

West Pennine DPO Office

In Collaboration with Oldham and Tameside & Glossop CCGs

Guidance re NHSE's Accelerating Patient access to health records programme

As you will be aware, NHS England, supported by NHS Digital and NHSX, are set to launch the "Accelerating patient Access to Health Records Programme". The proposal is to allow patients aged 13 and over to access their *prospective health data*, including letters, documents, test results and free text via the NHS app *from April 2022*.

The West Pennine Data Protection Office and both Oldham and Tameside & Glossop CCG are supportive of allowing patients to access their data, but there are clearly risks associated to this, the main one being the *limited time frame* in which GP Practices are being asked to implement the programme, especially when GPs and practice staff are already so very stretched.

Other risks include:

- 3rd party data – GP data controllers have a duty of confidentiality to other people who may be mentioned as part of the health record
- Potentially harmful data , including safeguarding data
- Errors in the health record
- Patients not understanding the data held in their record

Exemptions

As dictated in the GDPR and the DPA 2018, there are certain exemptions which would dictate you do not share data with a patient. These are:

- Health data processed by a court
- Child abuse data
- Data which could potentially cause serious harm

Serious harm test

The serious harm test can only be conducted by a health professional. GPs must consider whether disclosure of the data would be "likely to cause serious harm to the physical or mental health of the data subject or another individual."

Cont'd

What needs to be done now:

- Brief practice staff and all associated healthcare practitioners who may enter data into the EMIS record. Ensure they understand that, when appropriate, information should be redacted at the time it is entered into the patient's record.
- Ensure all staff are familiar with the redaction software – instructions on next page.
- Update new patient registration process to include sign-up for prospective access via the NHS app.
- Set up EMIS/ TPP system

Redaction

In EMIS you can hide an item in case the patient accesses their record in the future. An example would be making a child protection report not visible online.

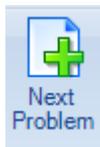
Please note, the following instructions have been adapted, with big thanks, from a document produced by Dr Neil Bhattia, GP, IG Lead and DPO. The instructions have been tested by several very experienced EMIS system users from the West Pennine area.

Consultations

Go to the “Consultations” section, choose the consultation, and right click on the banner at the top (with the date and clinician name on it, as seen in blue below). Then click

- “Online visibility” and
- “Do not display on the patient’s online care record”

Note that you can't hide individual problems within a consultation (e.g., in the example below, you can't hide the section about “Looked after child” alone, which will have been created by pressing the “Next Problem” button during the consultation).



You have to hide the *entire* consultation for that date.

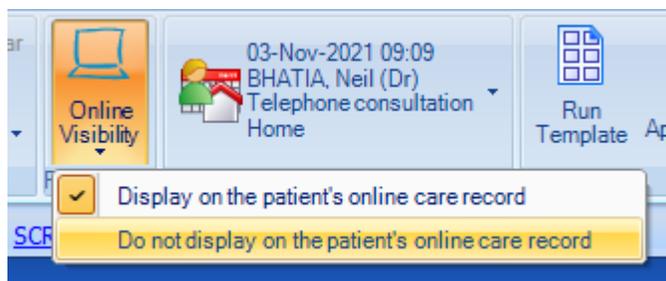
Cont'd

Marking items within EMIS Web as not visible via online services

06-Sep-2019 12:23		GP Surgery (Yateley Medical Centre)	BHATIA, Ne
Problem	Subject to child protection plan (First)		
Additional	Child protection category physical • Child affected by		
Problem	Vulnerable child (First)		
Problem	Looked after child (First)		
Additional	At risk of emotional/psychological abuse • At risk of mutilation • History of domestic violence • Maternal difficulties • Parent has physical disability • Child is in abuse • Victim of child sexual exploitation • Under care of emergency department • Admission to hospital • [X]		sexual abuse • family history of i
Problem	Referral to safeguarding children team (First)		poverty • Homeless family • History of emotional abuse • History of pl
Additional	Refer to health visitor • Referral to child and adolescent Safeguarding report sent s17 Safeguarding report sent s47 Child protection conference report submitted		re of paediatrician • Child not brought to appointment • Did not atten her poisoning • [X]Intentional self-harm • Police domestic incident rep
			al to multi-agency risk assessment conference • Child in Need meeting

During a consultation

Before filing a consultation that you want to make non-visible online, click the “*Online Visibility*” button in the toolbar at the top of the screen and choose “*Do not display on the patient’s online care record*” before saving the consultation.



Clinical Documents

That is, work flowed directly into EMIS Web.

You can do this from “**Consultations**”:

07-Oct-2019		Inbound Document	BHATIA, Neil (Dr)
Document	Clinical document	(07-Oct-2019) Clinical document	

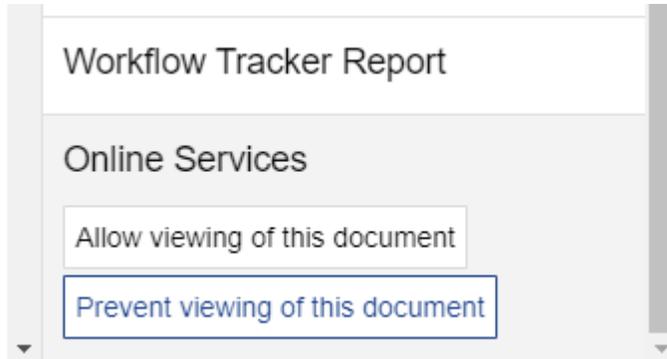
Or from “**Care History**”:

Attachment	Clinical Letter Frimley Park Hospital Vascular Surgery Leg Ulcer clinic
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Cont’d

You can set a document to be not visible online when filing a task (incoming or scanned letter) in your inbox.

