

## **Patient Information**

### **Online services: Proxy Access Adults (over 16years of age)**

#### **OVERVIEW**

Patients aged 16 or older who are either not capable of managing their own account or who wish someone else to assist them, can request proxy access. Proxy access enables family members, carers and care home staff, to access a patient's online service account for the purposes of booking appointments and requesting repeat medication on their behalf. In some cases it will allow the medical record to be viewed.

More than one proxy user can have access to an account, but each user will be issued with a unique password and levels of access.

The proxy does not have to be a registered patient at the practice, but to access the account they will be issued with their own username and password.

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

#### **CONSENT FOR PROXY ACCESS**

Prior to granting proxy access, the practice will need to be satisfied that the patient's representative has the explicit, informed consent of the patient. If the patient does not have capacity to consent, the GP will decide whether it is in the best interests of the patient for a third party to have proxy access.

Patients aged 16 or above: are assumed to have the capacity to manage their own online account unless proven otherwise.

In some cases the practice may authorise proxy access without the patient's consent- see access without consent below.

#### **PROCESS TO ARRANGE PROXY ACCESS**

- Forms for completion are available from reception. Please read forms carefully as some parts will need to be signed or annotated in front of surgery staff.
- Both the patient and any proposed proxy must present at the surgery at the same time so that identities can be confirmed. ONLY passports and picture driving licences will be considered acceptable forms of identification for any proposed proxy.
- The patient does not need to be present if the proxy has a valid power of attorney for health and welfare or is a court appointed deputy.
- Appropriate, original, certified documentation such as a birth certificate, power of attorney, court order will be required to be seen and copied by surgery staff.

## **ASSESSING COMPETENCE**

In UK law, a person's 18th birthday draws the line between childhood and adulthood (Children Act 1989 s105) - 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.- age alone is not considered a reliable predictor of his or her competence to make decisions.

For any patient over the age of 16 years, the GP will be asked to confirm that the patient has the capacity and competency to consent to proxy access. This may mean that the patient is asked to attend a GP appointment.

Where the proposed proxy has Power of Attorney for Health and Welfare access may still be withheld if the GP does not feel access is in the patient's best interests.

## **ACCESS WITHOUT CONSENT**

At the discretion of the GP access to online accounts may legitimately be granted without the patient's consent if 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.

## **SECURITY**

If agreed both the patient and any proxy will have access to the parts of the medical record agreed with the practice. Both patient and their proxy should treat these records and access to them as highly confidential. Access to records is controlled via a unique password which should not be shared; the practice should be informed immediately if the patient or proxy believes that other users have gained access to records. Any material that is downloaded should be stored in a password protected file or if printed, stored and destroyed in a manner that ensures confidentiality. The practice is not accountable for any breach of confidentiality which results from the actions of the patient or their proxy.

If the patient or proxy feels that any part of the record is inaccurate or belongs to a third party they should contact the surgery immediately to arrange an amendment to records if appropriate.

The GP reserves the right to withhold access to any record or part of record that they feel is detrimental to the well being of the patient.

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