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## Obtaining valid consent in endoscopy – An important aspect of patient care and patient safety

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**Introduction:** Endoscopy covers a wide range of procedures, diagnostic and therapeutic. These are interventions that require the patients' consent. However, the settings where the decisions take place vary and in practice this may affect the quality of the consent process. Consent is central to the patient-doctor relationship and it is essential that the clinician provides the patient adequate information about the procedure and the potential risks to enable the patient to make an informed decision. Clinicians owe this ethical duty to the patient and when breached may result in litigation or poor patient experience. This presentation expounds the importance of adequate counselling and consenting process in adult patients who have capacity. The author is mindful that practices may differ from country to country and how much information is considered adequate but holds the opinion that there should no significant national/international variation. The presentation will discuss recent court rulings in the United Kingdom (Montgomery v Lanarkshire Health Board [2015] UKSC 11) and the impact on consenting.

**Discussion:** The decision to perform an endoscopic procedure may be taken in an out-patient setting and consent may be taken at this visit, providing the patient time away to reflect on the discussion and decision. The picture is different in one-stop or rapid assessment endoscopy clinics where the decision to perform the procedure is taken and the procedure performed. The latter scenario does not provide the patient the opportunity of a cooling off period to think about the options before them. It also does not allow for adequate counselling prior to obtaining adequate or appropriate consent. Endoscopic procedures do carry frequently occurring and serious risks. Failure to provide patients with details of alternative therapies, the nature of the investigation or operation to be performed or to warn patients of these risks leaves clinicians open to litigation and patient dissatisfaction. Processes to promote the understanding of endoscopic procedures by attendees at one-stop clinics or patients attending outpatient clinics should be put in place. These include the use of patient information leaflets and the provision of a cooling off period unless in emergencies. Time allocated for each patient in clinic settings also have an impact on the quality of the information provided and the opportunity for patients to discuss their concerns. Consideration should be given to quality over quantity by healthcare providers. A nouvelle approach is the setting up and the use of 'consenting clinics'.

**Good Practice:** Patients must be provided with adequate information about investigations and treatment options open to them. The use of patient information leaflets provides additional resources to help patients understand. Obtaining consent on the day of the operation opens clinicians to legal claims when complications occur following procedures. This practice should be avoided where possible.

**Conclusion:** Obtaining valid consent in endoscopy is an important aspect of patient care and patient safety. Processes should be put in place to ensure patients are fully counselled and in a position to provide informed consent.

### Biography

Rotimi Jaiyesimi graduated from the University of Ibadan in 1978 and has worked in Nigeria, Ireland, Saudi Arabia and the United Kingdom. He is currently the Associate Medical Director for Patient Safety at Basildon University Hospital, Essex, Visiting Professor at the Faculty of Applied Sciences, University of Sunderland and the Faculty of Law, University of Ibadan. He is a Fellow of the West African College of Surgeons and of the Royal College of Obstetricians and Gynaecologists. He has served on the General Medical Council Fitness to Practice panel, the Royal College of Obstetricians and Gynaecologists in various capacities, and the National Institute for Health Research. He is a trainer for the National Mortality Review program. He has contributed to the advancement of medicine through his many publications and lectures delivered nationally and internationally. He is passionate about the safety of patients and global health. He is a recipient of numerous awards including the Health Service Journal National Award.

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