

Patient Online: Proxy Access Guidance for general practice

What is proxy access?

In the context of Patient Online, proxy access refers to access to a patient record - with the patient's consent - by somebody other than the patient, for example the patient's parent or carer.

Patients may have access to their records if they choose. They may also choose to share those login details with family, friends and carers (including a care home) but as part of their access application they must be advised of the risks associated with doing this. A [records access patient information leaflet](#) is available.

When might proxy access be enabled?

Patients may choose to give others access to their record if they want to.

Alternatively, a practice can provide access to another individual or individuals, but only if GPs and practice staff are satisfied that they either have direct consent from the patient or have followed another process by which access to the record can be authorised on the patient's behalf.

There are a number of legitimate reasons why the patient, or in some cases the practice, may grant proxy access. These include:

- The GP or authorised practice staff has obtained the patient's explicit consent to enable access. Such consent should be obtained both from adult patients with capacity and competent children. Children aged 16 or above are assumed to be competent unless there is an indication otherwise.
- The patient has been assessed as lacking capacity to make a decision on granting proxy access, and has registered the applicant as a lasting power of attorney for health and welfare with the Office of the Public Guardian.
- The patient has been assessed as lacking capacity to make a decision on granting proxy access, and the applicant is acting as a Court Appointed Deputy on behalf of the patient.
- The patient has been assessed as lacking capacity to make a decision on granting proxy access, and in accordance with the [Mental Capacity Act 2005 code of practice](#), the GP considers it in the patient's best interests to grant the requested access to the applicant.

Proxy access on behalf of children

- Practices that already have protocols for proxy access of children's paper-based records can extend and tailor these for online record access.
- Parents of children under age 12 normally have automatic rights to access their children's records, although not all parents have parental rights of access.
- Confidential access by a patient should be available from the age of 18, while some practices may allow confidential access from as young as 12, dependent on GP-assessed competencies.
- Proxy access for parents and guardians to a child's record is a practice-level decision.

When is proxy access not advisable?

Patients may share access to their records and login details with family, friends and carers (including a care home) if they choose to do so.

Proxy access is not recommended if:

- The patient has previously expressed the wish not to grant proxy access to specific individuals should they lose capacity, either permanently or temporarily, and this has been recorded by the practice.
- It is not in the best interests of the patient.
- The practice staff believes that there is a risk to the security of the patient's record by the person being considered for proxy access, and record their concern.
- A GP or other health professional suspects that the patient is vulnerable to or already subject to coercion.

Proxy access to online services of all types is vulnerable to coercion. In the context of Patient Online, coercion might involve a patient being put under pressure to permit proxy access to their medical records or to order repeat prescriptions. If a GP or other health professional suspects a patient is vulnerable to or already subject to coercion, then that patient should not be registered for proxy access, and the GP should discuss concerns with the patient. Patient Online [Coercion guidance for general practice](#) is available.

If a GP or other health professional considers that a patient's lack of capacity to consent to proxy access may be temporary, then the decision to disclose record access to a close family member or carer could reasonably wait until they regain capacity.

Other considerations surrounding proxy access

- In general, proxy access to online records is managed in the same way as access to paper based and non-digital services.
- Practices may choose to name a designated person to take responsibility for good practice in proxy access – e.g. the current Information Governance lead or equivalent.
- Currently, carers and advocates nominated by the patient cannot have their own login account with permissions set by the patient. However this is an essential requirement under [GPSoC](#), and this capability must be delivered before April 2015
- For most people there is little or no information in their records that would cause more than embarrassment if someone else saw it. However, for some, records contain sensitive information that could cause problems if someone else saw it.
- If anyone close to the patient who does not have proxy access wants to discuss their concerns about a patient's health, practice staff should make it clear to them that, while it is not a breach of confidentiality to listen to their concerns, it cannot be guaranteed that the patient will not be told about the conversation.

Additional resources:

- [GMC confidentiality guidance](#)
- [RCN and RCGP - getting it right for young people in your practice](#)
- [GMC guidance 0–18 years: guidance for all doctors](#)
- [NHS: keeping your online health and social care records safe and secure](#)
- [RCGP: care of people with intellectual disability](#)
- [Mental Capacity Act 2005 code of practice](#)