on the General Medical Council ( GMC ) document “Consent: Patients and Doctors making decisions together” [www.gmc-uk.org/guidance](http://www.gmc-uk.org/guidance) And also on NHS Scotland document “NHS Inform ; Consent ; It’s your decision”, 2013.

This Information sheet is for people over 18 years of age.

#### **What is this document about?**

- It tells you about your right to make decisions about your health care and treatment.
- Normally, you can accept or refuse any treatment, examinations or tests, and you can decide whether to take part in research.

#### **What does consent mean?**

It means agreement. Before a Scottish Vein Centre ( SVC ) doctor, nurse or any other health professional can examine or treat you, they must have your consent.

#### **Who can give consent?**

- You will be the one to give consent if you can make decisions for yourself.
- Being able to make decisions means you can understand what is involved and can think clearly about the advantages and disadvantages of different actions.
- You must be given enough information, and you should be allowed to make up your own mind without pressure from other people.
- If you want someone to help you express your views, you can ask a friend, a relative, a partner or carer. This is separate from having someone accompany you as a chaperone.

#### **What if I can’t give consent?**

- You can give consent only if you can understand the information you are given, make a decision, remember your decision and tell other people your decision. If you can’t do all these things, it is called ‘incapacity’.
- Unfortunately, SVC cannot offer you any of their treatment services if you are deemed to have incapacity.

#### **How will I be asked to give my consent?**

- An SVC doctor or another health professional may ask you to do something to show your consent.
- For example, a doctor may ask to examine your foot. If you take off your shoe, it shows you agree to this.
- Usually you will be asked to say whether you agree to the examination or treatment.
- If the examination or treatment is complicated, for example an operation, you will be asked to sign a form showing you agree to it.

### **What information should I be given?**

To help you make a decision, SVC staff involved in your care must give you information about the examination or treatment you are being offered in a way that you understand.

You may want to know

- why you are being offered the examination or treatment
  - what it will involve
  - what the benefits are
  - whether there are any risks or side effects
  - how large or small the risks are
  - whether there are any alternatives
  - what may happen if you don't have the examination or treatment
  - what you will have to pay
  - the name of the doctor who is responsible for your care.
- You have the right to ask questions if you don't understand or you want to know more. If the person who is asking you to give consent can't answer your questions, ask them if they can find out or get someone else who can help.
  - If you think you need it, you can ask for a second opinion.
  - If you need an interpreter, ask a member of staff to arrange this for you in advance. When you make an appointment, tell them which language you prefer.

If you wish, someone can be with you when you are told about the examination or treatment. This could be a friend, a relative, a partner or carer, another member of staff, or an independent advocate. You may find it difficult to fully understand what you've been told about an examination or treatment. You will be given written information to take away to help you make a decision. You can contact our practice manager later by telephone to discuss this information, prior to arranging a treatment appointment.

Staff will give you all the information you need in a way that you can understand and meets your needs. Further information, including best medical practice advice ( NICE ), is available and easy to access on our website. [www.scottishveincentre.co.uk](http://www.scottishveincentre.co.uk)

### **How long can I take to decide?**

In emergencies, decisions will have to be made quickly. In other cases you will be able to take more time. It is important that you are given enough time to make your decision so you don't feel rushed. If you want time to think about your decision, you will be given as much time as you need.

SVC is willing to re-schedule your treatment appointment, if you feel you need more time before you make your decision to have treatment.

### **What if I change my mind?**

- You can change your mind about giving your consent to an examination or treatment at any time. You can tell any of the people looking after you, right up to the start of the procedure.
- When a procedure has already commenced, it is often not practical or safe to abandon it. But if you wish only to have part of a treatment, this will be taken into account immediately.

### **Can I refuse examination and treatment?**

- Normally you can refuse an examination or treatment at any time, even if this means your health may be harmed.
- It is important that you understand what may happen to you if you decide not to have the examination or treatment.
- If another treatment can be used instead, you should be given information about it. But you can't insist on a particular treatment if the SVC staff involved in your care don't think it will help you.
- Remember that you can ask for a second opinion about the treatment you have been offered.

### **What if I'm asked to take part in teaching?**

- SVC staff involved in your care should always ask you if you prefer not to have any clinical trainee present while you are examined or treated.
- You have a right to refuse, and the standard of care you receive won't be affected.
- SVC doctors must ask you to give your consent before they take any photographs of your examination or treatment for teaching purposes. We will also request your permission for normal clinical purposes. You have a right to refuse.
- SVC will remove information that identifies you before using the recordings.
- If you agree to photos being taken or recordings being made for teaching purposes or for marketing and information purposes on our website, you can change your mind later. If you withdraw your consent, the photos or recordings will not be used and will be destroyed as soon as possible.

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

- If you can make your own decisions, it's up to you to decide whether you want to take part in research.
- Before you decide, you should be given as much information about the research as you need, and you can ask as many questions as you wish.
- SVC will give you written information about the research to take home. You can use this to discuss the research with your family and friends if you want to.
- You should never be put under any pressure to agree to take part.
- If you do want to take part in research, the staff should ask you to sign a form showing that you give your consent. SVC staff will give you a copy of this form to keep, and will also keep a copy in your health records.
- You can change your mind at any time about taking part in research, without giving a reason.
- If you decide not to take part in the research, the standard of care you receive will not be affected.

## Consent and Privacy

### Please refer to separate “Privacy Notice “ displayed on our website

SVC recognises that the medical information we obtain from our service users is highly sensitive. We accept that the service user / patient has the right to control of this information in line with privacy, confidentiality and data protection legislation.

SVC and the service user will agree on the confidentiality of sensitive information at the initial consultation by the service user signing a registration form, which complies with new European General Data Protection Regulations ( GDPR ) 2018, legislation.

Service users as data subjects have a number of rights in relation to their personal data. These are:

- They may request access to their personal data.
- They may request correction of their personal data.
- They may request erasure of their personal data.
- They may object to processing of their personal data.
- They may request restriction of processing of their personal data.
- They may request transfer of their personal data.
- They have the right to withdraw consent.

No information relating to the service users personal demographic or contact details will ever be disclosed to any third party, without the express permission of the service user.

The service user will be reminded by SVC that they have the right to withhold communication between SVC and their general practitioner ( GP ) or primary care facility. To uphold this right , it is necessary for the service user to separately sign the registration form to this effect.

This right applies to service users who have self-referred to SVC for either investigation or treatment. For patients who have been referred by their GP, it is customary and best practice, for SVC to communicate medical information at initial and subsequent visits to our service.

The SVC registration form is a legal document and serves as a contract between the service user and SVC. It does not in any way diminish the rights of the service user. It is stressed at this initial interview that all proposed investigations and treatments are entirely at the future consent of the service user.

The service user will also be asked at first consultation whether they have any objection to having photographic images held on record for their clinical benefit. No photography is usually performed at this first visit, but subsequently at the first treatment appointment, the service user will once again be asked to confirm their willingness to have photographs taken. No facial images or other identifying images are obtained.

When dealing with claims issues for reimbursement from Private Health Insurers ( PHI's ) by service users, the standard practice by SVC is to share basic client details with the PHI. When a PHI asks for sensitive clinical details or medical reports, then we will only provide this information on receipt of an approval for communication with the PHI signed by the service user.