



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive
South



What does consent mean?

Giving your consent is the same as giving your permission.

As a patient in Cork University Hospital, you will be asked to sign forms to consent to care. This leaflet explains when you will be asked to sign a consent form and it explains your rights.

It is important that your consent is genuine or *valid*. What is needed for a valid consent is described in the box.

If you aren't given enough information to help you make the decision — or you don't understand the information well enough to make the decision — you can postpone the decision until later.

Also, you can withdraw your consent at any time.

Consent — it's up to you

Every time you are given a consent form to sign, this is what should happen.

The person giving you the form should:

explain what the form is about

For example, if you are having an operation, the doctor should explain the operation to you.

ask you if you have any questions

For example, you could ask what happens to you after an operation or what the outcomes of your care should be.

answer your questions until you are satisfied with the information.

You are always free to say no when you are asked to consent. You can also ask for more time to make a decision.

What information do you need?

Doctors, nurses, midwives or therapists who are treating you need to give you information about your treatment.

They need to tell you:

the **treatment** or **operation** or **procedure** that is proposed for you and why

the **benefits** of the treatment or operation or special procedure

the **risks** of the treatment or operation or special procedure

the **alternatives** to the treatment, if there are any

what would happen to you **if you don't** have the treatment or operation or procedure.

What does risk mean?

You should be told directly about any side effects, complications or other results that may affect you, if you have the treatment, operation or procedure. You can ask your doctor, nurse, midwife or therapist to tell you the chances of any of the risks happening to you.

How much do you need to know?

Some people want to know as much as possible about their condition and possible treatments. Other people would prefer to leave the decisions to the experts.

No one will force information on you, if you don't want it. It's up to you to tell the doctor, nurse, midwife or therapist who is giving you information that you don't want to know.

How much time can you take to decide?

If you want more time to make a decision about your treatment, tell your doctor, nurse, midwife or therapist. In emergencies, you may have to decide quickly. But at other times, it is usually possible to take as much time as you need.

Can you refuse consent?

Yes. It is your right to consent — or not to consent. However, your doctor or nurse or midwife or therapist will want to be sure that you understand what will happen if you do not have the treatment they recommend, including an operation or a procedure.



You may already know that you would not want a particular treatment in the future. In that case, you should make a written record of your wishes and make sure people close to you know. If you are not in a position to tell your wishes to people caring for you, they will be bound by the record you made earlier, unless you change your mind, which you are free to do.

What if you are not able to make a decision?

If you are too ill to consent — for example, if you are unconscious after a road traffic accident — the doctors and nurses will give you the treatment they believe is in your best interests, particularly if it is an emergency.

If you are an adult, no one can give consent to treatment for you, not even your husband or wife or partner or a close relative. But if you are too ill to consent, the doctors and nurses will ask your family or others who are close to you for advice on your treatment.

Can a relative or carer help?

Relatives and friends cannot make decisions on your behalf, if you are a patient. Even so, they may be able to tell healthcare professionals about your opinions and beliefs or if you have strong views about particular health conditions or treatments.

Sharing what a relative or carer knows about you will help doctors, nurses, midwives and therapists to make a better decision about what will be in your best interests. People close to you should be involved in this way, unless you have made clear in the past that you would not want a particular person involved.



What about giving consent for a child?

If a child is 16 years old or older

When a child reaches the age of 16, he or she can agree to examination or treatment just like an adult does. Doctors do not have to ask the parents or legal guardians for consent as well.

If a child is under 16

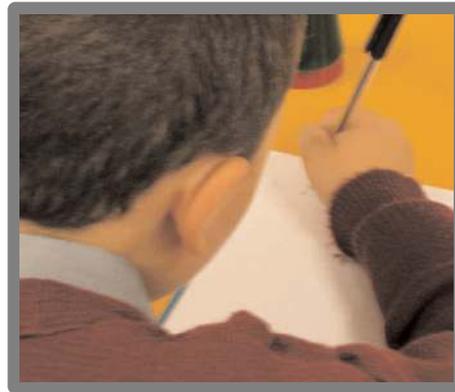
If a child is under 16, he or she may still be able to give consent, if he or she is mature enough to understand fully what is involved. If a child is old enough, the child's doctor will involve both the child and parents or legal guardians in the consent process and consider the views of the child. However, parents or guardians will be asked to consent.

Parents and guardians are expected to make health care decisions for their child based on what they feel is in the 'best interests' of the child. But it is always a good idea to involve the child in making the decision, even when the child is not old enough to make the decision on his or her own. The more the child is involved, the more likely he or she is to feel positive about the treatment.

