

# Standard Operational Procedure:

## Gaining Virtual Consent for Children in Care Recieving Dental Care Under Conscious Sedation or General Anaesthetic

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## Contents

1	INTRODUCTION .....	3
2	PURPOSE .....	3
3	SCOPE .....	3
4	ROLES AND RESPONSIBILITIES .....	3
5	PROCESS .....	4
6	TRAINING REQUIREMENTS.....	5
7	REFERENCES, ASSOCIATED DOCUMENTATION & ACKNOWLEDGEMENTS.....	5
8	APPENDIX 1: WHO CAN GIVE CONSENT FOR TREATMENT AND SIGN A CONSENT FORM FOR DENTAL TREATMENT OF A CHILD .....	6

## 1 INTRODUCTION

The third principle of the General Dental Council (GDC) Standards is to obtain valid consent and states 'you must make sure you have valid consent before starting any treatment or investigation' <sup>(1)</sup>. Written documentation is important when verifying that consent has been obtained but the discussions that take Children in Care are what determines if the consent is valid <sup>(1)</sup>.

A child under the care of the local authority for 24 hours or more is classed as a Child in Care <sup>(2)</sup>. In general, Children in Care will be living with foster parent(s), living in a residential children's home or living in residential settings like schools or secure units <sup>(2)</sup>. The Bradford District Care NHS Foundation Trust Community Dental Service document '*Who can give consent for treatment and sign a consent form for dental treatment for a child?*' (Appendix 1) shows Social Services can consent for a child who is under a care order or is a ward of court. In this case, the Social Care Service Manager or appropriate delegate, needs to sign the consent form or provide consent virtually.

## 2 PURPOSE

The purpose of this document is to describe the standard operating procedure (SOP) for gaining consent virtually for Children in Care seen in the Bradford District Care NHS Foundation Trust Community Dental Service (BDCFT CDS). This process should be used when gaining consent for dental care under conscious sedation (i.e. inhalation sedation (IHS) or intravenous sedation (IVS)) or under general anaesthetic (GA) and where any other verbal and/or written consent is needed.

## 3 SCOPE

This SOP will apply to dentists and dental therapists who need to gain consent virtually for Children in Care requiring dental care under conscious sedation or general anaesthetic.

## 4 ROLES AND RESPONSIBILITIES

The dentist/dental therapist is responsible for seeking valid consent for dental treatment under conscious sedation or general anaesthetic.

The Social Care Manager or appropriate delegate is responsible for providing consent for Children in Care requiring dental treatment under conscious sedation or general anaesthetic.

## 5 PROCESS

1. Establish who can sign the form (from foster carer/social worker); this is usually a Social Care Service Manager
2. Contact the Social Care Service Manager, via the Children in Care Admin Team, by secure email from @bdct.nhs.uk to [cscchildrenincareadmin@bradford.gov.uk](mailto:cscchildrenincareadmin@bradford.gov.uk) cc paediatric@bdct.nhs.uk providing the following details:
  - a. Patient name, address and date of birth
  - b. Brief description of dental care required e.g. fillings/extractions under conscious sedation/general anaesthetic
  - c. Provide three possible dates/times to meet on Microsoft (MS) Teams to discuss the care
  - d. Scan and attach the consent form +/- any other relevant paperwork
  - e. Ask consenting person to print out consent form
3. Meet Social Care Service Manager via MS Teams at agreed date and time and discuss the consent as usual including treatment proposed/risks/benefits/answer any questions.

Things that the GDC<sup>(1)</sup> advise patients/ carer/ team leader/area manager might want to know include:

- options for treatment, their risks and potential benefits
  - why you think a particular treatment is necessary and appropriate
  - the consequences, risks, and benefits of the treatment you propose
  - the likely prognosis
  - your recommended option
  - cost of proposed treatment
  - what might happen if the proposed treatment is not carried out
  - whether the treatment is guaranteed, how long it is guaranteed for and any exclusions that apply <sup>(1)</sup>
4. Social Care Service Manager to complete consent form including signing, printing their name and writing their role under their signature. This can be completed via electronic signature where available.
  5. Request Social Care Service Manager has the consent form scanned and returned by secure email as above

## 6 TRAINING REQUIREMENTS

Prior to undertaking any of the duties outlined within the document, all BDCFT CDS dentists and dental therapists must be fully conversant with this SOP which can be accessed on the K-drive.

## 7 REFERENCES, ASSOCIATED DOCUMENTATION AND ACKNOWLEDGEMENTS

### References:

1. General Dental Council. Principle Three. <https://standards.gdc-uk.org/pages/principle3/principle3.aspx> [Accessed 21/05/2024]
2. NSPCC. Looked after children. <https://learning.nspcc.org.uk/children-and-families-at-risk/looked-after-children> [Accessed 21/05/2024]
3. Consent in children BDCFT CDS <K:\CDS Dental\Useful Information\Consent Info and Advocacy service details\BDCT Paediatric Consent Guidance V3.doc>

### Acknowledgments:

Thanks to City Health Care Partnership CIC, Hull Community Dental Service for permission to use their documentation upon which to base this SOP.

## 8 APPENDIX A: WHO CAN GIVE CONSENT AND SIGN A CONSENT FORM FOR DENTAL TREATMENT OF A CHILD

### **Who can give consent for treatment and sign a consent form for a child or young person under the age of 16?**

Only a person who has parental responsibility can give consent for treatment and sign a consent form on behalf of a child under the age of 16.

#### **Mother**

All mothers automatically have parental responsibility.

#### **Father**

If married to the mother at the time of the child's conception, birth or sometime after; this responsibility is not lost if the mother and father later divorce.

#### **Unmarried Father**

Only has parental responsibility if:

1. Given parental responsibility by a court order or in agreement with the mother that is registered with the High Court.
2. The child was born after 01/12/2003 (*for England and Wales*) and he is named on the birth certificate.

#### **Step- parent**

Only has parental responsibility if given by a court order.

#### **Grandparents, relatives, friends**

Other people may gain parental responsibility by court order or by being appointed guardian upon the death of the parents.

#### **Social Care**

Social Care may have, or share, parental responsibility if a child is under a care order or is a ward of court. The Social Work Manager needs to sign the consent form.

### **Who cannot give consent for treatment and sign a consent form for dental treatment for a child?**

Usually foster parents, step-parents, private foster carers and grandparents do not have "parental responsibility" **and cannot give consent** to any treatment, unless they have acquired it through a court order.

**Your dentist will be happy to discuss with you any further queries you might have.**