

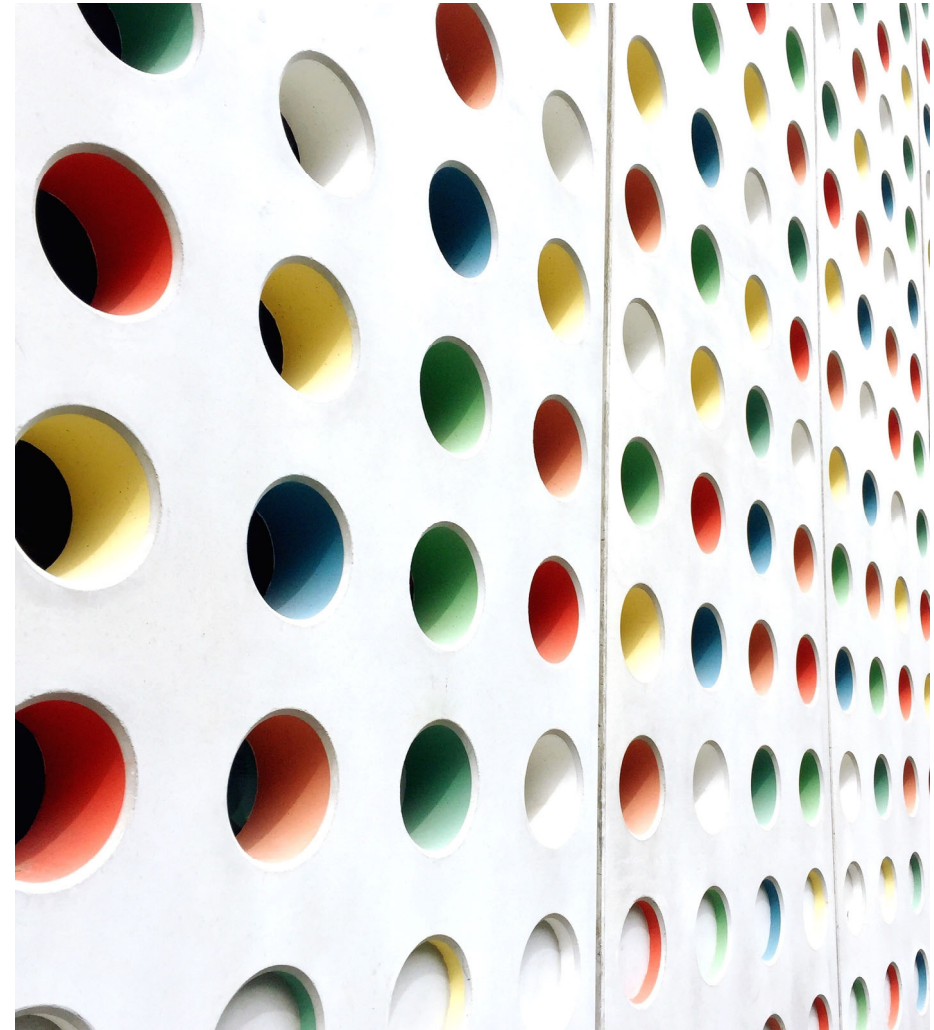


Consent for Vaccination against COVID 19 under 16 years

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Vaccination of
under 16 years
old in Ireland

**Vaccination against COVID 19 of
children 6 months to 4 years old has
been approved in Ireland (Jan 2023)**

**Most children between 6 months-15
years old will be vaccinated at HSE
Vaccination Centres**

**Vaccination of 5 to 15 years old is
ongoing.**

Definitions:
Consent and
Assent in
Healthcare

Consent is the giving of permission or agreement for an intervention, receipt or use of a service or participation in research following a process of communication about the proposed intervention.

Assent is the agreement, approval and/or permission to an intervention, receipt or use of a service or participation in research following a process of communication about the proposed intervention.

HSE National Consent Policy

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/consent/>

Consent for Vaccination of Children under 16 years

Legal requirement that a parent or legal guardian must consent in advance of the vaccination of a young person under 16 years of age.

Consent of **one parent or legal guardian is sufficient.**

Consent is required for each dose of the vaccine. Vaccinators will confirm and record consent at the time of vaccination.

If a parent/legal guardian is not with the child under 16 years when they attend for vaccination, the child should not be vaccinated until parental/legal guardian consent has been obtained.

Consent for
Vaccination of
6 months -15
years old

Young person or child should also assent to receiving the vaccine and may require additional support to achieve this.

If a *5-15 year old* does not assent & refuses vaccination they should not be restrained or vaccinated against their will.

