

## Confidentiality (health privacy) for youth & teens

This information is especially for young people aged 12 to 24 years.

Health privacy, or confidentiality, means your right to have your personal, identifiable and medical information kept private. This includes anything you say, details about your treatment, or written information about you.

By law, all health professionals have to keep your health information confidential. A health professional is

anyone who looks after your health – it includes doctors, nurses and pharmacists. They are not allowed to discuss your appointments with your parents, family or friends. This is true even if your family goes to the same general practice or clinic, or sees the same doctor. Nobody at the clinic can even mention that you have been to see them.

Government departments like the police, Department of Corrections and Oranga Tamariki can ask if you have been to see your doctor. Your doctor has to get your permission before telling them, and only has to say if you have attended or not. They don't have to give any details about why you visited or what you discussed.

### Why confidentiality is important

It's important that you can talk to a health professional about anything and also feel secure that your care and information is kept private. This may include discussing personal things such as: relationships, sex including contraception, pregnancy, how you are feeling, drugs and alcohol. The health professional may suggest you talk to your parents or someone you trust but normally, they are not allowed to tell your parents or anyone unless you agree.

The **only** time a health professional is allowed to share your information is to protect you. If they are concerned that you are at risk of hurting yourself or suicide, or being harmed by someone else, the law says they must look after your interests. Under these circumstances, the health professional would decide if anyone else needed to be involved, and if so, whom. They should talk to you first and let you know who they are going to talk to, and why. Sometimes, in certain serious situations, they can share information without you agreeing, such as if you had an infectious disease that put others at risk.





## Age of consent

Once you turn 16, you can make an informed choice and give informed consent to all your own medical and dental care. This means you can choose to have or not have any medical treatment. Informed consent means you fully understand what the treatment involves and agree with it. You can find out more about informed choice, giving informed consent and your rights as a health consumer from the Health and Disability Commissioner (Code of Health and Disability Services) ([www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/](http://www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/)).

If you're under 16 years old, you can still consent to your own medical treatment, but you need to be competent to do so. This means the health professional must believe you can give informed consent.

It's illegal to have sex if you or the person you are having sex with is aged under 16. If this is happening, the health professional could let someone know – but only if they thought you were at risk of serious harm. Being at risk of serious harm does not include you having consensual sex (sex you agree to) with someone your own age.

You can read more about sexual consent and the law on BodySafe. ([www.bodysafe.nz/consent-3/](http://www.bodysafe.nz/consent-3/))

If you've had a sexual experience that you didn't want or you've been made to do a sexual act by another person, this is known as sexual harm. For advice and support, contact Safe to talk. This is a free national 24-hour seven day a week confidential service for anyone looking for help to do with sexual harm. Phone **0800-044-334**, text **4334**.

*Written by HealthInfo clinical advisers. Page reviewed January 2021.*