# Consent to the Release of Client Information as Excerpted from the *Practice Guidelines for Consent and Confidentiality with Children and Youth*

This resource is a quick reference to who can consent to the release of children and youth information, as explained in Part 5: Decision-Making Process for Children and Youth Clients, page 24. Registrants are encouraged to read the entirety of the *Practice Guidelines for Consent and Capacity with Children and Youth*.

**Sharing of information about which the client did not decide**

Registrants should also be aware that PHIPA and CYFSA allow parents/guardians of clients who are under the age of 16 to authorize the collection, use or disclosure of the client's personal information, except if the information relates to:

- treatment within the meaning of the HCCA about which the child made their own decision; or
- counselling under the CYFSA where the child made their own decision to participate.

That can mean that parents/guardians of children under the age of 16 can ask registrants for and have copies of information relating to services before the child/youth became capable or services for which the child/youth is still incapable.

However, if the child is capable to make decisions and objects to the release of the information (to the parent or anyone else), the child's decision overrides the decision of their parents (or legal guardians).

| Age | Consent | Decision-Maker |
|---|---|---|
| Person of any age | If capable | Can make decisions about release of everything in their own record |
| Person of any age | If incapable | Needs a SDM to release anything in record |
| Person under the age of 16 (birth to 16 less a day) | If capable | Can make decisions about release of everything in their own record AND a parent can also consent to release of information about any treatment or counselling that child did not consent to on their own BUT NOT IF THE CAPABLE CHILD OBJECTS TO PARENT MAKING SUCH DECISIONS |