Genuine Informed Consent: Ensuring a child and family centred approach

Vicky Booth, Educational Psychologist
Ness Evans and Kiera Howarth, Trainee Educational Psychologists

Educational Psychology Service
Services for Schools
People Directorate: Children, Adults and Families
Purposes

• To raise awareness of the importance of the ethical issues regarding gaining genuine, informed consent

• To understand how consent and assent form the foundation of a collaborative therapeutic relationship with children and families

• To discuss current thinking in this area, and plan scripts that we can use back in school
• We would like this to be a safe space, a place where we can discuss our experiences openly
• Confidentiality is important
• Reflexive practice involves learning from our practice, and this is also a great opportunity to learn from each other
• Active discussion helps us to envisage how new ideas will work in practice
How confident?

• Rating self now and at end of session

Confident Place, Confident People.
What do we mean by ‘genuine, informed consent’?

When do we need to gain genuine, informed consent within our work as SENCOs?

Confident Place, Confident People.
Genuine

• What do we mean by genuine consent?
• Face-to-face discussion is much better than just sending forms home
• The form needs to be filled in together
• Be sensitive and alert to any sense that the person is not fully in agreement

Of course I’ll sign that form…

Confident Place, Confident People.
Informed

• What do we mean by informed consent?
• Providing age-appropriate, accessible, and transparent information
• Ensuring that you seek the prior assent of the child regarding specific aspects of the work, including observations in class

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Consent

• Whose consent?
The person with parental responsibility (PR), i.e. Parent, Social Worker, and the assent of the child/ consent of the young person

• We must ask for consent in a way which is respectful, attuned, and we need to be OK with the answer being ‘no’

• Consider the impact of power dynamics

• Consent is reversible
• Assent means **agreement** with an opinion
• Consent means **permission** for something to happen
• Assent usually signals stronger agreement than *consent*

From: [https://writingexplained.org/assent-vs-consent-difference](https://writingexplained.org/assent-vs-consent-difference)  
accessed 22.02.19

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Activity

What are the possible barriers to gaining genuine, informed consent?
Gillick Competence

• Determining a child’s ability to give genuine, informed consent

• “Children under 16 can consent if they have sufficient understanding and intelligence to fully understand what is involved in a proposed treatment, including its purpose, nature, likely effects and risks, chances of success and the availability of other options.” CQC, 2018

Confident Place, Confident People.
<table>
<thead>
<tr>
<th>Age Group</th>
<th>Consent Requirements</th>
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<tbody>
<tr>
<td>0-11</td>
<td>Consent from person with parental responsibility</td>
</tr>
<tr>
<td>12-16</td>
<td>If Gillick Competent, seek YP informed consent which supersedes parental consent</td>
</tr>
<tr>
<td>16+</td>
<td>Does have Mental Capacity to make own decisions: young person consent</td>
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<tr>
<td></td>
<td>If not Gillick Competent, seek parent/carer consent and young person assent</td>
</tr>
<tr>
<td></td>
<td>Does NOT have Mental Capacity to make own decisions: parental consent</td>
</tr>
</tbody>
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Our consent form can be found on the SEND Local Offer Website. You can Google ‘Wigan SEND Local Offer’, then click on ‘Professionals’ – ‘Educational support’ – ‘Educational Psychology Service’. To download the consent form click at the top right: ‘Top Task: Request form – Schools’
EP consent form

• Rationale for the new EP consent form
• This forms the beginning of working collaboratively – sets the tone
• The person with Parental Responsibility needs to sign the form (usually the Social Worker for CLA)
• The child/young person needs to give assent (and consent if of High School age)
“Consent is a process, not a one-off event”

(Zuluete, 2010)
Activity

In pairs/small groups, plan what you would do, and write a script that you could use ….

Scenario examples:

a) Seeking parental consent and child assent for a request for Educational Psychologist involvement

b) Seeking parental consent and child assent to apply for Education, Health and Care application

c) Another scenario you develop

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Activity

• Why is it important to gain genuine, informed consent and assent?
How confident?

• Rating self now

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Evaluating impact

• How will we know that today’s session has made a difference?
• What might look different in a few months’ time?
• What might the outside professional see?
• Impact on child/family?
Thank you for your participation

Contact details:
Wigan Educational Psychology Service
EP_Admin@wigan.gov.uk
01942 486238