For a young child *6mths - 4 years* where vaccination is in their best interests and the parent / guardian consents, every effort should be made to reassure the child and minimise distress during vaccination.

Legal Guardian

- Child's mother and father are married - both are the legal guardians.
- Following a separation or divorce, both parents remain the child's legal guardian even if the child is not living with them and they have not been awarded custody of the child.
- Where a child has been jointly adopted, the adoptive parents are the child's legal guardians.
- Where a same sex couple is married, the child's biological parent is a legal guardian. The partner/spouse may apply to become a legal guardian.
- Where the child's parents are not married:
 - the child's mother is an automatic legal guardian
 - the child's father is an automatic legal guardian if:
 - From 18 January 2016, he has lived with the child's mother for 12 consecutive months including at least 3 months with the mother and child following the child's birth.
 - The mother and father of the child may make a statutory declaration to the effect that they agree to the appointment of the father as legal guardian.
 - The father may apply to court to be appointed legal guardian.

Legal Guardian

Any adult may apply to the Courts for legal guardianship:

- **if they are married to or in a civil partnership with, or has been cohabiting for at least 3 years, with the child's parent and has shared parental responsibility for the child's day-to-day care for at least 2 years.**
- **if they have provided for the child's day-to-day care for a continuous period of more than 12 months and the child has no parent or guardian who is able or willing to act as guardian.**

A guardian may nominate another person to act as temporary guardian in the event of the guardian's incapacity. This is subject to court approval.

A guardian may appoint a person to act as the child's guardian in the event of the guardian's death.

Children in Care

Children/young people in voluntary care - the usual legal rules of parental consent apply.

Children/young people under a care order:

Young person over 16 years admitted to the care of Tusla (i.e. an order of the court), the normal rules apply.

Child/young person under 16 years admitted to the care of Túsła under a care order, the normal rules do not apply. (best practice to involve the parents in the decision-making process where possible)

- **Interim or emergency care order, an application may be made to the District Court in regard to consent to treatment/intervention, including that a social care professional involved with the child's care is permitted to give consent to treatment/intervention.**
- **Full care order (permanent or temporary), Tusla is authorised by the court to consent to any necessary medical or psychiatric treatment, assessment or examination. Different procedures apply to admission and treatment under the Mental Health Act 2001.**

Children in Foster Care

Consent of Tusla is required for any treatment/intervention.

- **Tusla should affirm that they have the legal authority to give consent on behalf of the child**

Child/young person in foster care for five years or more:

- **Foster carer applies District Court for an order, giving them control over the child including giving consent to any necessary treatment.**
- **Healthcare worker should satisfy themselves that the foster carer has the necessary legal authority to consent to the treatment/intervention in question – checking the court order.**

For a parent or
legal guardian
to give
informed
consent

Adequate & clearly presented information about the nature, potential risks and benefits, and of alternatives and not being vaccinated.

Not be under duress

Have the capacity to make the decision.

If there are concerns that a parent or guardian does not understand the information provided or is seeking further information they should be given the time and opportunity to do so. However, there is a presumption in law that adults have the capacity to consent unless there are reasons to believe otherwise.

Recording of consent

Vaccination centre appointments may be booked for children and young persons under 16 years online via the HSE booking portal:

[Book a COVID-19 vaccine appointment - HSE.ie](#) or by attending a walk-in clinic.

A parent or legal guardian must accompany the child/young person to the vaccination appointment to give their consent.

- **This record of consent will be recorded on the Covax vaccination system**

In exceptional cases (e.g., parent/legal guardian living abroad), they can contact [HSE Live](#) or the vaccination centre and arrangements may be made to accept consent by telephone.

Consent for
Vaccination of
16 -17 years old
differs from
those under 16
years

Young people 16-17 years of age can consent for themselves.

Parental support is important but does not determine if vaccination happens or

not.
If a young person 16-17 years old consents and the parent refuses, the vaccination should proceed.

Further guidance for consent to vaccination of young people 16-17 years old

<https://www.hse.ie/eng/health/immunisation/hcpinfo/covid19vaccineinfo4hps/guidance-on-consent-for-vaccination-16-17-years.pdf>

Links to Information

HSE Live: <https://www2.hse.ie/contact/>

Information for COVID19 Vaccinators

<https://www.hse.ie/eng/health/immunisation/hcpinfo/covid19vaccineinfo4hps/>

National Consent Policy

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/consent/>

Webinar Series on Consent for Vaccination against COVID 19

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/consent/supportingtheconsentprocesscovid19.html>