

## Kendal Therapy Under 18 Policy

Kendal Therapy can work with 16 year olds and over.

### **What are my rights?**

As a young person coming to counselling, you need to know your rights. As an under 18 year old, there comes a point when you, rather than your parents, has the right to give or withhold permission for things to happen to you. **You need to know about this!**

### **When do I become old enough to take responsibility for myself?**

Kendal Therapy works with a definition called Gillick Competency, which is a way of deciding when a young person is old enough to make decisions for themselves about their lives. This is an important way of protecting your rights and privacy.

#### **Gillick Competency**

- **A small child, from birth to 11yrs old would certainly be regarded as too young to make a properly informed decision affecting their life over things like whether or not they should have a surgical operation. Hopefully, parents and doctors will discuss things with the child - but the final decision will be up to the parents.**
- **By aged 13, the child is usually old enough to have a good idea of what is happening - but still, if it is a matter of giving consent for a surgical operation or similar, the child's parents will almost certainly make the final decision.**
- **13-16yrs old is a bit of a grey area. Some kids will know exactly what is going on, what they need and what they want. Others may be not quite so sure about what exactly they are agreeing to.**
- **16-18yrs old, a young person is old enough to make their own informed decisions about what they want to happen. Or are they? An 18 year old who has special needs, or is very distressed, mis-using drugs or alcohol might not be at all safe to make good decisions.**

### **How does this affect counselling?**

If you are old enough and responsible enough to make your own decisions about important medical things, you are also old enough to make decisions that affect you and counselling. You are described as Gillick Competent.

If you are Gillick Competent:

- You will be accepted for counselling with Kendal Therapy without your parent's consent.
- We will not tell your parent(s) that you are receiving counselling with Kendal Therapy, nor will we tell them of any matters that you have revealed to your counsellor during counselling.
- As far as confidentiality goes, you have the same rights of privacy as all our adult clients. One exception to this confidentiality is:

If you tell us information about a child who is being abused or is in danger of significant harm (and that child might be you), we will need to tell someone about it, for the protection of the child. We never want to do this without discussing with you first and, hopefully, if the police or CYPS need to be contacted, we can do it with your co-operation and your presence at every stage.

- If your counsellor is asked to attend a multi-agency case conference and represent you at that meeting, s/he will first talk carefully with you about what your feelings are and what you wish him/her to say on your behalf at the meeting.
- If you are waiting for a court case to come up and the police ask for counselling notes, you must give your signed permission before these notes can be given to the police.

**If you're not Gillick competent.**

We will not accept you for counselling with Kendal Therapy without your parent's consent. If the court or police ask for counselling notes from sessions with your counsellor, your parent must sign to give consent.

However, in every way, as far as we possibly can, we will respect the total privacy of our young clients, as following:

- When you first come to Kendal Therapy for your Introductory Interview, your parent will be asked to stay outside in the waiting room so that you can speak to the counsellor on your own. We want to hear your story from you as you want to say it - and when.
- If you want your parent to come into the room with you, you can ask him or her to come in. If you want them to go, they must go.
- If your parent wants to know what happened in a counselling session, your counsellor won't say anything without asking you first. If you're not happy, it won't happen. No-one from your school has any right to know what you have talked about in counselling and your counsellor won't tell them either.

There is one exception to keeping your total privacy that you need to know about: if you tell your counsellor about a child who is being abused or who is in danger of being seriously harmed, your counsellor must tell either CYPS or the police so that the child can be protected. That child might, of course, be you. You will find that our counsellor will talk to you about this. S/he will let you know what needs to happen to keep you safe so that things are done, as far as possible, in a way that you feel is OK.

**Who decides when a child is Gillick Competent?**

Well, sometimes that's easy, sometimes it's harder!

- If you are 16 -18yrs old and not suffering from any serious learning difficulties or mis-use of illegal drugs or alcohol, you will be Gillick Competent
- If you're under 13yrs old, you won't be Gillick Competent
- Between 13-16yrs old is the grey area. In the end, your counsellor will make the final decision about whether you are capable of properly understanding what is going on and whether you are responsible enough to make important decisions about your life.

N.B Kendal Therapy only works with 14yrs and over as it is a private practice not a large organisation with lots of support for children such as Family Matters or Barnardos.

If in doubt I am happy to discuss this and help with any questions you may have.

Same goes for your parents too!