

Benchill Medical Practice

Online Access for Proxy Information Leaflet & Application Form

Proxy Access

This is where someone is given access to another person's medical record. For example:

- A parent or guardian who has legal responsibility for a patient under 11
- A parent or guardian where a patient aged 11 or over has given permission
- A parent or guardian who has legal responsibility for a patient between 11 and 16
Where GP has assessed that the patient is not capable of making their own decisions re medical health
- A carer for a patient over the age of 16 – we would need a letter from the patient giving them permission

The proxy does not have to be a registered patient at the practice, but must be registered for online services on the GP system and always use their own login credentials.

To be given proxy access, a patient's representative must have the informed consent of the patient or, in cases where the patient does not have capacity to consent; the GP has decided that it is in the best interests of the patient for them to have proxy access.

Patients aged 16 or above are assumed to have the capacity to consent unless there is an indication that they are not. Young patients between the ages of 11 and 16 who are judged as having capacity to consent by their GP may also consent to give proxy access to someone else.

Legitimate reasons for the practice to authorise proxy access without the patient's consent include:

- The patient has been assessed as lacking capacity to make a decision on granting proxy access and,
- the applicant has a lasting power of attorney for health and welfare registered with the Office of the Public Guardian,
- the applicant is acting as a Court Appointed Deputy on behalf of the patient, or
- the GP considers it to be in the patient's interest in accordance with the Mental Capacity Act 2005 code of practice.
- The patient is a child who has been assessed as not competent to make a decision on granting proxy access.

The practice may refuse or withdraw proxy access, if they judge that it is in the patient's best interests to do so.

On a child's 11th birthday, the scope of the current proxy access will be restricted, unless the GP has already assessed the child as able to make an informed decision and the child has given explicit consent for their record to be shared. This is a national standard imposed by NHS England to protect the confidentiality rights of young people.

From 11-16, a parent with proxy access will be able to manage certain elements of the young person's record, such as demographic data, and make appointments and order repeat prescriptions, but they will not be able to see the young person's past appointments or clinical record, although they would still be able to see the current repeat prescription record.

At the child's 16th birthday the remaining proxy access will be switched off, except where the young person is competent and has given explicit consent to the parental access. If the child wants proxy access re-instated, they will need to come to the surgery in person, with proof of ID, to request it.

Parents may continue to be allowed proxy access to their child's online services, after careful discussion with the GP, if it is felt to be in the child's best interests.

Background Information

In UK law, a person's 18th birthday draws the line between childhood and adulthood (Children Act 1989 s105) - so in health care matters, an 18 year old enjoys as much autonomy as any other adult.

To a more limited extent, 16 and 17 year-olds can also take medical decisions independently of their parents. The right of younger children to provide independent consent is proportionate to their competence - a child's age alone is clearly an unreliable predictor of his or her competence to make decisions.

Gillick Competence

The 'Gillick Test' helps clinicians to identify children aged under 16 who have the legal capacity to consent to medical examination and treatment. They must be able to demonstrate sufficient maturity and intelligence to understand the nature and implications of the proposed treatment, including the risks and alternative courses of actions.

In 1983, a judgment in the High Court laid down criteria for establishing whether a child had the capacity to provide valid consent to treatment in specified circumstances, irrespective of their age. Two years later, these criteria were approved in the House of Lords and became widely acknowledged as the Gillick test. The Gillick Test was named after a mother who had challenged health service guidance that would have allowed her daughters aged under 16 to receive confidential contraceptive advice without her knowledge.

Fraser Guidelines

As one of the Law Lords responsible for the Gillick judgment, Lord Fraser specifically addressed the dilemma of providing contraceptive advice to girls without the knowledge of their parents. He was particularly concerned with the welfare of girls who would not abstain from intercourse whether they were given contraception or not. The summary of his judgment referring to the provision of contraceptive advice was presented as the 'Fraser guidelines'. Fraser guidelines are narrower than Gillick competencies and relate specifically to contraception.

