

Gemma Brown Counselling and Psychotherapy BA (Hons) Reg MBACP MNCPS Acc.

Consent and Parental Responsibility Policy

1. Purpose

This policy explains how consent and parental responsibility are managed at The Healing Space. It applies to all children and young people accessing counselling, and sets out the legal and ethical framework within which I work.

2. Legal Framework

This policy is informed by:

- *Children Act 1989 and 2004*
 - *Gillick v West Norfolk & Wisbech Area Health Authority (1985)* and the **Fraser Guidelines**
 - *Working Together to Safeguard Children (2018)*
 - *UK GDPR and the Data Protection Act 2018*
 - Guidance from the **BACP** and **NCPS**
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3. Parental Responsibility

- Parents or carers who sign the counselling agreement confirm that they hold **parental responsibility** for the child.
 - It is the parent/carer's responsibility to disclose any existing **court orders** that may affect consent, custody, or decision-making in relation to therapy. Copies of such orders must be provided if requested.
 - Under the *Children Act 1989*, the consent of **one parent with parental responsibility is sufficient** for therapy to proceed, unless a court order specifies otherwise.
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4. Gillick Competence

- Children under 16 may be assessed as **Gillick competent**, meaning they have sufficient understanding to consent to therapy in their own right.
 - Where Gillick competence is established, the young person's consent will take precedence, and their confidentiality will be respected in line with legal and ethical standards.
 - Parents will be informed of the limits of confidentiality at the outset, and young people will be supported to have a voice in decisions that affect them.
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5. Disagreements Between Parents

- If parents with shared parental responsibility disagree about counselling, I will continue to act in the best interests of the child and in line with the law.
 - Where disputes cannot be resolved, I may pause sessions until clarity is obtained through the appropriate legal channels (e.g., via a court order).
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6. Confidentiality and Safeguarding

- Counselling sessions are confidential to the young person, except where there is risk of serious harm or a legal duty to disclose.
 - Information will not be routinely shared with parents without the child's consent.
 - Safeguarding concerns will be managed in line with **Warrington Borough Council Safeguarding Partnership** procedures and statutory requirements.
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7. Accountability

- I work in line with the ethical frameworks of the **BACP** and **NCPS**.
- I receive regular clinical supervision to ensure safe, ethical practice.

- All records are stored securely in accordance with *UK GDPR* and *Data Protection Act 2018*.
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8. Policy Review

This policy will be reviewed annually, or sooner if legislation, guidance, or best practice changes.