



Nova Scotia Board of Examiners in Psychology

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Working with Children and Adolescents

Note: In this document, the term legal guardian is used to refer to a parent or legal guardian.

The following information is provided by the Board in order to offer guidance to psychologists working with children and adolescents, especially when there are issues related to custody arrangements.

It is not uncommon for the Board to receive calls from the public pertaining to psychological services involving a child. Such calls often involve a legal guardian who does not consent to the child in the legal guardian's care receiving psychological services. For example, one legal guardian consents to assessment or treatment for the child, and the psychologist is willing to provide services, but the psychologist is unable to contact the other legal guardians to obtain consent.

Psychologists and/or their employers tend to approach this type of matter in one of four ways:

1. Some practices refuse to see the child without the consent of all legal guardians.
2. Some consider whether the child can be treated as a mature minor and can consent to services, and refer to the NSBEP document on age of consent and mature minor, when making this determination:
http://www.nsbep.org/downloads/Age_of_consent_position_statement.pdf
3. Some psychologists ask the consenting legal guardian to confirm that the legal guardian has the legal right to make decisions around consent. This may include requesting a copy of the custody and access agreement or other legal documentation providing confirmation.
4. Some psychologists have taken the position that the consent of one legal guardian is sufficient. Psychologists utilizing this approach have indicated that it is supported by legal opinion and consultation.

Members of the public, as well as psychologists, have approached the Board asking if there is one rule or piece of legislation that absolutely directs matters in this type of situation; however, there is not. The Board recognizes that this is a complex issue and family circumstances often vary

across domestic situations. It is the Board's position that a psychologist must appropriately consider legal requirements, standards of practice, and applicable guidelines, including those offered below.

Some Recommendations

- When working with children and adolescents, enquire about custody arrangements as a standard part of the intake process. In matters involving custody, establish whether any documentation exists with respect to custody arrangements, and ask to review this documentation, to ensure the accuracy of information provided by any legal guardians involved in the custody agreement.
- It is recommended that each practice have clear policies involving working with children and adolescents included with their written practice policies/consent forms, and to make policies available to the public in their documentation and on practice websites.
- Do not assume that one is a mature minor arbitrarily on the basis of age. Consult the [Board's document on age of consent and mature minors](#) and consult with experienced colleagues where appropriate.
- Psychologists treating children and adolescents should document their ethical decision making process and rationale for proceeding in whichever manner they choose with regard to consent and decisions to treat or not, and be prepared to support their decision.
- If the psychologist proceeds with assessment and / or treatment, even though one legal guardian did not respond initially, the psychologist should continue to attempt to involve/update all legal guardians as the process unfolds.
- Consider asking a lawyer for advice in complex situations.

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