



Practice Policy for Patients Assessing their Clinical Record

In order to support the 2014/15 and 2015/16 GP Contract, this procedure relates to patients requesting access to elements of their record via online services (Patient Access). As stipulated on the 2014/15 GP Contract, contractual obligations for Patient Online Access were to allow patients the ability to:-

- Book/cancel appointments
- Order Repeat prescription
- View Summary Information (allergies, adverse reactions and medications)

The 2015/16 GP contract has been enhanced and now stipulates that practices are also to allow patients: **Detailed Coded Records Access (DCRA)**.

The appropriate application form must be completed prior to any request for DCRA online access being enabled. If you would like Detailed Coded record Access (DCRA) to enable you to view detailed coded information from your medical record online then please complete the online registration form. This form will need to be completed and returned with **photo identity** to the Practice for your Doctor to approve. Upon approval this function will be added to your current online account and you will be contacted by our reception team who will advise you that the access has been granted.

Patients accessing their records online will have access to limited information. As a result of this, the patient continues to have the right to submit a Subject Access Request under the Data Protection Act 1998. However, as this differs from access via online services the patient must submit this request in writing to the practice. The right to charge a fee for providing the information in a printed form, although Patients accessing their Coded Data online are able to copy and paste or print the information from the screen thus there is no fee for this.

Registration for Detailed Coded Records Access (DCRA)

This practice accepts application from patients for DCRA as well as their proxy. Proxy access refers to online services by somebody acting on behalf of the patient with the patient's consent.

The practice reserves the right to review and remove access at any point in the future if it is thought that it is in the best interests of the patient or if the services are being misused.

If you would like this letter or information in an alternative format, for example large print or easy read, or if you need help with communicating with us, for example because you use British Sign Language, please let us know. You can call us on 01943 604455 and speak to a member of Reception.

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ID Verification

ID verification is required to ensure access is granted to patients/proxy users that have a legitimate reason to access a record. This will prevent access being granted to the wrong person and support the practice to adhere to information security guidelines.

Access for Children, Parents and Guardians

- If a child aged 14 to 16 years old requests to their GP that they do not want their parents/carers to have access to their notes anymore, then access will be terminated for the parents (if child deemed Gillick competent). However, GPs and Nurses will be mindful that some children will want their parents to still access their general records but simply request certain details be marked in private on SystemOne, allowing them some confidentiality and a degree of autonomy.
- A child deemed competent may have access to their online record or authorise a parent/carer to have Proxy Access.
- Where a child is deemed not to be competent, a parent will apply for access but will be registered as a Proxy Use. (This will be reviewed by the practice annually, or when the child attends a further appointment – whichever is the sooner).

Proxy Access

A competent patient can choose and consent to allow access to relatives and/or carers by requesting this in writing to their GP. The patient will authorise a Proxy Application in the following circumstances:

- A patient who has been deemed as competent has authorised and consented to online access.
- Circumstances when the practice will consider authorising proxy access WITHOUT the patient's consent will be when a child 14-16 has been assessed and is deemed as not being competent to make a decision on granting proxy access. Should there be such circumstances the practice will:
 - Ensure the patient has provided consent to Proxy application.
 - Ensure the level of access granted to the Proxy is appropriate and does not exceed what has been agreed by the patient.
 - Contact families/carers of children approaching their 14th birthday to remind them that online access could potentially cease, and invite them to come to the surgery for a discussion regarding options available.

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Coercion

'Coercion' is the act of governing the actions of another by force or by threat, in order to overwhelm and compel that individual to act against their will. If the patient believes that they may be pressured into revealing details from their record to someone else against their will, the practice will advise patients against registering for online services.

The practice will consider the risk of Coercion on a case by case basis as requests for access are received, and if necessary will decline access. The patient's named GP will discuss with the applicant the reasons for refusal of access. If coercion is identified as a risk with regard to a patient previously registered for online services, then access will be immediately removed.

