

Responsible Officer and Appraisal Networks Information Sheet 26

Access to clinical records for professional development activities (v1.0, Mar 2019)

Access by doctors to clinical records for quality improvement activity and professional development is essential if they are to meet the requirements of *Good Medical Practice* (GMC). Doctors and organisations should be confident that appropriate access to clinical records for this purpose is legitimate.

Caldicott Principles help determine if access to personal information is appropriate in a specific context. GDPR and Data Protection Act (2018) set out general requirements, including on privacy statements and consent, and recognise that it is legitimate to share data to support professional development and quality improvement. Organisations should include these reasons for access in their privacy statement; active consent from individual patients is not routinely necessary.

A doctor who has worked in an organisation and moved on, including in a short-term locum capacity, has formed a continuing professional connection to the organisation for maintaining their professional development, so should have the same access for professional development as any doctor of the organisation. The Caldicott guardian may consider the doctor's duration of tenure and length of time since working when deciding on a request but should otherwise base their judgement on the Caldicott Principles in the same way as for all their doctors.

Indeed, best practice in supporting short term doctors, including locums, goes beyond access to records for personal learning. Other activities include involvement in educational events and incident reviews (including significant events), mentoring and support activities and assisting with patient and colleague feedback. Organisations are encouraged to engage with all their doctors, permanent and temporary, offering support with professional development and quality improvement for better patient care.

Links:

<https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/good-medical-practice>

<https://www.igt.hscic.gov.uk/Caldicott2Principles.aspx>

<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

<https://www.gov.uk/government/collections/data-protection-act-2018>

<https://www.england.nhs.uk/medical-revalidation/emp-bod-hr/guidance-supporting-organisations-engaging-with-locums-and-doctors-in-short-term-placement/>

This information sheet is relevant to all designated bodies in England.

These information sheets are written on an ad hoc basis, on issues of relevance to responsible officers and their teams, medical appraisers and doctors.

The latest version of all ROAN Information Sheets is available online via our SharePoint site. Contact england.revalidation-pmo@nhs.net for access.