# Policy Name: Patient Online Access

## Policy Number: 19v1.1

**Introduction**

In order to support the GP Contract, this policy relates to patients requesting access to elements of their record via online services (Patient Access). As stipulated in the GP Contract, contractual obligations for Patient Online Access were to allow patient the ability to:

* book, check or cancel appointments with a GP, nurse or other healthcare professional
* order repeat prescriptions
* see parts of your health record, including information about medicines, vaccinations and test results
* see communications between your GP surgery and other services, such as hospitals

Practices are also to allow patients:

* Detailed Coded Records Access (DCRA)

Patients accessing their records online may have access to full record information. 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. In accordance with legislation no fee will be charged for patient requests, unless it is manifestly unfounded or excessive, particularly if it is repetitive. Patients accessing their Coded Data online or full record are able to copy and paste or print the information from the screen thus there is no fee for this.

**Registration for online services**

The Chorley Surgery accepts applications from patients as well as their proxy. Proxy access refers to access to online services by somebody acting on behalf of the patient with the patient’s consent. Proxy access will not be accepted from any third party commercial company i.e. Insurance company or solicitors.

Contained in Appendix A is “The application for online access to my medical record Form” which should be used for patient’s wanting to access their own detailed coded information held within their medical record.

* The application form includes password confidentiality, this is the responsibility of the patient.
* Advice on unexpected bad news and/or abnormal results.
* Guidance on incorrect information / errors noting that the patient has responsibility for informing the practice, including where incorrect information or an error has been found.

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.

**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. There are a number of options for identification verification including:

* **Documentation-**Two forms of documentation must be provided as evidence of identity, one of which must contain a photograph. Acceptable documents include passports, photo driving licences and bank statements. If none of the above are available household bills may be accepted at the discretion of the Operational Manager.
* **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 be considered as usual practice and will be at the discretion of the appropriate approached staff member.

Documentary evidence that confirms identification checks have taken place will include:

* The nature of those checks
* Who did them and when
* Completed registration form. (To avoid non-clinical information being stored in patient records, copies of bank statements, passports and other personal documentation will not be scanned into those records.)

At the point of request for Patient Online Access patients are to be provided with the Patient Access Registration Form (Appendix A) and a Patient Information Leaflet Patient (Appendix B)

**Timescales**

The Chorley Surgery Operational Managers will be able to grant to patients who present with the correct identification immediate access, for appointments and medication.

If a patient requests access to their detailed coded information they will be notified that it may take the practice up to 10 working days 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.

The Operational Managers will be responsible for checking if patients are on certain registers for example, learning difficulties register, child protection register, mental health or have been identified as a possible victim-perpetrator of domestic abuse.

These managers will consult with the patients usual GP if required before access is granted/denied.

Operational Managers will consider the following:

* **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 circumstance 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.
* **Access for children, parents and guardians**
* Child access will automatically be disabled when a child reaches the age of 13.
* A competency assessment will be carried out on any proxy request for a child between the ages of 13-16. Regardless of outcome a parent/guardian/carer will apply using the Proxy Access Registration Process, where a competent child must authorise the request for Proxy Access. This will be at the discretion of a clinician.
* A child deemed competent and **coded** with the Gillick competency code (9Nd2) 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 User.(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. The form included in Appendix C must be completed. Proxy access will not be accepted directly from any third party commercial company i.e. Insurance company or solicitors.

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 13-16 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 the 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 13th birthday to remind them that online access could potentially cease, and invite them to come to the surgery for a discussion regarding options available

**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.

* The practice will include the implications of Coercion during the patient application process for online services by way of issuing them with a patient leaflet detailing the implications,
* 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.

The practice will **NOT** accept any proxy application **directly** from a proxy, except in exceptional circumstances, the practice will have additional security steps in place to check the authenticity of the application.

**Example of security process**

Contact the patient where possible using contact information held in their medical record.