Levels of Access for Patients

All requests for Online Access will be dealt with on a patient by patient basis and the suggested access will be granted within the agreed timescales. All patients must be deemed competent to be granted access to Detailed Coded Data; however, some elements may be marked as sensitive/confidential and will not be shared via online services. Access levels can be as follows:

- Appointments, Repeat Prescriptions and Summary Information
- Appointments, Repeat Prescriptions, Summary Information and Detailed Coded Record Access

Patient Access does not override a patient's right to submit a Subject Access Request which will be processed following our practice protocol in line with the Data Protection Act 1998. The practice will not automatically grant access to Detailed coded Data to those patients currently with access to appointments, repeat prescription and Summary Information. Patients wanting access to their Detailed Coded Information MUST complete and submit an additional Access Request form (see appendix 1). This will be considered within the practice and granted if deemed appropriate within 3 – 4 weeks. At any point the practice can revoke Online Access to patients if the functionality is abused. This will be dealt with internally following practice protocols as stated as above.

Appointments

This practice will allow a patient to book appointments online, there is a process in place for any patient abusing the online appointment booking services as follows:

- Practice will issue an initial warning letter.
- If the action continues the Practice will suspend access for two calendar months.
- The practice will then reinstate the functionality to the patient.
- If the abuse continues the Practice will inform the patient that their ability to book/cancel online appointments will be removed on a permanent basis.

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Hiding Sensitive Consultations

All domestic abuse consultation will be highlighted as confidential and will therefore be removed from online viewing. This must be made clear to patients that anything they say in relation to this during a consultation will not be viewable online. Any consultations of a sensitive nature may be highlighted as confidential. Access to online records will be on a patient by patient basis.

3rd Party Information

This practice will not share any information held within a clinical record that is deemed as 3rd Party Information without explicit consent from the 3rd Party . Any of our patients wanting access to these details must make the practice aware by submitting a Subject Access Request.

Contents of Medical Record

During the patient online registration process, patients will be issued with a Patient online leaflet on which they are notified that their medical record may contain information that is historical and therefore forgotten, not relevant to themselves (including scanned letters), bad news or may show abnormal test results. If patients do identify any such information it is their responsibility to notify the practice immediately so we can take the appropriate action.

Online Access for Children Under 16 Years Old

Giving parents online access to their child's medical record is obviously very useful as it allows parents to book appointments and order repeat prescriptions for their children. However, as the patient gets older the online access may need to be reviewed.

We have read and discussed the Royal College of General Practitioners' guidance on this issue and decided the following policy:

- We will continue to allow parents to have online access to the records of children under 16 (unless a child of 12 and above who have been deemed Gillick competent by their GP and stated that they don't want their parents/carers to have access to their records).
- We will add a code to their medical records so that clinicians are aware of this access.
- Once the patient reaches the age of 16 we will disable parental access and write to the patient and parents informing them and inviting the patient to register for their own access password.

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Documentation

As is current practice that should there be a request for Online Access, patients will be asked to provide photo ID and confirm their name and Date of Birth. Acceptable documents include passports or photo driving licences. If none of the above is available household bills may be accepted at the discretion of the Practice Manager and IT & Data Quality Lead.

Self-Vouching

Vouching for a patient's identity requires an authorised member of the practice staff who knows the patient well enough to verify that they are who they say they are, and that no deception is taking place. Self-vouching will not be considered as usual practice and will be at the discretion of the Practice Manager.

Timescales

Practice Admin Team will be able to grant access to patients who present with the correct identification, for appointments and medication. If patients request access to their detailed coded information they will be notified that it may take the practice 3 – 4 weeks to review their application and grant access if appropriate. This is a guide only and in some circumstances may take longer.

Considerations/Approval of Access

The practice will not approve on-line access to detailed coded information if it is deemed that it may cause physical and/or mental harm the patient. Patient records will be checked by trained members of staff within the practice the names of which will be communicated internally. Named staff will be responsible for checking if patients are on certain registers for example, learning disabilities registers, child protection register, mental health or have been identified as a possible victim/perpetrator or domestic abuse. Named staff will consult with the patients usual GP if required before access is granted/denied.

Mental Health Problems

Patients within the Practice with a mental illness have as much right as any patient to have access to their records, however

- If there is a likelihood that access to their record may cause an individual physical or mental harm then it may be necessary to redact some of the information within their record, or
- In extreme circumstances, refuse access to the whole record, in this circumstances the named GP responsible for the care of the patient will have a conversation with the patient to explain the reasons for refusal of access.

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