



Your health, your rights

Communication and Participation: the right to be informed, and involved, in decisions about health care and services

Who is this factsheet for and what is it about?

- This factsheet is for anyone who uses the NHS in any part of Scotland.
- The 2012 Charter of Patient Rights and Responsibilities gives a summary of what you can expect when you use the NHS in Scotland, together with your rights and responsibilities. The Communication and Participation section of the Charter tells you about your right to be informed and involved in decisions about health care and services. This factsheet explains what this means for you.

What can I expect from the NHS?

Communicating with you

- NHS staff will talk to you about your health and any care you may need.
- Staff will explain how to take any medicines they give you, and they will tell you about any possible side-effects.
- If you need tests or treatment, staff will explain any choices to you, including the risks and benefits of each option. For example, they will tell you why they are offering you a test or treatment and what may happen if you don't have this.
- If you have a long-term condition you have the right to get clear information about the condition, and how you can be involved in managing it.
- Staff will give you all the information you need in a way that you can understand and meets your needs (for example in audio format, British Sign Language, or a language other than English).

- If you need an interpreter or a sign-language interpreter, or other communication support, you can ask in advance for a member of staff to arrange this for you.

‘You have the right to be involved in decisions about your care and treatment.’

The Charter of Patient Rights and Responsibilities 2012

Involving you in decisions about your care

- You have the right to accept or refuse any treatment, examination, test, screening or diagnostic procedure (a test to find the cause of a medical problem or condition). See page 3 for further information.
- Staff will give you all the information you need to help you make a decision.
- Staff will give you enough time to make your decision so you don't feel rushed. If you want time to think about your decision, you should say so. But in emergencies, decisions will have to be made quickly.
- You can ask for a second opinion at any time during your care. Where possible, your request will be met.
- If you have any preferences about future treatment, for example about any treatment you prefer not to have, please let staff know. Then if you can't make decisions for yourself in the future, they will take your wishes into account.
- If you require hospital treatment you will be referred to a clinical team and not an individual consultant.
- If you have to go to hospital for treatment you should be told how long you are likely to have to wait.

‘You have the right to clear communication about your care and treatment from NHS staff.’

The Charter of Patient Rights and Responsibilities 2012

Getting help and support

- Please let staff know if you want someone else present at an appointment to support you or help you express your views. This could

be a carer, family member, partner, friend, advocate or another health care worker.

- You may ask (and if you have a mental health disorder you have a right) to have an independent advocate to help you give your views. NHS staff can arrange this for you.

Giving you information

- NHS staff will give you information about local health services.
- Staff will tell you the names of staff responsible for your care and how to contact them.
- If you are about to leave hospital, staff will send your GP written information about your stay in hospital. If you want, they will let you see this information and give you a copy.
- Staff will tell you about any support and follow-on care available to you. For example, they may be able to tell you about local groups of people who have the same illness as you.
- You can see and get a copy of information the NHS has about your health and any care or treatment you've received. This could be, for example, test and scan results, x-rays or letters, emails or faxes to and from NHS staff, if you ask for this. You may have to pay for this. See page 7 for the Confidentiality factsheet which gives further details.
- The NHS will give you information and advice about how to stay as healthy as possible, and staff will support and encourage you in doing this.
- The NHS will give you information about how to give feedback, comments, raise concerns and complaints.

‘You have the right to accept or refuse any treatment, examination, test or screening procedure that is offered to you.’

The Charter of Patient Rights and Responsibilities 2012

Refusing examination or treatment

- If you can understand the information you are given, and are capable of making a decision for yourself about the care or treatment you are offered, you have the right to accept or refuse any treatment, examination, test, screening procedure, or to take part in research.

- If you are under 16, and the health professional looking after you believes that you can make decisions for yourself, then you can make a decision about your own health care and treatment.
- If you are the parent of a person under 16 who is unable to make decisions for themselves, you can decide about their health care and treatment. The same applies if you have legal responsibility for a person under 16.
- If you can't make a decision for yourself, it is called incapacity. This can be caused for example by a mental disorder or intoxication from drugs or alcohol. In these circumstances someone else may be able to agree to treatment for you or, if there is no-one who can agree on your behalf, doctors can treat you if it is in your best interests.
- Even if you can't give your consent, you can still be involved in discussions about your health care, if that's what you want. [See pages 6 & 8 for where to get more information about consent.](#)

Donating blood, organs, tissue or bone marrow

- You have the right to expect your wishes about organ and tissue donation to be respected after your death.
- If you want to become an organ or tissue donor after you die you should put your name on the NHS Organ Donor Register. [See page 7 for how to do this.](#)
- You should also let people close to you know your wishes, and carry a donor card.
- You can expect the NHS to take account of your wishes.

Working with you to improve NHS services

- The NHS will make decisions about changes to its services in an open and honest way.
- It will involve patients, carers and members of the public in making decisions about services. To find out more about how the NHS is involving people in your area in decisions about NHS services, or to get involved, you should contact your local NHS board. Find the contact details in the phone book under 'health services', by phoning the NHS inform Helpline on **0800 22 44 88** or visiting the NHS inform website (go to www.nhsinform.co.uk).

