



## Management Executive Office of the Chief Executive

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To the General Manager/Chief Executive,  
Director of Public Health and  
Chief Nursing Officer/Director of Nursing  
of each Health and Social Services Board  
Chief Executives of HSS Trusts  
The General Manager of the Central Services Agency

6 October 1995

Dear Sir/Madam

### PATIENT CONSENT TO EXAMINATION OR TREATMENT

#### SUMMARY

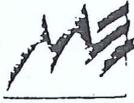
1. A patient has a fundamental right to grant or withhold consent prior to examination or treatment. This circular introduces a handbook of guidance about patients' rights in accepting treatment, advice to health professionals on advising the patient and obtaining consent to treatment and advice where patients are suffering from mental disorder.

#### BACKGROUND

2. The guidance in the handbook reflects the common law rights of patients. Doctors or health professionals and/or Health and Social Services Boards/HSS trusts may face an action for damages if a patient is treated without consent. Where treatment carries substantial risks the patient must be informed of this by a doctor so that consent may be well-informed, and the doctor's advice must be formally recorded.
3. The handbook and model forms are intended to replace existing arrangements. They are based on guidance and forms prepared by the Department of Health in London in consultation with professional organisations.

#### ACTION

4. Health and Social Services Boards/HSS trusts are asked to ensure that procedures are put in place to assure that consent is obtained along the lines set out in the handbook, and to introduce revised documentation (preferably based on the new model consent forms described in it), with adequate monitoring arrangements.



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5. Boards/HSS Trusts are asked to confirm by 31 December 1995 that this has been done. Confirmation should be sent to Mr N Lunn, General Hospitals Policy Branch, Room 115, Dundonald House, to whom any enquiries about this circular should also be sent.
6. The Central Services Agency is asked to send a copy of this guidance to all General Practitioners and General Dental Practitioners.

### CANCELLATION

7. My letter of 31 December 1990 which accompanied the booklet prepared by the Department of Health in England, distributed as an interim measure is now cancelled.

Yours faithfully

**J HUNTER**  
Chief Executive

cc: All General Practitioners  
All General Dental Practitioners  
Unit General Managers  
Dean of the Faculty of Medicine, QUB  
Northern Ireland Council for Postgraduate Medical and Dental Education  
Professors of Nursing, QUB and UOU  
Health and Social Services Councils  
The Secretary, British Medical Association (NI Branch)  
The Secretary, British Dental Association (NI Branch)  
The Secretary, Royal College of General Practitioners  
The Secretary, Royal College of Nursing  
The Secretary, Royal College of Midwives  
The Secretary, Royal College of Obstetricians and Gynaecologists  
Chief Executive Director, National Board for Nursing, Midwifery and Health Visiting for NI  
The Secretary, Ulster Obstetric and Gynaecological Society  
The Secretary, British Association of Social Workers  
The Secretary, Chartered Society of Physiotherapy  
The Secretary, National Association of Health Authorities and Trusts  
Medical Defence Organisations  
The Secretary, MENCAP  
General Consumer Council for NI  
Northern Ireland Association of Citizens Advice Bureaux

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