


	Annex SOP Child	Overall procedure
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## Annex

### Introduction

#### The rights of the child

- International Convention for the Right of the Child (ICRC)
  - Art 24
    - States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
  - Other children's rights from UNCRC to be taken into account:
    - Right to non-discrimination (Art 2): children should not be discriminated against when receiving medical care.
    - Right to the best interests of the child (Art 3.1): best interests of child always paramount in decisions affecting them
    - Right to life, survival and development (Art 6)
    - Right of the child not to be separated from his parents (Art 9)
    - Right to participation (Art 12): children have a voice and should be listened to
    - Right to privacy (Art 16)
    - Right to information: so they can participate in decisions that affect their lives (Art 17)
    - Right to protection from all forms of violence (Art 19)
    - Right of children with disabilities (Art 23)
    - Right to periodic review of treatment (Art 25)
    - Right to an adequate standard of living (Art 27)
    - Right to protection against various forms of exploitation (Arts 32-36)
- Patient Right Act (22 August 2002)
  - In the case of a patient who is a minor, the rights established by this law are exercised by the parents who exercise the authority over the minor or by his guardian (Art.12 par.1)
  - The patient is involved in the exercise of his rights taking into account his age and maturity. The rights enumerated in this law may be exercised independently by the minor patient who can be considered capable of a reasonable assessment of his interests (Art.12 par.2).
  - So the minor has legal capacity to exercise his rights as a patient.
    - The right to quality service
    - Free choice of doctor
    - Information about health status
    - Giving or refusing permission
    - Right to patient file and information on this file
    - Protection of privacy and respect for intimacy

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- Confidential person
- Right of complaint
  
- Charter Child and Hospital (1988), based on European Association for Children in Hospital. Guidelines on child-friendly health care - Council of Europe (21 September 2011.)
  - Although not legally enforceable, partially included in legislation regarding the care programme for children in Belgian hospitals:
    - Child admitted only if necessary
    - Always a parent with them
    - Child has right to appropriate information
    - Right to information before giving consent
    - Grouping children according to age phase
    - Right to play
    - Qualified staff
    - Same persons
    - Tact- and understanding – respect privacy
  
- Children's rights within the hospital:
  - Environment that takes into account what a child needs minimally and can handle maximally.
  - Child-friendliness
  - Taking the child perspective into account as much as possible
  - Allowing parents to stay with their child as much as possible during their stay in the service
  - The interest of the child is paramount and should be assessed individually