INFORMATION GOVERNANCE
STAFF DETAILS

1. Introduction. Discussions around the introduction of Online Patient Access to their own records has raised the issue of staff details being included in the records and thus visible to patients. It's important to note that this is not actually a new concept and that the law remains the same. It is the Data Protection Act that provides for individuals to have access to their own information under the legal process known as a Subject Access Request. The Online Patient Access is using the same legal principles.

2. Staff working in GP Practices have a range of responsibilities, including clinical, management or administrative and will have access to patients records as part of their job role. Information that may identify staff who have viewed or contributed to a health or care record is not generally exempt from disclosure - irrespective of the staff member's role.

3. In addition, IT systems used by health and care organisations should record information about who has accessed a health record, when they accessed the record, and whether they viewed the record or changed its content. Individuals have the right to know about this information.

4. There are specific circumstances in which withholding the identity of a staff member would be justified. Usually this will apply to non-clinical staff and there should be reason to believe that disclosing their details might result in them suffering serious harm. An example is where a receptionist who reports an individual's threatening behaviour to a staff member and the clinician subsequently records this information in the patient's record. It would be reasonable to withhold the receptionist's details, but not the clinician's.

5. The ICO guidance confirms the above position with the specific section being here: What should we do if the request involves information about other individuals? | ICO