

# Consent and confidentiality

## Information for parents/carers about the Doctors in Secondary Schools program

Young people need good health and wellbeing to learn, thrive and reach their full potential – in school and in life. However, some young people find it hard to access a GP for a range of reasons.

One of the key objectives of the Doctors in Secondary Schools (DiSS) program is to make primary health care more accessible to young people. One area that can prevent students from participating in the DiSS program is consent and confidentiality.

Students need to be able to trust that their privacy will be protected and that their medical information will be treated with the appropriate level of care and confidentiality when seeking and accessing medical treatment / care.

While students can seek medical treatment without the consent of their parent / carer if they are assessed to be a mature minor, students are encouraged to involve their parents / carers in the care / treatment received, however, this is not a requirement.

## Student consent to medical treatment from a GP

Victorian law is clear on consent for medical treatment by a GP:

- Young people who are mature minors can consent to their own medical treatment.
- Young people who are not mature minors cannot consent to their own medical treatment.

Any student who wants to see the GP at their school is allowed to make an appointment. However, as is the standard practice in the broader community, the GP assesses the maturity of the young person.

The GP decides if the young person is a mature minor and able to consent to their own medical treatment without your consent as parent / carer.

If the GP determines that the young person is not a mature minor, they will seek consent from medical treatment from you, the parent / carer, before proceeding with any treatment.

## Mature minors

Mature minors are young people under the age of 18 years old who are capable of seeking and obtaining health care for their particular issue. GPs are trained to assess whether a young person is a mature minor, as is standard practice in their community clinic.

To give informed consent, a young person must be able to understand what treatment involves, what it is for, why it is needed and why it applies to them as an individual. The young person must also appreciate the risks associated with the treatment and be aware of the other options available, as well as the consequences of not pursuing treatment.

If a GP determines that your child is not a mature minor, they will obtain your consent before medical treatment is provided.

The assessment as to whether a young person is a mature minor may vary for different issues. For example, a GP may decide a young person is mature enough to be able to consent to treatment for a health condition

such as asthma but may not be mature enough to understand the risks and benefits of anti-depressant medication.

## Privacy and confidentiality

If a GP has determined that a young person is a mature minor and able to consent to their own medical treatment, that young person has a right to have their health information kept confidential.

The school's GP or any other staff must not disclose to a parent / carer that their child has accessed the GP unless the young person has agreed or if there are some other legal reasons for the disclosure of information, such as the student not being deemed a mature minor.

Conversations between the GP and the young person are treated confidentially and not shared with anyone else, including the school's health and wellbeing staff, unless:

- the young person, as a mature minor, consents or, if the young person is not a mature minor, with their parents' / carers' consent
- disclosure is necessary to prevent a serious threat to public health, safety or welfare, for example the young person has an infectious disease and disclosure is necessary to limit or prevent the impact that this may have on others in the school community
- disclosure is necessary to lessen or prevent a serious and imminent threat to any person's health, safety or welfare, such as:
  - the young person is at imminent risk of harming themselves
  - the young person is at imminent risk of harming others.
- disclosure is otherwise permitted or required by law

## Medicare card

Consultations are bulk billed through Medicare, so there are no out-of-pocket expenses for the students or their parents. A Medicare number is required for the medical centre to bulk bill, however students who do not have access to their Medicare number are still able to access the GP and practice nurse.

Parents / carers of children under 14 years of age who are listed on their Medicare card can access that child's health information through Medicare. For example, you can find out the date of your child's appointment and the GP's name.

## What if my child already has a GP?

If your child has an existing GP but would prefer to see the GP at their school, your child's medical records can be transferred to the base clinic of the GP providing the DiSS program. This practice is consistent with medical record management in community-based GP clinics. This is important and encouraged, so that continuity of care is promoted across the health providers that the student sees.

If your child is a mature minor, they can consent to the transfer of their medical records.

If your child is not a mature minor, you may consent (or refuse) to the transfer of your child's medical records.

## For more information

[Doctors in secondary schools | Victorian Government \(www.vic.gov.au\)](https://www.vic.gov.au)

[doctors.in.schools@education.vic.gov.au](mailto:doctors.in.schools@education.vic.gov.au)