

FRESHFORD PRACTICE
Freshwell Health Centre
IG016.a Online Access for Proxy – Birth to 13 years
Information Leaflet and Application Form

*If you wish to have on-line access to your medical record, please read the information below, complete the form on pages 3 onward and return to Reception or by email to **freshwell.administration@nhs.net***

Proxy Access

A patient can grant access for another person to access their medical record. Proxy users do not have to be a registered patient at the same practice but must be registered for online services on the GP system and always use their own login credentials.

For example:

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

To be given proxy access, a 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. The Practice can refuse or withdraw proxy access at any time if they assess that it is in the patient's best interests.

Patients aged 13 years or above are assumed to have the capacity to consent unless there has been an assessment to indicate they do not. Patients aged 13 years and over 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 patient 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

On a child's 13th birthday the current proxy access will be restricted automatically by the practice, 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.

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 and/or after the completion of the form IG016.b Proxy online access reg form 13yrs and over.

Young people aged 11 – 13yrs have the right to request removal of third-party proxy access at any time. This will be granted following a consultation with the patients GP to ensure the actions of this removal are fully understood by the patient.

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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 has 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 the age of 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 as one of the Lords responsible for Gillick guidelines. 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 contraception.

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IG016.a Registration Form Access to GP Online Services PROXY ACCESS for children aged 0 – 13 yrs

CHILD DETAILS

Surname:	Date of birth:
First name:	
Address:	
Postcode:	
Telephone number:	

PROXY USER

**Adult acting on behalf of the child
I have parental responsibility.**

I wish to access to the following below services on behalf of the above-named child.

Please tick one of the below:

- I am the birth mother
- I am the birth father and married to the mother at the time of child's birth or subsequently
- I am the birth father and *not* married to the mother, but the child
 - was born after 01/12/2003 *and*
 - my name is on the birth certificate
- I am an adoptive parent
- I am the child's legal guardian
- I have court-appointed parental responsibility

- Other – please specify:

**I wish to have access to the following online services for the above patient
(please tick all that apply):**

Booking appointments	<input type="checkbox"/>
Requesting repeat prescriptions	<input type="checkbox"/>
Updating contact details (demographics)	<input type="checkbox"/>
Secure online access to the child's electronic GP record	<input type="checkbox"/>

- I will be responsible for the security of the information that I see or download
- If I choose to share information with anyone else, this is at my own risk
- I will contact the practice as soon as possible if I suspect that this account has been accessed by someone without my agreement
- If I see information in the record that is inaccurate, I will contact the practice as soon as possible

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Full Name:	
DOB:	
Address:	
Tel. No:	
Mobile No:	
Email address:	
	<p>Are you a patient at Freshwell Heath Centre? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Are you already registered at Freshwell Health Centre for Systmonline services? You will be asked to register yourself before proxy access is arranged if not. <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
Signature:	
Date:	

For Admin use: ID FOR BOTH PARTIES REQUIRED

Patient NHS number:	Registered GP:
Identity verified by (FULL NAME): Sign: Date:	<u>Patient ID:</u> Tick all that apply: <div style="text-align: right;"> Personal vouching <input type="checkbox"/> Vouching with information in record <input type="checkbox"/> Birth Certificate or Red Book <input type="checkbox"/> </div>
	<u>PROXY ID:</u> Tick all that apply: <div style="text-align: right;"> Personal vouching <input type="checkbox"/> Vouching with information in record <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Passport or Photo Driving Licence <input type="checkbox"/> Proof of residence <input type="checkbox"/> </div>
<p>Advise proxy that the practice will contact to collect registration details if proxy is not already registered for online access. Otherwise, proxy will be automatically activated once GP has approved application</p>	