

Gillick Competence

To be read in conjunction with the NSPCC Gillick competency and Fraser Guidelines

“ A child (16yrs or under) will be Gillick Competent if he or she has sufficient understanding and intelligence to understand what is fully proposed” NMS Boarding School Regulations 2016.

Gillick competent means:

For a particular decision, a young person:

- understands the problem and implications.
- understands the risks and benefits of treatment.
- understands the consequences if not treated.
- understands the alternative options.
- understands the implications on the family.
- is able to retain (remember) the information.
- is able to weigh the pros and cons.
- is able to make and communicate a reasoned decision about what their wishes are.

These will be assessed by questioning the child with closed questioning ('Yes' or 'No' answers) should be avoided.

If a young person who is Gillick competent, asks professionals not to share information about treatment, his/her wishes can be honoured, unless we feel there are safety issues that require us to share information.

Parents and or legal guardians need to be informed and involved in this process.

In the cases of contraceptive issues, Fraser guidelines 1985 apply.

Fraser Competent is a term used to describe a child under 16 who is considered to be of sufficient age and understanding to be competent to receive contraceptive advice without parental knowledge or consent. (The term is, therefore, narrower than the term **Gillick Competent** although it is often used to mean the same thing.) The test is that the doctor must be satisfied that;

- The child will understand the advice.
- The child cannot be persuaded to tell his or her parents or allow the doctor to tell them that they are seeking contraceptive advice.
- The child is likely to begin or continue having unprotected sex with or without contraceptive treatment.
- The child's physical or mental health is likely to suffer unless he or she receives contraceptive advice or treatment.

1 May 2019