Go to the bottom of the “Actions” column (right of the screen) and choose “Prevent viewing of this document”.



By default, Docman now sets all such documents as *temporarily* (“provisionally”) not visible online in EMIS Web:

Date	Consultation Text	
02-Nov-2021	Docman	DOCMAN, docman (Mr)
Additional	[Provisional] Attachment Heart Failure Nurse Consultation Report: Frimley Park Hospital Cardiology	
	Seen in cardiac clinic	

Choosing “Prevent viewing of this document” when filing **makes this non-visibility permanent.**

Choosing “Allow viewing of this document” when filing **makes the document visible online.**

Doing nothing when filing **makes the document visible online.**

Investigations & Values

Do this from “Care History”:

06-Jun-2019	!	▲	SERUM FREE LIGHT CHAINS	
	!		Serum kappa light chain level	43.90 mg/L (3.3 - 19.4)
			Serum lambda light chain level	24.00 mg/L (5.71 - 26.3)
	!		Se kappa:lambda lght chn ratio	1.83 (0.26 - 1.65) Please note in patients with low GFR (<15) the K:L ratio normal range changes to 0.37 - 3.1
29-Apr-2019			O/E - weight	107 kg

Cont'd

WHERE NOT TO TRY redaction in EMIS

You can't make anything non-visible from:

- Documents – (instructions re redaction in Docman on next page)
- Investigations
- Referrals
- Problems
- Diary

BE CAREFUL

Don't confuse "not-visible online" with a confidentiality policy. A confidentiality policy controls who *within* the practice can access information, it has no effect on online visibility.

If you have hidden an item from online access, make sure the red-cross symbol is next to it:



Make sure you haven't accidentally applied a confidentiality policy when a golden padlock will appear instead:



Redaction In Docman

Redaction can also be done in the Docman software, and I have attached the relevant instruction manual for you.



Docman 10PatientVi
sibilityUserGuide1.5

Cont'd

Setting up prospective access in EMIS system

Option one: Prospective full record only

Patients will only see their record from the date entered. If a patient has previously had access to their detailed coded record (DCR) the historical part of their record will no longer be available.

The screenshot shows the EMIS system interface. The top navigation bar includes 'Scanning Documents', 'Audit Trails', 'Prescription Printing', 'Legacy Data Mapping', 'Patient Archive', 'EMAS Manager', 'Non-Patient Data Transfer', and 'Launch BC Client'. Below this is a toolbar with 'Activate Application', 'Deactivate Application', and 'Save Settings' buttons. The main content area is titled 'Emis - Patient Facing Services' and contains several sections. The 'Detailed coded record' section is highlighted with a red box and contains the following settings:

- Use detailed coded record settings
Detailed coded record will allow you to choose which services patients can access.
Allergies and medication are mandatory for the detailed coded record
- Allergies
- Medications
- Laboratory test results
 - Display free text from: 01-Jan-1900
- Documents
 - Only show documents from: dd-MMM-yyyy
 - Display free text from: dd-MMM-yyyy
- Immunisations
- Problems
 - Display free text from: dd-MMM-yyyy
- Consultations
 - Only show consultations from: dd-MMM-yyyy
 - Display free text from: 01.04.2019

Navigate to the patient facing servicestab

- [EMIS ball >](#)
- [System Tools >](#)
- [EMAS Manager >](#)
- [Patient Facing Services](#)

Then tick the buttons

- [Use detailed coded record](#)
- [Laboratory test results](#)
- [Immunisations](#)
- [Problems](#)
- [Consultations](#)

Add the date from which prospective access starts in each of the [Display free text from](#) date fields. Add a date in the [Only show consultations from](#) field.

Option 2: Prospective full record and retrospective detailed coded record

Scanning Documents Audit Trails Prescription Printing Legacy Data Mapping Patient Archive EMAS Manager Non-Patient Data Transfer Launch BC Client

Activate Application Deactivate Application Save Settings

EMAS Applications Patient S...

Registration - 1068 (84) Lab Reports - 90 (44) Medicine Management - 49 (14) Tasks - 13 (3)

Emis

- Document Sharing
- ✓ Patient Facing Services
- EPMS
- Managed Referrals

Emis - Patient Facing Services

Patients will not be able to access care record data online.

Core summary care record

Use core summary care record settings
Core summary care record will give patients access to allergies and medication.

Detailed coded record

Use detailed coded record settings
Detailed coded record will allow you to choose which services patients can access.
Allergies and medication are mandatory for the detailed coded record

- Allergies
- Medications
- Laboratory test results
 - Display free text from: 01-Jan-1900
- Documents
 - Only show documents from: dd-MMM-yyyy
 - Display free text from: dd-MMM-yyyy
- Immunisations
- Problems
 - Display free text from: dd-MMM-yyyy
- Consultations
 - Only show consultations from: dd-MMM-yyyy
 - Display free text from: 01.04.2019SS

Navigate to the patient facing servicestab

- [EMIS ball >](#)
- [System Tools >](#)
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- [Patient Facing Services](#)

Then tick the buttons

- [Use detailed coded record](#)
- [Laboratory test results](#)
- [Immunisations](#)
- [Problems](#)
- [Consultations](#)

Add the date from which prospective access starts in each of the [Display free text from](#) date fields. DO NOT add a date in the [Only show consultations from](#) field, as this will restrict access until after that date.

If you require any further information or support with this, please do not hesitate to contact me:

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