**Levels of Access for Patients**

There are different levels of Access available to 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. Example of access levels can be as follows:

* Appointments, Repeat Prescriptions and Summary Information
* Appointments, Repeat Prescriptions and Detailed Coded Record Access
* Appointments only
* Repeat prescriptions only
* Appointments, Repeats prescriptions and full access to records

Patient Access does not override a patient’s right to submit a Subject Access Request (SAR) 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. This will be considered within the practice and granted if deemed appropriate within 14 days. This is a guide only and in some circumstances may take longer.

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 above.

**Hiding sensitive consultations**

All domestic abuse consultations 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.

**Promoting Patient Online**

This practice will promote the Patient Online service to all patients using a number of methods to raise awareness to our patients. Methods of promotion to be used are as follows:

* Display of Patient Online posters within patient waiting areas
* Right hand side of prescription
* Practice Website
* Practice Newsletter
* Verbally with the patient

**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 a medical record**

During the patient online registration process patients will be issued with a Patient online leaflet in 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 there responsibility to notify the practice immediately so we can take the appropriate action.

**APPENDIX A**

# Application for online access to my medical record

|  |  |
| --- | --- |
| Surname | Date of birth |
| First name | |
| Address: | |
| Email address | |
| Tel: | Mobile: |

## I wish to have access to the following online services (please tick all that apply):

|  |  |
| --- | --- |
| * Booking appointments | ❑ |
| * Requesting repeat prescriptions | ❑ |
| * Detailed access to parts of my medical record | ❑ |

I wish to access my medical record online and understand and agree with each statement (tick)

|  |  |  |
| --- | --- | --- |
| 1. I have read and understood the information leaflet provided by the practice | | ❑ |
| 1. I will be responsible for the security of the information that I see or download | | ❑ |
| 1. If I choose to share my information with anyone else, this is at my own risk | | ❑ |
| 1. I will contact the practice as soon as possible if I suspect that my account has been accessed by someone without my agreement | | ❑ |
| 1. If I see information in my record that is not about me or is inaccurate, I will contact the practice as soon as possible | | ❑ |
| Signature: | Date: | |

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|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Patient NHS number* | | *Practice computer ID number* | | |
| *Identity verified by:*  *Method* |  | *Date*  *Vouching ❑*  *Vouching with information in record ❑*  *Photo ID and proof of residence ❑* | | |
| *Authorised by:* | | | | *Date* |
| *Level of record access enabled*  *Contractual minimum 🗹*  *Other: ……………………………….…* | | | *Notes / explanation* | |

**APPENDIX B**

**Accessing GP Records Online**

**Patient Information Leaflet**

Practices are increasingly enabling patients to be able to request repeat prescriptions and book appointments online.

Some patients may wish to access more information online and contractually from 1st April 2015 practices are obliged to assist access to medications, allergies and adverse reactions as a minimum and from the 1st April 2016 coded data.

However this requires additional considerations as outlined in this leaflet. You will be asked that you have read and understood this leaflet before consenting and applying to access your records online. The practice will also need to verify your identity.

**Please note:**

* It will be your responsibility to keep your login details and password safe and secure. If you know or suspect that your record has been accessed by someone that you have not agreed should see it, then you should change your password immediately.
* If you can’t do this for some reason, we recommend that you contact the practice so that they can remove online access until you are able to reset your password.
* If you print out any information from your record, it is also your responsibility to keep this secure. If you are at all worried about keeping printed copies safe, we recommend that you do not make copies at all.
* The practice may not be able to offer online access due to a number of reasons such as concerns that it could cause harm to physical or mental health or where there is reference to third parties. The practice has the right to remove online access to services for anyone that doesn’t use them responsibly.

