



Military Family
Resource Centre

Montreal Region

WELCOME • SUPPORT • UNITE

Health Care Services Consent Form Regarding Minors Under 14 Years of Age

A consultation with a social worker is a process that allows you to zero in on your difficulties and personal concerns in order to understand them better.

A consultation is not in itself a guarantee of success. Instead, it's a space where you and your social worker are able to achieve the objectives you set together. The approaches and techniques used can vary from one social worker to another.

PARENTAL AUTHORITY

The Montreal Region Military Family Resource Centre (MFRC) wants to provide your child with support in accordance with the *Civil Code of Quebec*. As a result, the MFRC ensures that those who have parental authority are informed of any consultation with their child. They must give their consent to their child's evaluation and/or follow-up, without which the evaluation and/or follow-up cannot proceed. In addition, if either person who has parental authority is opposed to or disapproves of the object of the evaluation and/or follow-up, the MFRC must terminate the process under way and any consultation with the child.

Sections of the *Civil Code of Quebec* (S.Q. 1991, c. 64)

Section 12. A person who gives his consent to or refuses care for another person is bound to act in the sole interest of that person, complying, as far as possible, with any wishes the latter may have expressed.

If he gives his consent, he shall ensure that the care is beneficial notwithstanding the gravity and permanence of certain of its effects, that it is advisable in the circumstances and that the risks incurred are not disproportionate to the anticipated benefit.

Section 14. Consent to care required by the state of health of a minor is given by the person having parental authority or by his tutor.

A minor 14 years of age or over, however, may give his consent alone to such care. If his state requires that he remain in a health or social services establishment for over 12 hours, the person having parental authority or tutor shall be informed of that.

Section 600. The father and mother exercise parental authority together.

If either parent dies, is deprived of parental authority or is unable to express his or her will, parental authority is exercised by the other parent.

Section 603. Where the father or the mother performs alone any act of authority concerning their child, he or she is, with regard to third persons in good faith, presumed to be acting with the consent of the other parent.

Section 605. Whether custody is entrusted to one of the parents or to a third person, for whatever reason, the father and mother retain the right to supervise the maintenance and education of the children, and are bound to contribute thereto in proportion to their means.

ACCESS TO RECORDS

Section 21 of the *Act respecting health and social services* stipulates that:

The holder of parental authority is entitled to have access to the record of a user who is a minor.

Restriction under s. 21:

However, an institution shall refuse to give the holder of parental authority access to the record of a user who is a minor where

(1) the user is under 14 years of age, an intervention within the meaning of section 2.3 of the *Youth Protection Act* (chapter P-34.1) has been made in his regard or a decision respecting him has been made under the said Act, and the institution, after consulting the director of youth protection, determines that communication of the record of the user to the holder of parental authority will or could be prejudicial to the health of the user;

(2) the user is 14 years of age or over and, after being consulted by the institution, refuses to allow his record to be communicated to the holder of parental authority and the institution determines that communication of the record of the user to the holder of parental authority will or could be prejudicial to the health of the user.

RULES AND TERMS AND CONDITIONS

- The profession of social worker requires respecting the confidential and privileged nature of what is discussed during the meetings. Only with your consent can a social worker divulge certain information. There are, however, a few exceptions:
 - If your security or that of another person is compromised as stipulated by law (danger of suicide or homicide, requirements under the *Youth Protection Act*, etc.).
 - If you are involved in a legal proceeding, and despite your social worker's refusal to disclose privileged information, a court order releases him or her from the professional requirement of confidentiality.
 - If a social worker at the Montreal Region MFRC must become involved in your file to ensure the quality and continuity of services, he or she will have access to the information required for such purposes.
- We cannot guarantee the confidentiality of exchanges by email or any other technological means.
- For conjugal or family meetings, in order to avoid any type of conflict, contact with the social worker outside the meetings will be mentioned at the conjugal or family meetings.
- The notes made over the course of your meetings are kept in your file under lock and key. You have the right to access the file and make corrections to it, upon written request.
- If, for some reason, you miss a meeting without cancelling it in advance, the social worker will follow up with you by phone. If you miss another meeting without providing notice, the social worker will assume you no longer wish to take advantage of the services being offered. You can always contact us again if your difficulties come back and you want to resume your meetings.
- You are in charge of your consultation and can decide to end it at any time. However, given the fact that a consultation involves a relationship, it's best to advise your social worker of such a decision at a meeting.
- We do not provide therapy, legal or financial advice, mediation, legal expertise, audio or video recordings, or any diagnosis whatsoever.
- The services are provided free of charge and are limited to a short-to-medium-term consultation, in other words, 4 to 12 meetings, depending on the individual's needs and objectives.
- For the Code of Conduct issued by the *Ordre des travailleurs sociaux et thérapeutes conjugaux et familiaux du Québec* (OTSTCFQ) (Quebec order of social workers and of conjugal and family therapists), we provide copies upon request or you can consult the Order's website.
- In order to offer the best quality of services, you will receive a short survey you are free to complete. Be assured that your answers will remain anonymous and will not be linked to your identity.

If you are not satisfied with the services you receive, please contact the MFRC's Director General at 450-462-8777, ext. 6813. You can also contact OTSTCFQ at 514-731-3925.

If, after evaluating your situation, we assess that we are unable to meet your needs, we will refer you to an appropriate professional. If you do not want to use the professional's services, you can consult other professionals and we can refer you to their services upon your request.

I hereby declare that I have read this document and noted the information contained herein, that I have been given an opportunity to ask any questions I may have, and that I understand I may ask questions about anything that concerns me during the meetings.

Child's name

Date of birth

Mother's or legal guardian's signature

Print name

Date

Father's or legal guardian's signature

Print name

Date