Sometimes healthcare professionals and parents or guardians may not agree on what is in the child's best interests. In this case, the professionals cannot go ahead and provide treatment. If this happens, it is important for parents or guardians to keep discussing things with the healthcare professionals. A parent or guardian can ask for a second opinion, or talk to other people involved in caring for the child.

However, healthcare professionals have an independent duty of care for a child. If they believe a particular treatment is crucial for a child, perhaps life saving — and parents or guardians don't agree to the treatment — the professionals can ask a court to decide.

Sometimes children who are able to make their own decisions refuse treatment that their parents want them to accept. In this case, healthcare professionals can legally overrule them and go ahead with the treatment if a parent or guardian has given consent. But children may resent treatment given to them against their will. So it's better for everyone to avoid this happening.



If a child is refusing treatment, try to find out what's worrying him or her and try not to go ahead against a child's wishes. If the child's condition is not life threatening, it may be possible to delay treatment until the child is willing for it to go ahead.

What will you be asked to consent to?

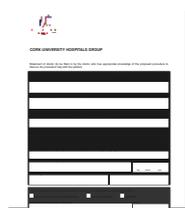
There are many routine things that you will not be asked to consent to because they pose very little or no risk, such as taking your temperature or your blood pressure. The things you will be asked to consent to are described in the next sections.

Admission or Attendance Information form

When you are admitted as a patient or come to the Hospital for the first time as an outpatient or an emergency patient, you will be asked to sign an Admission or Attendance Information form. The form tells you about the following:

routine treatments and procedures that do not involve putting anything into your body

the Hospital's use of information about your health for statistical and public health purposes, and also to audit and improve the quality of care provided to patients in the Hospital



the Hospital's duty to keep information about your health confidential

being a patient in a teaching Hospital

the Hospital's responsibility for your personal possessions.

How the Hospital uses information about your health

The Hospital keeps a record of all the care you receive, and the results of your care, in a paper record. Some information about your care also is in the Hospital's computer-based information system. The people who see your paper or electronic record are the doctors, nurses, midwives, therapists and other clinical staff who need to know about your condition to make decisions about your care.

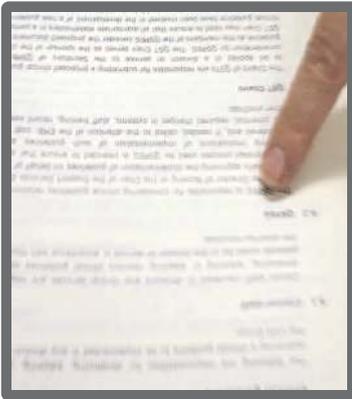
In addition, some other staff are authorized by the Hospital to use information about your personal health for very specific purposes. These are to:

carry out clinical audits or monitor patient care in the Hospital in order to improve the quality or safety of care

collect statistics about the clinical conditions that are treated in the Hospital

discuss your case in a meeting where specialist staff routinely review the quality of care provided to patients.

The conditions for using personal health information about patients



The Hospital follows the Data Protection Acts 1988 and 2003 in handling all information about patients. When the Hospital staff members carry out clinical audits, collect statistics or discuss your care, they do not use your name, address or anything else that could identify you.

If there is any need whatsoever to use your name or any personal information about you, a member of staff has to ask you for your written consent.

Keeping information about you confidential

The Hospital staff will do their best to keep information about your health confidential. The doctor who treats you as an outpatient or examines you when you are admitted will ask you to name the specific members of your family or anyone else with whom the doctors, nurses or other staff can discuss your care. You can say that you do not want the staff to discuss your health with anyone else, if you wish to.

Your doctors, nurses and other staff will not give information about your condition to people you do not name, unless there is an exceptional reason for them to do so. For example, if you are too ill to give your doctor the names of people with whom he or she can discuss your health, your doctor may consult members of your family. However, the doctor will discuss your condition with a minimum number of family members.

Under agreements with insurers, the Hospital will release to your insurer any information about your care that is needed for the Hospital to be paid for the treatment and services you receive.

Being a patient in a teaching hospital

Cork University Hospital Group includes Cork University Hospital, Cork University Maternity Hospital, St Mary's Hospital, St Finbarr's Hospital and other facilities. All these facilities make up a clinical teaching centre. There are training programmes in the Hospitals for doctors, nurses and other healthcare professional staff.

Students may be involved in giving you care. They may need to read your record to learn about your condition. All students work under supervision during all of their training. Each student who treats you will tell you that he or she is a student.

Students also are required to keep information about you confidential.

