

## Access to Patient Records in General Practice Protocol

### Applies to

Humber & North Yorkshire Integrated Care Board (H&NY ICB) employs Pharmacists and Medicines Optimisation Technicians who provide services to the practices within these localities:

- Hambleton, Richmondshire and Whitby
- Harrogate and Rural District
- Scarborough and Ryedale
- Vale of York
- City of York

*These protocols are produced by the North Yorkshire and York Medicines Management Team (NY&Y MMT) for use by their employed MMT members. They can be adopted for use by other healthcare staff working in GP practices across North Yorkshire and York Places but H&NY ICB accepts no responsibility for the use and application of these protocols in these situations. External staff working to these protocols must agree with their own employer whether they are competent and able to work to these protocols.*

### Rationale

Accessing patient medical records in GP practice is an essential part of the role of the MMT and is ordinarily approved by a GP in the practice by the signing of a protocol to authorise a specified piece of work.

This protocol is to allow practices to agree to the MMT, who have up to date information governance (IG) training, to access a practice prescribing system and patient records for the purposes of investigating specific prescribing issues that may arise from locally or nationally produced prescribing data, or general practice and patient queries, and are not covered by a current MMT protocol.

This may include the investigation of:

- Red/Black drug prescribing
- Specials prescribing
- Medicines safety alerts
- Prescribing trends
- Ad-hoc practice requests for information on prescribing matters.

It is important that IG requirements and Data Protection Legislation (Data Protection Act 2018) are adhered to regardless of the work that is undertaken to safeguard patient and business confidentiality and ensure that the processing of personal and special category information for these purposes is clear to the public and in particular those individuals whose information is being accessed.

This protocol should be used in conjunction the NHS Confidentiality Policy (NHS England, 2019) and MMT staff will work within their professional code of conduct at all times.

### Audits

In order for a MMT member to assess whether to proceed with a piece of work or to find information to inform internal medicines management QIPP or related activities, a simple search may be undertaken on practice patient data to check the number of patients affected. This will determine the potential impact of this on the practice or ICB, such as patient numbers, potential cost saving or prescribing patterns and to inform work plans. The MMT member may:

- a) Run one or more audit/search report
- b) Access one or more patients' records for the purpose of checking that the report has provided the expected result
- c) Communicate anonymised results to share with the practice/ MMT/ ICB.

## Ad-hoc Requests

From time to time the MMT may be approached by the practice, other parts of the MMT or ICB and asked to run a report or access one or more patients' records for the purposes of fulfilling a specific request. Provided this request can be met by the MMT work stream, the MMT member should:

1. Receive explicit permission from the practice to undertake the piece of work by email and retain the email within an appropriate filename in the relevant practice signed protocol folder for that year on the Y drive,
2. Run appropriate reports to fulfil the request,
3. Access patient records where necessary in order to fulfil the request.

Occasionally, the MMT member working in a practice may speak to a patient of that practice who may ask for information regarding their medicines. In this instance the MMT member may access the patient's records if it is necessary to answer the patient's question. Verbal permission from the patient will be required prior to accessing the records for this purpose and must be recorded within the patient's record.

## Method

When this protocol is signed the MMT member should:

- Place a copy into the relevant practice folder for signed protocols
- Make a scanned / photographed copy and store electronically in the appropriate practice signed protocol folder for that year on the Y drive.

|  |  |
|--|--|
| Signature of practice Caldicott Guardian |  |
| Practice name                            |  |
| Date                                     |  |
| Signed on behalf of NY&Y MMT             |  |

Please note that the practice representative signing this protocol agrees that:

- The practice will take responsibility for the notification of all relevant practice staff.
- The practice has made patients aware that their records are accessed by NY&Y MMT staff for these purposes, e.g. via practice leaflet, website or other communication and that the practice has applied appropriate restriction to the records of patients who have withdrawn consent.

## References

NHS England, 2019. *NHS Confidentiality Policy*. [Online]

Available at: <https://www.england.nhs.uk/wp-content/uploads/2019/10/confidentiality-policy-v5.1.pdf> [Accessed 18 01 2023].

Data Protection Act 2018

Available at: <https://www.gov.uk/data-protection>

## Document version control

| Version | State changes  | New version | Actioned by      |
|---------|--|-------------|------------------|
| 1.00    | Use of on-line version statement                                       | 1.01        | SK October 2016  |
| 1.01    | New initial statement regarding protocol use.                          | 1.02        | SK November 2016 |
| 1.02    | Review and reference update  | 2.00        | AM/SK April 2017 |
| 2.00    | Review and reference update  | 3.00        | JA March 2018    |
| 3.00    | Review with advice from CGG IG Lead and reference update               | 4.01        | JA March 2019    |
| 4.01    | Review and reference update, update logos and CCG references           | 5.00        | JA March 2020    |
| 5.00    | Review and reference update  | 6.00        | JA January 2021  |
| 6.00    | Review and reference check, update logos and organizational references | 7.00        | JA March 2022    |

Protocol title: Access to Patient Records in General Practice

NY&Y MMT

Updated: Jan 2023

v7 00

Review date: Jan 2024

Updated by: JA: Authorised: JP

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