

19-21 Broad Street | St Helier
Jersey | JE2 3RR

Deputy Catherine Curtis
Chair, Children, Education and Home Affairs Scrutiny Panel

BY EMAIL

03 November 2022

Dear Chair,

Primary Healthcare

Thank you for your letter of 27th October with questions about primary healthcare for children. Please see the below responses which I trust provide all the information you need, but please do not hesitate to contact me again if you need anything further.

1. What, if anything, could improve children and young people's access to primary healthcare in Jersey?

I am aware that the Minister for Health and Social Services is bringing forward a primary care strategy and I anticipate that this will address access to primary care services and reflect issues faced by families, children and young people.

2. For children who are in the care of the Minister, please could you outline the process for the payment of their primary healthcare fees?

All children who are in the care of the minister are registered with a doctor and have access to primary healthcare. There is a designated doctor for looked after children and dedicated nursing support for children in the care of the minister. The process for the payment of fees when a child needs to access the health service is that Children's Social Care Services are invoiced for the cost of primary health care and GPs are paid via Supply Jersey directly.

a. What age can a child in the care of a Minister independently visit a General Practitioner (GP)?

There is no prescribed age at which a child in the care of the Minister can independently visit a GP. The principle of 'Gillick Competence' would be applied in situations where a child wants to exercise their right to access healthcare independently of their parent / carer. The Minister cares for children up to the age of 18. The following information explains the 'Gillick' principle:

For Children under 16:

Following the legal decision in the House of Lords case of "Gillick" in 1985, it is clear that a child under 16 may consent to medical treatment if he (or she) is judged to be competent to give that consent. This may be helpful in cases where a child who is under 16 years does not want his (or her) parents to be consulted about his (or her) care. The healthcare professional should "seek to persuade" such a child to tell his (or her) parents or allow the healthcare professional to do so.

The health care professional may only be justified in proceeding without parental consent if the child gives valid consent and the best interests of the child are being served. The health care professional must, however, be certain in such cases that the child has sufficient maturity to understand the nature, purpose and hazards of treatment and what it means to give a valid consent. When such situations arise, it may be helpful to obtain assistance from colleagues.

For Children aged 16-18:

The effect of the Consent to Medical Treatment (Jersey) Law 1973 is that the consent of a young person who has attained the age of 16 years to any surgical, medical or dental treatment is sufficient in itself and it is not necessary to obtain a separate consent from the parent or guardian. Likewise, if a competent child refuses consent to treatment, then that decision cannot be overridden by their parent.

3. Consultation fees for appointments for children appear to vary between different GP practices. Have you considered whether the Government should support standardised primary healthcare fees for all children, whichever practice they are registered with?

Some families and young people may find a standard fee helpful as that will help with budgeting. Knowing in advance what you are expected to pay means people might be more confident when attending their GP, without fears of hidden costs. General Practices in Jersey are private businesses who set their own fees, as such the government are not able to instruct Practices on fees. The design and implementation of such a system would be a significant piece of work which should be informed by the primary care strategy which will be developed by the Minister for Health and Social Services during 2023.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Inna Gardiner', with a horizontal line extending to the right.

Deputy Inna Gardiner
Minister for Children and Education

D +44 (0)1534 440152
E I.Gardiner@gov.je