THINGS TO CONSIDER

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 Practice 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.

ONLINE ACCESS TERMS AND CONDITIONS

1. The applicant's identity will need to be verified by providing two identifying documents, at least one of which should carry a photograph of the individual. Documents accepted for this process are listed in the Appendix. In exceptional cases it may be possible to proceed without ID where the registering patient is very well known to the staff member vouching for them, but this should not be assumed.
2. The service is provided solely for the use of the registered person i.e. the patient, their parent/guardian, carer or power of attorney.
3. Appointments booked using this service must only be booked for the registered patient. Appointments for relatives/friends must be booked using their own credentials.
4. This service can be used to book single 10-minute appointments with the GPs. If you are unsure as to whether it is appropriate to see a doctor, or if a longer appointment is required please contact us by telephone during normal surgery hours.
5. If you need an appointment with a Practice Nurse or Health Care Assistant please contact us by telephone during normal surgery hours (these appointments are of variable length and must be carefully fitted to requirements).
6. Access to the service is provided on the condition that appointments are kept and that the service is not abused in anyway. Repeated failure to attend or cancellation of appointments at short notice will result in withdrawal of the service.
7. Prescriptions that are requested must be collected within 4 weeks. Prescriptions that are not collected within this time scale will be destroyed.
8. To reduce medicines wastage, please only request required prescription items.
9. Passwords/logon credentials should be kept secret. Do not pass on the details of passwords to anyone else.
10. It is the registered user's responsibility to protect any information that may be displayed on screen or downloaded using this service. Sharing this information with any third party is at the user's risk.
11. If you think anyone knows your password or that your account has been accessed without your consent, you must contact the surgery at the first opportunity so that we can suspend your access to the system and provide you with new user credentials.
12. If you access any information through this system about anyone other than yourself or users for whom you are an authorised proxy you must log out and contact the practice as soon as possible to rectify any security breach.
13. The practice cannot guarantee that the online service will be continuously available and cannot accept responsibility for the consequences of any interruption in service provision.
14. Failure to comply with any of the above conditions will result in revocation of access to the service.

Benchill Medical Practice

Consent to proxy access to GP online services

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.

Section 1

I,..... (Name of patient), give permission to Benchill Medical Practice to give the following people
Proxy access to the online services as indicated below in section 2.

Section 2

1. Online appointments booking	<input type="checkbox"/>
2. Online prescription management	<input type="checkbox"/>
3. Limited access to parts of the medical record for (name of patient)	<input type="checkbox"/>

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 & Time of Request:
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Section 3

I,..... (name of representative) wish to have online access to the services ticked in the box above in section 2
For (name of patient).

I understand my responsibility for safeguarding sensitive medical information.

I understand and agree with each of the following statements:

4. I have read and understood the information leaflet provided by the practice and agree that I will treat the patient information as confidential	<input type="checkbox"/>
5. I will be responsible for the security of the information that I see or download	<input type="checkbox"/>
6. I will contact the practice as soon as possible if I/we suspect that the account has been accessed by someone without my/our agreement	<input type="checkbox"/>

Signature of Representative:	Date & Time of Request:
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The Patient

This is the person whose online records are to be accessed

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

The Representative

This is the person seeking proxy access to the patient's online services

First name	Date of birth:
Surname	Relationship to Patient:
Address	
Postcode	
Email address	
Telephone number	Mobile number

FOR PRACTICE USE ONLY

The patient's NHS number		The patient's practice computer ID number	
Identity verified by (initials)	Date	Method of verification Vouching <input type="checkbox"/> Vouching with information in record <input type="checkbox"/> Photo ID and proof of residence <input type="checkbox"/>	
Proxy access authorised by			Date
Date account created			
Date passphrase sent			
Level of record access enabled Detailed Coded Record <input type="checkbox"/> All Prospective <input type="checkbox"/> All Retrospective <input type="checkbox"/>		Notes / comments on proxy access	