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Confidentiality Policy: Young People

This policy outlines the practice’s approach to safeguarding the confidentiality of young people (aged 11 years and above) accessing our services.

The principles of confidentiality apply equally to all patients, regardless of age. This policy is specific to patients seeking help under the age of 18, who are legally defined as children, with special emphasis on those under 16 years who may not necessarily be competent to consent to treatment or assessment unless they are judged "Gillick competent."

This policy aims to support young people in exercising their choice of medical treatment and to ensure they are dealt with in a sympathetic and confidential manner.

1. Confidentiality for Young People

1.1 All young people, regardless of age, have a right to confidential advice and treatment.

1.2 Information shared during consultations will not be disclosed to parents, guardians, or others without the young person’s consent, except in the situations outlined below.

2. Exceptions to Confidentiality

Confidentiality may be broken if:

- The young person is at risk of serious harm to themselves or others.
- There is a safeguarding concern, such as abuse or neglect.
- Required by law (e.g., court orders).

In such cases, information will only be shared with appropriate authorities, and the young person will be informed about the reasons and the process whenever possible.

If disclosure is not in the child's best interests or there is uncertainty about the risk, the clinician should discuss it with an experienced colleague, such as a designated doctor for child protection.

3. Competence Assessment

3.1 For those under 16, the GP will use the **Gillick Competence** or **Fraser Guidelines** to assess their ability to consent to treatment without parental involvement.



3.2 If deemed competent, they have the same rights to confidentiality as those aged 16 and over.

Differences in Gillick Competence and Fraser Guidelines

ASPECT	GILLICK COMPETENCE	FRASER GUIDELINES
SCOPE	Applies to all medical decisions.	Specific to sexual health and contraception.
PURPOSE	Assess general decision-making ability.	Assess ability to consent to sexual health services.
USE CASE	Any healthcare context.	Sexual health and contraception.

4. Encouraging Parental Involvement

While young people have the right to confidentiality, we encourage involving parents or guardians in decisions where appropriate and beneficial.

What Young People Can Expect:

- A private space to discuss health concerns.
- Respect for their autonomy and decisions about their health.
- Clear explanations about their rights and any potential sharing of information.
- Their wishes to withhold information from parents or guardians being respected.
- Access to Records/ Online Access:
 - Young people have the right to access their medical records, subject to competency assessments and legal regulations.
 - Parents may access records only with the young person's consent or if they are not deemed competent.
 - Patients aged under 11, and those aged 11 to 16, have specific rights to online access to their records, subject to legal and competency assessments.
- Medical Advice or Treatment: if a healthcare professional believes they can:
 - They can understand the choices of treatment and their consequences.
 - They cannot be persuaded to inform their parents.
 - There is otherwise a risk to their physical or mental health.
 - The advice or treatment will be in their best interests.

- This includes contraceptive advice, but the principles also apply to other treatments, such as abortion. Patients over 16 are assumed to have this competence and are generally treated as adults.

The GP involved will determine the competency of a young person seeking treatment and will decide how confidential guidelines apply in each case. Where a young person aged 11 to 16 presents at the surgery without adult support, they may be booked in to see a clinician in the normal way. If there is some question of the urgency of an appointment, the matter should be referred to a nurse or the duty doctor in the first instance for triage.

The practice also has a Child Safeguarding Policy, and the clinicians have statutory, professional, regulatory and contractual obligations and responsibilities which include making the Child's best interests paramount.

At City Square Medical Group (CSMG):

PRESCRIPTIONS	Under 11 years	11-16 years	Over 16 years
Paper prescriptions *Electronic prescriptions will be released to nominated pharmacy	Not to be given	Paper prescriptions may be given to those under 16 years who are deemed competent.	Can be given *Controlled drugs will not be issued to unaccompanied patients under 18 years.
BOOKING APPOINTMENTS	Under 11 years	11-16 years	Over 16 years
Without parents/responsible adult present	Child will not be seen	Can be booked in exceptional circumstances	Adult patient
With parents/responsible adult present	Child will be seen	Will be seen	Adult patient
* If someone accompanies a minor whom the clinician feels is inappropriate to witness the assessment or treatment, they may ask them to leave and try to contact a parent instead. The appointment may be deferred, or a chaperone may be used when seeing a child without a parent or responsible adult.			

RESOURCES

BMA Consent and Gillick competency

http://www.gmc-uk.org/guidance/ethical_guidance/13260.asp

NSPCC Gillick and Fraser guidelines

<https://learning.nspcc.org.uk/child-protection-system/gillick-competence-fraser-guidelines>