

COMPASSION

IN DYING

SUPPORTING YOUR CHOICES AT THE END OF LIFE

FACTSHEET - General Medical Council's guidance on end-of-life care and treatment 2010

This is a quick guide to the General Medical Council's 2010 guidance on *Treatment and care towards the end of life*. Contact Compassion in Dying for more information.

INFORMATION LINE: **0800 999 2434**

How can the guidance help me?

This guidance help doctors to provide better care to patients at the end of life. It can help you understand what you can expect from the doctors who provide your care.

When providing your end-of-life care, your doctor must:

- Start with a presumption in favour of prolonging your life.
- Start by presuming you have mental capacity and help you to make and communicate your own decisions if you can.
- Decide which treatment will most benefit you overall.
- Give you the same quality of care as all other patients.

Who decides what treatment I receive?

If you have mental capacity, you can make the decision about what treatment you want from the options offered to you by the doctor. You have the legal right to refuse medical treatment, including life-sustaining treatment (like resuscitation, artificial nutrition and hydration, or breathing machines). See **FACTSHEET – A Quick Guide to Your Rights** for more information.

To help you decide which treatment is right for you, your doctor:

- Should explain to you in clear language what your treatment options are.
- Should explain the pros and cons of each treatment and give you time, information and help so that you can make your decision.

- Can recommend a treatment to you, but not pressure you to accept it.

Unlike the refusal of treatment, a request for treatment is not legally binding. If you ask for a treatment that your doctor does not believe is appropriate, they should:

- Discuss your reasons for wanting the treatment with you.
- Explain why they don't think it is appropriate and discuss other options.
- Refer you to another doctor for a second opinion if you ask for one.

What if I am losing mental capacity?

The doctor should talk to you about the future and encourage you to think about the care or treatment you would want. They should support you to make decisions about what you want in advance in a way that is legally binding.

See **FACTSHEET – Setting your wishes out in writing** or **FACTSHEET – Giving someone the power to make decisions for you** for more information.

What if I have lost mental capacity?

If you have not set your wishes out in advance, your doctor should try to reach an agreement with your loved ones and healthcare team about what treatment would be in your best interest. If there is a disagreement they will try to resolve it, perhaps by getting a second opinion.

If there is a significant disagreement, the doctor should seek legal advice on applying for an independent ruling from the court. The people acting for you should be informed so you can be represented.

I am caring for someone who is receiving end of life care. What is my relationship with the doctor?

If your loved one has mental capacity, their doctor should check that they are happy for information about their condition and prognosis to be shared with you.

If your loved one has lost mental capacity and has not stated that they don't want you to be involved, their doctor will assume that they would want the people close to them to be kept informed. They should also make sure that you get the support you need and that your feelings are respected.

My loved one does not have mental capacity. Who decides what treatment they receive?

1. If your loved one has made an Advance Decision to refuse treatment and it is applicable to their circumstances, then the doctor must follow it.
If it is not applicable to their circumstances, the doctor should take it into account as information about their wishes.
2. If your loved one has given someone Lasting Power of Attorney for health and welfare, the Attorney will decide which treatment your loved one should receive from the options offered to them by the doctor.
3. If your loved one has not made an Advance Decision or appointed a Lasting Power of Attorney, the doctor decides which treatment they receive.

The doctor must speak to your loved one's healthcare team and family about their wishes. The doctor should take this information into account when deciding how to treat your loved one.

How can we help?

- We can send you a **full copy** of the General Medical Council's guidance
- We can give you more information about **Advance Decisions** and **Lasting Powers of Attorney**
- Our free **Information Line** can answer any questions you have about the guidance

181 Oxford Street
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Information Line **0800 999 2434**
Email info@compassionindying.org.uk
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