PE3 –The service implements and monitors systems to ensure informed patient consent.

a) Statute, case law, guidance from health agencies and professional bodies and professional codes insist on patients' fundamental legal and ethical rights to determine what happens to their own bodies. Valid consent is required for any examination or procedure.

b) For the consent to be valid, the patient must:

- be competent to make the particular decision;
- have received sufficient information to make it; and
- not be acting under duress.

c) Processes and procedures for ensuring that valid informed consent is obtained should be grounded in best practice and reflect professional guidance and statutory requirements. Imaging services should define whether written or verbal consent is appropriate for specific examinations and procedures. The procedures must include the process for cases where the patient lacks the capacity to consent. The process for obtaining consent should be accordance with national guidelines and local organisational guidance.

d) Consent should be obtained by the healthcare professional treating the patient before the examination or procedure begins, giving sufficient time for the patient to absorb and understand the information provided to enable them to come to a decision regarding their care (see also standard statement PE4). All staff must acknowledge and respect the patient's right to withhold or withdraw consent.

e) Specific processes should be in place to obtain consent for examinations or procedures involving children, vulnerable adults or patients with special requirements (see also standard statement PE4). Specific policies should be in place to guide staff in obtaining informed consent from children or young people, covering issues such as: child protection; a patient's desire to be unaccompanied; confidentiality; parental concerns; parental rights; and possible pregnancy (see also standard statement PE4). Processes must be in place to cover cases where consent cannot be obtained, for example, with unconscious patients. Staff should be aware of how to manage best interest decisions.

f) Specific consent should be sought if the patient's data may be used for training or research or if it will be shared electronically and in line with current legislation.

g) Recording the discussion and decision regarding consent in the patient's care record represents good practice, and should be routine in the service. If the patient's care record is not available at the time of examination, a process should be in place to document on the care record as soon as reasonably possible and a note made on RIS. Regular audit should be undertaken to ensure consent policy and procedures are effectively implemented in the service.

References

The Society and College of Radiographers *Patient Public and Practitioner Partnerships within Imaging and Radiotherapy: Guiding Principles* London: The Society and College of Radiographers, 2018.
https://www.sor.org/learning/document-library/patient-public-and-practitioner-partnerships-within-imaging-and-radiotherapy-guiding-principles

The Society and College of Radiographers. *Obtaining consent* London: The Society and College of Radiographers, 2018
https://www.sor.org/system/files/article/201801/consent_leaflet_print.pdf

The Royal College of Radiologists. *Intimate examinations and the use of chaperones.* BFCR (15)4 London: The Royal College of Radiologists, 2015
https://www.rcr.ac.uk/publication/intimate-examinations-and-use-chaperones

The Society and College of Radiographers. *Code of Professional Conduct.* London: The Society and College of Radiographers, 2013.
http://www.sor.org/learning/document-library/code-professional-conduct.

The Royal College of Radiologists. *Standards for patient consent particular to radiology, Second edition.* BFCR (12)8 London: The Royal College of Radiologists, 2012.
https://www.rcr.ac.uk/standards-patient-consent-particular-radiology-second-edition

The Royal College of Radiologists. *Standards for patient confidentiality and RIS and PACS.* BFCR (12)19 London: The Royal College of Radiologists, 2012.
https://www.rcr.ac.uk/publication/standards-patient-confidentiality-and-ris-and-pacs

The Society and College of Radiographers. *Assistant Practitioners Verifying Patient Identification and Seeking Consent.* IN *Scope of Practice of Assistant Practitioners*. London: Society and College of Radiographers, 2012.
http://www.sor.org/learning/document-library/scope-practice-assistant-practitioners/assistant-practitioners-verifying-patient-identification-and

The Society and College of Radiographers. *Consent and Adults with impaired capacity*. London: The Society and College of Radiographers, 2010.
http://www.sor.org/learning/document-library/consent-and-adults-impaired-capacity

The Society and College of Radiographers. *Student radiographers and trainee assistant practitioners: verifying patient identification and seeking consent*. London: The Society and College of Radiographers, 2010.
http://www.sor.org/learning/document-library/download-formats/mobi/6327

The Society and College of Radiographers. *Patient Identification, Confidentiality and Consent: Further Guidance* London: The Society and College of Radiographers, 2009.
https://www.sor.org/learning/document-library/patient-identification-confidentiality-and-consent-further-guidance

The Society and College of Radiographers. *Patient Advocacy.* London: The Society and College of Radiographers, 2008.
https://www.sor.org/learning/document-library/patient-advocacy

The Society and College of Radiographers. *Consent to Imaging and Radiotherapy Treatment Examinations: an ethical perspective and good practice guide for the radiography*

workforce. London: The Society and College of Radiographers, 2007. http://www.sor.org/learning/document-library?title=Consent+to+Imaging

The Society and College of Radiographers. *The Child and the Law: The Roles and Responsibilities of the Radiographer*. London: The Society and College of Radiographers, 2005. http://www.sor.org/learning/document-library?title=Child+Law+Roles

The Royal College of Paediatrics and Child Health. *Safeguarding children and young people: roles and competences for health care staff. 3rd edition.* London: Royal College of Paediatrics and Child Health, 2014. https://www.rcpch.ac.uk/sites/default/files/Safeguarding_Children_-_Roles_and_Competences_for_Healthcare_Staff._Third_Edition_March_2014.pdf

General Medical Council. *Good practice in research and Consent to research*.2013. https://www.gmc-uk.org/-/media/documents/good-practice-in-research-and-consent-to-research_pdf-58834843.pdf

The Health and Care Professions Council. *Standards of Conduct, Performance and Ethics*. London: The Health Professions Council, 2008 (revised 2012). http://www.hpc-uk.org/assets/documents/10003B6EStandardsofconduct,performanceandethics.pdf

General Medical Council. *Consent guidance: patients and doctors making decisions together*. London: General Medical Council, 2008. https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/consent

Welsh Assembly Government. Patient Consent. Cardiff: Healthcare Excellence Welsh Assembly Government, 2013. [Patient consent forms] http://www.wales.nhs.uk/sites3/page.cfm?orgid=465&pid=11930

Welsh Government. *Consent in Healthcare: information for children and young people in Wales.* Cardiff: Welsh Government, 2013. http://wales.gov.uk/docs/dhss/publications/130417consenten.pdf

Department of Health. *Reference Guide to Consent for Examination or Treatment.* 2nd Edition. London: Department of Health, 2009. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/138296/dh_103653__1_.pdf

Healthcare Improvement Scotland. *Person-Centred Health and Care Collaborative.* http://www.healthcareimprovementscotland.org/our_work/person-centred_care/person-centred_collaborative.aspx

Department of Health. *Confidentiality NHS Code of Practice*. London: Department of Health, 2003.https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/200146/Confidentiality_-_NHS_Code_of_Practice.pdf

Legislation

The Children Act 1989 http://www.opsi.gov.uk/Acts/acts1989/Ukpga_19890041_en_1.htm *(accessed July 2018)*

*Adults with Incapacity (Scotland) Act 2000.*http://www.legislation.gov.uk/asp/2000/4/contents *(accessed July 2018)*

Mental Capacity Act 2005. http://www.legislation.gov.uk/ukpga/2005/9/contents *(accessed July 2018)*

Website

Wheeler R. *Gillick or Fraser? A plea for consistency over competence in children*. BMJ 2006; 332 (7545): 807.
http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1432156/

The Colleges will aim to update the reference list regularly to ensure that the information provided is as current as possible. Please note these links refer to external organisations and, as such, the Colleges are not responsible for the content or maintenance of these external sites.