For more information about keeping your healthcare records safe and secure, you will find a helpful leaflet produced by the NHS in conjunction with the British Computer Society:

Keeping your online health and social care records safe and secure <http://www.nhs.uk/NHSEngland/thenhs/records/healthrecords/Documents/PatientGuidanceBooklet.pdf>

|  |
| --- |
| Key considerations |
| Forgotten history There may be something you have forgotten about in your record that you might find upsetting. |
| Abnormal results or bad news If your GP has given you access to test results or letters, you may see something that you find upsetting to you. This may occur before you have spoken to your doctor or while the surgery is closed and you cannot contact them. |
| Choosing to share your information with someone It’s up to you whether or not you share your information with others – perhaps family members or carers. It’s your choice, but also your responsibility to keep the information safe and secure. |
| Coercion If you think you may be pressured into revealing details from your patient record to someone else against your will, it is best that you do not register for access at this time. |
| Misunderstood information Your medical record is designed to be used by clinical professionals to ensure that you receive the best possible care. Some of the information within your medical record may be highly technical, written by specialists and not easily understood. If you require further clarification, please contact the surgery for a clearer explanation. |
| Information about someone else If you spot something in the record that is not about you or notice any other errors, please log out of the system immediately and contact the practice as soon as possible. |

**Consent to proxy access to GP online services APPENDIX C**

**Note**: If the patient does not have capacity to consent to grant proxy access and proxy access is considered by the practice to be in the patient’s best interest section 1 of this form may be omitted. Proxy access application will not be accepted from any third party commercial company i.e. insurance company or solicitors.

**Proxy Access:** Parents may request a proxy access to their children’s records; this will cease automatically when the child reaches the age of **13**. Any subsequent proxy access will need to be authorise by the patient subject to a Gillick competency test being completed.

**Section 1**

I,………………………………………………….. (Name of patient), give permission to my GP practice to give the following people ….………………………………………………………………..…………….. Proxy access to the online services as indicated below in section 2.

I reserve the right to reverse any decision I make in granting proxy access at any time.

I understand the risks of allowing someone else to have access to my health records.

I have read and understand the information leaflet provided by the practice

|  |  |
| --- | --- |
| Signature of patient | Date |

**Section 2**

|  |  |
| --- | --- |
| 1. Online appointments booking | 🞏 |
| 1. Online prescription management | 🞏 |
| 1. Full medical records | 🞏 |

**Section 3**

I/we…………………………………………………………………………….. (Names of representatives) wish to have online access to the services ticked in the box above in section 2

for ……………………………………….……… (Name of patient).

I/we understand my/our responsibility for safeguarding sensitive medical information and I/we understand and agree with each of the following statements:

|  |  |
| --- | --- |
| 1. I/we have read and understood the information leaflet provided by the practice and agree that I will treat the patient information as confidential | 🞏 |
| 1. I/we will be responsible for the security of the information that I/we see or download | 🞏 |
| 1. I/we will contact the practice as soon as possible if I/we suspect that the account has been accessed by someone without my/our agreement | 🞏 |
| 1. If I/we see information in the record that is not about the patient, or is inaccurate, I/we will contact the practice as soon as possible. I will treat any information which is not about the patient as being strictly confidential | 🞏 |

|  |  |
| --- | --- |
| Signature/s of representative/s | Date/s |

**The patient**

(This is the person whose records are being accessed)

|  |  |
| --- | --- |
| Surname | Date of birth |
| First name | |
| Address  Postcode | |
| Email address | |
| Telephone number | Mobile number |

**The representatives**

(These are the people seeking proxy access to the patient’s online records, appointments or repeat prescription.)

|  |  |
| --- | --- |
| Surname | Surname |
| First name | First name |
| Date of birth | Date of birth |
| Address  Postcode | Address (tick if both same address 🞏)  Postcode |
| Email | Email |
| Telephone | Telephone |
| Mobile | Mobile |

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|  |  |  |  |
| --- | --- | --- | --- |
| The patient’s NHS number | | The patient’s practice computer ID number | |
| Identity verified by  (initials) | Date | Method of verification  Vouching 🞏  Vouching with information in record 🞏  Photo ID and proof of residence 🞏 | |
| Proxy access authorised by | | | Date |
| Date account created | | | |
| Date passphrase sent | | | |
| Level of record access enabled    Contractual minimum √  Other…………………… | | Notes / comments on proxy access | |