Annex E: Consultation Questions

The consultation sets out a number of proposed amendments. Views are invited on the following:

1) Where data relating to a citizen is held it should be accurate.
Do you agree that the approach suggested at paragraphs 9-11 is an effective approach to achieving this?

Yes ☐ No ☒

If No, please describe the approach you feel should be taken.

RCGP Scotland agrees that it is important that any data held is accurate and that data security and confidentiality are maintained.

We note that medical records are not currently held or accessed via this database.

We further note that Scottish Local Authorities and Scottish Health Boards already provide basic demographic details, including address details to the NHSCR (when permission is granted by an individual patient or service user), and that many of the functions discussed in this consultation document are already in place. For example, it is already possible for missing people to be searched for in the NHSCR.

However, it is of concern that the NHSCR is considered to be “the most complete and authoritative record of individuals in Scotland” while only containing address information for approximately 30% of the population.

We are interested in how the missing 70% of the data is going to be gathered, as this would currently require express permission for each individual concerned before the Local Authority or Health Board could share this information with the NHSCR.

Paragraph 10 – the proposal to source the postcode/CHI number for an individual from their Health Board or general practice might seem reasonable to ensure data accuracy. However, we are concerned that the knowledge that such information might be shared with the Scottish Government, and HMRC to enable the identification of Scottish income tax payers could lead to patients being uncomfortable or unwilling to seek appropriate medical help from their doctor when they become unwell due to a lack of trust in the confidentiality of their medical records.

2) We propose to extend the current ability to trace persons a) who go missing whilst in education and b) who should pay for treatment provided by the NHS.
Do you agree with these proposal set out in paragraphs 12-13?

Yes ☒ No ☐

If No please explain why not?

RCGP Scotland believes that the confidentiality and data security of medical records is essential to ensure a trusting relationship between doctor and patient.

YES - We note that there is already provision to trace missing persons in the UK in the NHSCR, by solicitors, registered charities, Local Authorities and Health Boards. We see no reason why the current provision should not be extended to enable Local Authorities to
specifically trace children missing from education in their area in a data source which they are already able to access.

NO - While we understand the need to ensure that payment is recouped from non-Scottish residents who receive treatment from the NHS in Scotland, we are concerned about the sharing of data from the NHSCR with the UK Visas and Immigration Department. The knowledge that such information might be shared could lead to both Scottish patients entitled to free treatment and non-Scottish residents being uncomfortable or unwilling to seek appropriate medical help from their doctor when they become unwell due to a lack of trust in the confidentiality of their medical records.

3) In order to allow citizens to make use of myaccount for a wider group of services (beyond health and local government), as set out in paragraphs 14-16, we propose to provide access to the bodies named in draft Schedule 3 (Annex B). Are there any additional service providers who you feel should be included?

The list of organisations in Schedule 3 (Annex B) is extremely large, including 98 individuals or organisations, such as Cairngorm National Park Authority, the Board of Trustees for the National Galleries of Scotland, Scottish Canals, Edinburgh Leisure and a number of other statutory authorities and charities. We would like to see additional information explaining why some of these organisations require access to the NHSCR.

Many of the groups do not seem to fit the criteria specified in the consultation document, these being:
- tracking missing children in education;
- tax gathering;
- recouping medical costs from non-Scottish residents.

Equally, we are not sure on what basis organisations such as Scottish Canals or Cairngorm National Park Authority would need access to the NHSCR for myaccount. However, we would be interested in receiving additional clarification information explaining why these organisations would require such access to personal demographic information.

4) Do you consider that the proposals set out in paragraph 18 are an effective method to identify Scottish Tax payers?

Yes ☐ No ☑

If No please describe the approach you feel should be taken.

The confidentiality of medical records is central to the success of the doctor-patient relationship.

The knowledge that such information might be shared with the Scottish Government to enable the identification of Scottish income tax payers could lead to patients being uncomfortable or unwilling to seek appropriate medical help from their doctor when they become unwell due to a lack of trust in the confidentiality of their medical records.

We would strongly recommend that the Scottish Government consider other methods of identifying Scottish tax payers.