



Develop My Child Ltd

Consent for Young People 16+ Policy

Document Control

1. Confidentiality Notice

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2. Document Details

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3. Document Revision and Approval History

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4. **Consent for Young People 16+**

Under UK law, a young person aged 16 or over is presumed to have capacity to make their own decisions regarding educational, therapeutic, and psychological assessments, in accordance with Section 8 of the Family Law Reform Act 1969 and the Mental Capacity Act 2005.

Where a 16-year-old demonstrates sufficient understanding on the nature and purpose of the assessment (i.e. has Gillick competence or capacity), they are the data subject for all personal information generated as part of that assessment. The young person's wishes regarding consent and information-sharing must take precedence where they have capacity.

In these circumstances, the young person's informed consent will be sought. If you have clear information (e.g. a formal capacity assessment) regarding your child's capacity, this must be shared at booking.

When meeting with a young person aged 16+, Develop My Child Ltd will discuss with them directly:

- The purpose and nature of the assessment;
- What information will be collected and how it will be used;
- Who might see the report; and
- That they can ask questions or withdraw consent at any time.

Formal capacity assessments (under the Mental Capacity Act 2005) can only be carried out by a suitability trained professional e.g. social worker. Develop My Child Ltd can only





make a reasoned professional judgement on a young person's capacity within the assessment context.

If there is doubt about the young person's capacity, the Develop My Child Ltd will pause the assessment process and seek input from an appropriate professional or the local authority's social care team.



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