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PRINCIPLES OF PATIENT CONSENT



GENERAL DENTAL COUNCIL
STANDARDS GUIDANCE

GDC | protecting patients,
regulating the dental team

“We aim to protect patients
promote confidence in dental
professionals
be at the forefront of healthcare
regulation

We register qualified professionals
set standards of dental practice and
conduct
assure the quality of dental education
ensure professionals keep
up-to-date
help patients with complaints about a
dental professional
work to strengthen patient
protection”

ABOUT THIS BOOKLET

Our standards guidance, 'Standards for dental professionals', sets out six main principles which you should apply to all aspects of your work as a dental professional.

It is your responsibility to apply the principles to your daily work, using your judgement in the light of the principles.

The guidance says:

'Respect patients' dignity and choices'

- Treat patients politely and with respect, in recognition of their dignity and rights as individuals.
- Recognise and promote patients' responsibility for making decisions about their bodies, their priorities and their care, making sure you do not take any steps without patients' consent (permission).

It is a general legal and ethical principle that you must get valid consent before starting treatment or physical investigation, or providing personal care, for a patient. This principle reflects the right of patients to decide what happens to their own bodies, and is an essential part of good practice.

Patients have a right to choose whether or not to accept your advice or treatment. This guidance identifies, and is limited to, the ethical principles of getting patient consent which you should apply to your work. It cannot cover all situations.

We do not give legal advice. As 'Standards for dental professionals' explains, you are responsible for making yourself aware of laws and regulations which affect your work, premises, equipment and business, and following them. If you are not sure about the law relating to getting patient consent, ask an appropriate source for advice, for example, your dental defence organisation.

THE MAIN ETHICAL PRINCIPLES

This guidance explains the following principles in getting consent.

- 1 **Informed consent** - the patient has enough information to make a decision.
- 2 **Voluntary decision-making** - the patient has made the decision.
- 3 **Ability** - the patient has the ability to make an informed decision.

If you are the member of the dental team providing the treatment, it is your responsibility to discuss it with the patient and get their consent, as you will have a thorough understanding of the procedure or treatment, how it is carried out and any risks attached to it. If it is not practical for you to get consent, you may ask someone else to do this for you, but you must make sure that they:

- are suitably trained and qualified;
- know enough about the planned treatment;
- understand the risks involved; and
- follow the principles explained in this booklet.

If you ask someone else to get the patient's consent, you will still be responsible for making sure, before you start any treatment, that the patient has been given enough time and information to make an informed decision, and has given consent to the procedure or investigation.

1 Informed consent

- 1.1** For consent to be valid, the patient must have received enough information to make the decision. This is what we mean by ‘informed consent’.
- 1.2** You should give patients the information they want and need, in a way they can use, so that they are able to make informed decisions about their care.
- 1.3** Giving and getting consent is a process, not a one-off event. It should be part of an ongoing discussion between you and the patient.
- 1.4** Find out what your patients want to know, as well as telling them what you think they need to know. Examples of information which patients may want to know include:
- why you think a proposed treatment is necessary;
 - the risks and benefits of the proposed treatment;
 - what might happen if the treatment is not carried out; and
 - other forms of treatment, their risks and benefits, and whether or not you consider the treatment is appropriate.
- 1.5** Always make clear to the patient:
- the nature of the contract, and in particular whether the patient is being accepted for treatment under the NHS or privately; and
 - the charge for an initial consultation and the probable cost of further treatment.
- 1.6** Whenever a patient is returning for treatment following an examination or assessment, give them a written treatment plan and cost estimate.
- 1.7** If, having agreed an estimate with the patient, you think that you will need to change the treatment plan, make sure you get the patient’s consent to any further treatment and extra cost, and give the patient an amended written treatment plan and estimate.

- 1.8** Giving a patient clear information to help them make a decision may involve using written material, visual or other aids.
- 1.9** Try to meet particular communication needs, for example, by suggesting that the patient brings a friend who can sign or interpret for them, or providing a hearing 'loop'.
- 1.10** Satisfy yourself that the patient has understood the information you have given them.
- 1.11** Consider whether they would like more information before making a decision, and whether they would like more time before making a decision.
- 1.12** Respond honestly and fully to any questions the patient has.
- 1.13** Involve other members of the dental team in discussion with the patient, where appropriate. They may have valuable knowledge about the patient's background and particular concerns.

2 Voluntary decision-making

- 2.1** The patient must make the decision.
- 2.2** Do not pressurise the patient to accept your advice.
- 2.3** Patients have a right to refuse to give consent for an investigation or treatment. If they do so, you should respect this decision.
- 2.4** Once a patient has given consent, they may withdraw it at any time, including during the procedure.
- 2.5** Make sure that once the patient has given consent, they know how to review the decision with the person providing the treatment.
- 2.6** Make sure that you are clear how much authority they have given you. For example, whether the patient agrees to all or only part of a proposed treatment plan.

3 Ability to give consent

- 3.1** Every adult has the right to make their own decisions and must be assumed to be able to do so, unless they show otherwise. If there is any doubt, assess whether the patient is able to give informed consent. Consider whether or not the patient understands and can weigh up the information needed to make the decision in question.
- 3.2** Consult your dental defence organisation for up-to-date advice on the law in relation to:
- children giving informed consent; and
 - assessing an adult patient who you think may not have the ability to give informed consent.

GUIDANCE THAT SUPPORTS THIS BOOKLET

As well as this booklet, we have produced guidance booklets on the following.

- Standards for Dental Professionals (published May 2005)
- Principles of Patient Confidentiality (published May 2005)
- Principles of Dental Team Working (published October 2005)

You can download these booklets, and more copies of this booklet, from our website, or you can phone or e-mail us for copies using the contact details below.

Other sources of advice

You can find a list of further sources of information and advice for dental professionals and the public on our website at **www.gdc-uk.org** Or, you can phone us for a copy of the list on **020 7887 3800** or e-mail us at **professionalstandards@gdc-uk.org**

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CONTACT US

To check whether somebody is on The Dentists Register, The Rolls of Dental Auxiliaries or the Specialist Lists: GDCregistration@gdc-uk.org
Or check online at www.gdc-uk.org

For more information about how we quality-assure dental education: GDCeducation@gdc-uk.org

For more information on making a complaint about a dental professional: complaints@gdc-uk.org

To find out more about our standards of practice and behaviour: professionalstandards@gdc-uk.org

To find out more about how we're working to improve patient protection through our modernisation programme: communications@gdc-uk.org

If you would like a large print or audio version of this leaflet, please contact communications@gdc-uk.org

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