- The NHS will use your comments and complaints to improve services.

What can I do to help the NHS?

Look after yourself

Look after your own health and have a healthy lifestyle. This could mean:

- taking more exercise
- eating a healthy diet
- stopping smoking
- not drinking too much alcohol
- not using illegal drugs
- using a condom when having sex

Ask about things you don't understand

- If there's anything you don't understand about your condition or treatment, let staff know and they will explain it.
- Ask staff to explain any words you don't know.
- Tell staff if you need or want more information.

'You have the right to request support when making decisions about your health care.'

The Charter of Patient Rights and Responsibilities 2012

Tell staff about things the NHS need to know

- Let staff know about any changes in your health. For example if you feel that your treatment is not working, or if you get a bad reaction to any medicine.
- Tell your GP practice, dental practice, optician and any hospital or clinic you go to if you change your address, phone number or email. This is to make sure that they can contact you.
- Tell people close to you if you have put your name on the NHS Organ Donor Register and carry a donor card.

Become a volunteer or get involved

If you want to become a volunteer within the NHS, you can find out what opportunities there are in your local area. See page 7 for further information.

How can I find out more?

- You can find out more about anything in this factsheet, or get **The Charter of Patient Rights and Responsibilities**, the **Your health, your rights** factsheets or other leaflets and factsheets listed below from:
- GP surgeries, hospitals and other places where you receive NHS services
- www.hris.org.uk (alternative formats are also available here) or at www.nhsinform.co.uk
- the NHS inform Helpline on **0800 22 44 88** (lines are open every day from 8am to 10pm).
- the **Patient Advice & Support Service (PASS)** at your local citizens advice bureau (find your nearest bureau on the internet at www.cas.org.uk or in your local phone book). PASS is independent and provides free, confidential information, advice and support to anyone who uses the NHS in Scotland.
- For general information about becoming a legal proxy (a person who has welfare power of attorney, a welfare guardianship order or a welfare intervention order), contact:
 - The Office of the Public Guardian (Scotland)**
Hadrian House, Callendar Business Park, Callendar Road, Falkirk
FK1 1XR
Phone **01324 678 300**
Email opg@scotcourts.gov.uk
Website www.publicguardian-scotland.gov.uk
- For more about how your rights under the Data Protection Act, contact:
- Information Commissioner's Office (Scotland)
45 Melville Street, Edinburgh EH3 7HL
Phone **0131 244 9001**
Email scotland@ico.gsi.gov.uk
Website www.ico.gov.uk
You can also contact this office to complain about how the NHS has used or protected your information, but only if you have already used the NHS Complaints Procedure.

- For more information about the rights of people with mental illness, learning disability, dementia or other mental disorder, contact:
Mental Welfare Commission for Scotland
Phone **0800 389 6809** (freephone number for service users and carers)
Email enquiries@mwscot.org.uk
Website www.mwscot.org.uk
The Mental Welfare Commission for Scotland can also give you information and advice on people's rights under the Adults with Incapacity Act.
- For more information on **volunteering opportunities**, please visit: www.volunteerscotland.org.uk or contact your local NHS Board. You can do this by looking under '*health services*' in your local phone book.
- To join the NHS Organ Donor Register:
Phone **0300 123 23 23**
Text SAVE to **84118**
Visit www.uktransplant.org.uk and complete the online form.
- To find out more about the standards the NHS is expected to meet, contact: **Healthcare Improvement Scotland (HIS)**
Phone **0131 623 4300** or **0141 225 6999**
Website www.healthcareimprovementscotland.org

Information about health rights

- **The Charter of Patient Rights and Responsibilities** gives a summary of what you can expect when you use the NHS in Scotland, together with your rights and responsibilities.
- The series of **Your health, your rights** factsheets tell you more about what these rights mean for you:
 - **Access:** your rights when accessing NHS services in Scotland
 - **Confidentiality:** the right for your personal health information to be kept secure and confidential.
 - **Respect:** the right to be treated with dignity and respect.
 - **Safety:** the right to safe and effective care.
 - **Feedback and complaints:** the right to have a say about your care and have any concerns and complaints dealt with.
 - **Hospital waiting times:** how quickly you should receive hospital care.

For more about health rights see:

- **Consent – it’s your decision** explains how you should be involved in decisions about your health care and treatment.
- **How to see your health records** explains your right to see or have a copy of your health record.
- **Health care for overseas visitors** is a set of factsheets explaining what NHS services overseas visitors can expect to receive while they are in Scotland.

Information for young people

- **Consent – your rights** explains how you should be involved in decisions about your health care and treatment.
- **Confidentiality – your rights** tells you how the health service keeps information about you private.
- **Have your say! Your right to be heard** tells you how to give feedback or make a complaint about the NHS.

Information for carers

- **Caring and consent** explains your right to be involved in decisions about the health care of the adult you care for.

Information about health services

- **It’s okay to ask** gives useful tips and questions you can ask during your health care appointments.

We have tried our best to make sure that the information in this factsheet is correct. However, this factsheet is for information only and is not part of The Charter of Patient Rights and Responsibilities. It is for guidance only so you should not rely on it as a complete statement of the law.

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