

Covid 19 testing for Children in Care

This policy is new and was added to the procedures in December 2020. It provides guidance on testing Children in Care for Covid19.

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1. Introduction

All local authority officers and our partners have a duty to provide good quality and timely services to ensure the best possible outcomes for looked after children. It is vitally important that services work together to ensure a caring, stable environment for children. When a child becomes a “looked after child” Derbyshire County Council and NHS health partners have a legal responsibility to improve their health outcomes.

During CV19, children and adults can be tested for CV19.

2. Testing and consent for medical reasons

2.1. There may be circumstances where it is advised that a child in care has a CV19 test. Guidance is regularly reviewed, so need to ensure current guidance is applied <https://www.gov.uk/guidance/coronavirus-covid-19-getting-tested> :

Currently the following groups of people can ask for a test through the NHS website:

- anyone in England and Wales who has symptoms of coronavirus, whatever their age
- anyone in Scotland and Northern Ireland aged 5 and over who has symptoms of coronavirus

The following groups of people can access priority testing through GOV.UK:

- essential workers in England, Scotland, Wales and Northern Ireland
- anyone in England, Scotland, Wales and Northern Ireland over 5 years old who has symptoms of coronavirus and lives with an essential worker

- children under 5 years old in England and Wales who have symptoms of coronavirus and live with an essential worker (this test must be performed by a parent or guardian)

2.2 The current consent form for Children in Care does not cover 'consent for testing for COVID-19'.

2.3. Case by case decision- making should take account of whether the child, or other household members, may have additional vulnerability Covid 19.

2.4 Young people aged 16 or 17 with mental capacity are presumed to be capable of giving (or withholding) consent to their own medical assessment/treatment, provided the consent is given voluntarily and they are appropriately informed regarding the particular intervention. If the young person is capable of giving valid consent, then it is not legally necessary to obtain consent from a person with Parental Responsibility.

2.5 Consent given by one person with Parental Responsibility is valid, even if another person with Parental Responsibility withholds consent. (However, legal advice may be necessary in such cases). Where the local authority, as corporate parent, is giving consent, the ability to give that consent may be delegated to a carer (foster carer or registered manager of the children's home where the child resides) as a part of 'day-to-day parenting', which will be documented in the child's Placement Plan.

2.6 Carers and staff should ensure that children are not stigmatised during this time, and advocate within their communities against unhelpful rumours.

3. Testing and consent for research reasons

3.1. Children across UK, including children in care, may receive invitations to take part on a Covid 19 testing research study. The test is uncomfortable and it is of no direct benefit for a child, without symptoms, to be put through the test.

3.2. Given this and that children in care already usually experience a large number of people involved in their care and a range of interventions in their life, children in care will not be expected to participate.

3.3. Young people who are deemed Fraser/Gillick competent can consent to the test provided the consent is given voluntarily and they are appropriately informed regarding the particular intervention. If the young person is capable of giving valid consent, then it is not legally necessary to obtain consent from a person with Parental Responsibility. Clear documentation is also required, if they refuse the test (because it is voluntary and no one can be forced to have the test).

3.4 Carers/social workers need to be aware that some young people may wish to do this as part of broader citizenship to contribute to research.

4. Principles of Good Practice

4.1 The welfare of the child should be paramount and all professionals must act in the child's best interests. Children who are able to express views about testing should always be involved in the decision making process.

- Even where they do not decide for themselves, the views that children express are important in determining what is in their best interests.
- Parental preference must be weighed in terms of the child's interests.
- Each individual case needs to be considered on its own merits.

4.2 Consent for testing is valid only where the people (or person) giving consent have the authority to do so and understand the implications.