Responsibility for your personal possessions

The Hospital cannot be responsible for your personal possessions such as rings, watches or clothes. You need to make arrangements for the safekeeping of these items while you are in the Hospital.

If you are an inpatient and if you are having surgery or a special procedure that involves having anaesthetic, the Hospital will look after any personal health aids you have, such as eyeglasses or dentures, during the time you are having the procedure.

Consent for using your tissue for research — donating your lab specimens for future research

As part of diagnosing and treating your condition, your doctor requests tests or examinations on parts of your body. Some of those tests use blood, urine, sputum or tissue. Small specimens are taken and sent to the laboratory for analysis for various reasons.

The laboratory keeps some of the specimens. It also keeps records on all the findings of the tests carried out. This is in case you come back to the hospital and your doctor wants to compare new test results with results from earlier.

The specimens are also very helpful to the laboratory for some of the work the lab staff have to do. For example, the staff use the specimens to:

- quality assure the equipment in the laboratory and the procedures the staff follow. The purpose is to make sure that the laboratory is always giving absolutely accurate results.
- teach staff who work in the laboratory and teach doctors about laboratory tests and about new diseases and new techniques
- test new laboratory methods or equipment

- audit the quality of your treatment and care in the hospital
- monitor the health of people who live in the Cork area, for example, when there is a serious outbreak of an infection.

All these things are part of the normal work of the laboratory. The Hospital could not provide your care safely if the lab did not carry out this work.

The option of future research

The specimens the lab keeps also can be useful in research on disorders, or the functioning, of the human body. Doing such research is not part of the normal operation of the laboratory. So the Hospital needs to ask your consent for the use of any specimens taken from your body to be used in future research.

Your specimens will **never** be used for any of the following purposes.

- Your tissue will not be transplanted to another patient. (If you are involved in a transplant, you will be asked to sign a special consent for transplantation.)
- No tissue taken from a fetus will be used in research in the Cork University Hospital Group.
- Your tissue will not be used in 'tissue engineering' which involves producing body parts such as skin or cartilage or body parts. (If you are involved in this treatment, you will be asked to sign a special consent.)

The Hospital is asking if you wish to donate your tissue to be used for future research. If you are willing, you will be asked to sign a special consent and a record will be kept of your agreement.

You have the right to refuse and your refusal will have absolutely no effect on your care. Also if you consent at the time, but then later you change your mind, you can withdraw your consent. But if you do withdraw your consent later, you need to tell us in writing so we can change our records.



When a doctor wants to carry out research that might include using your specimens, the doctor has to get ethics approval for the research. Cork University Hospitals Group has a Research Ethics Committee. Members of the committee are highly experienced researchers or experts in medical ethics.

The Research Ethics Committee requires that researchers can not reveal any information about you and information about your healthcare will be strictly confidential. The Committee also will check to be sure that you can not come to any harm by agreeing that your tissue can be used in this way.

If you have any questions about donating your lab specimens for future research, you can ask to speak to Dr Louise Burke or telephone 021-492-2127.

Surgery or procedure or treatment

If your doctor says you need an operation, or a procedure or treatment that involves risk, he or she will ask you to sign a consent.

Anaesthesia

You might need to have an anaesthetic if you are going to have an operation or a procedure. The anaesthetist will explain the anaesthetic and ask you to sign a consent for the anaesthetic.

Research

If someone working in the Hospital asks you to take part in a research study, the person will give you very detailed information about the research and ask you to sign a consent, if you agree to take part.

Photography

If someone working in the Hospital asks to take a photograph of you or make a video or audio recording, the person will ask you to sign a consent, if you agree to the photography or video or audio recording.

Use of a new drug or treatment

Some drugs or treatments or procedures are so new that we don't know just how much benefit they give and which patients get the most from them. We know the short-term results of the new drugs or treatments from research, but there hasn't been enough time yet to learn about the long-term effects.

Your doctor may think that you may benefit from having the new drug or treatment or procedure and suggest that you try it. When this is the case, your doctor will tell you that the long-term benefits and risks are uncertain and ask you to decide if you want to try the drug, treatment or procedure. If you agree, your doctor will ask you to sign a consent.

Sharing information about your condition with your family or others

As described on page 8, when you are admitted or treated as an outpatient or an emergency patient, your doctor will ask you if you want the doctors to give information about your condition to your family or anyone else who is close to you.

What if you are not happy about the way you were asked to consent?

You can tell your doctor, nurse midwife or therapist. If you are still not satisfied, ask to see someone in the Hospital's Patient Affairs office or telephone 021-492-2822.