**Staff and Relatives as Patients
Practice Policy**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Version:** | **Review date:** | **Edited by:** | **Approved by:** | **Comments:** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**Table of contents**

[1 Introduction 2](#_Toc36800777)

[1.1 Policy statement 2](#_Toc36800778)

[1.2 Principles 2](#_Toc36800779)

[1.3 Status 3](#_Toc36800780)

[1.4 Training and support 3](#_Toc36800784)

[2 Scope 3](#_Toc36800785)

[2.1 Who it applies to 3](#_Toc36800786)

[2.2 Why and how it applies to them 3](#_Toc36800787)

[3 Management solution 3](#_Toc36800788)

[3.1 Medical Protection Society guidance 3](#_Toc36800789)

[3.2 Medical Defence Union guidance 3](#_Toc36800790)

[3.3 Joint statement from the Chief Executives of statutory regulators of health and care professionals 4](#_Toc36800791)

[3.4 Unavoidable scenarios 4](#_Toc36800792)

[3.5 Staff or relatives remaining as patients 4](#_Toc36800793)

[4 Summary 5](#_Toc36800794)

[Annex A – Disclaimer to remain as or to become a patient 6](#_Toc36800795)

[Annex B – Letter to patient accepting registration 7](#_Toc36800796)

[Annex C – Letter to patient declining registration 8](#_Toc36800797)

# Introduction

## Policy statement

At [insert practice name] all general practitioners strive to maintain a good patient-doctor relationship; that is, a relationship based on mutual respect and trust which is the cornerstone of good patient care.[[1]](#footnote-1) It is therefore imperative that staff and relatives of staff have access to independent and objective medical care and, to facilitate this, staff or relatives of staff are not routinely permitted to register as patients at this practice.

## Principles

The reasons for adopting this approach are to conform to the guidance detailed in the General Medical Council (GMC) Good Medical Practice (pp8)[[2]](#footnote-2) which states:

*“…wherever possible, avoid providing medical care to yourself or anyone with whom you have a close personal relationship”*

The Primary Medical Care Policy and Guidance Manual (PGM)[[3]](#footnote-3) pp144 advises that “*Practices can refuse an application to join a practice list if …they have reasonable grounds.”* It also advises that, if an application is refused, then guidance must be followed to record the patient’s name, date and the reason for refusal.

The patient should then be written to explaining why they have been refused within a period of 14 days of the refusal.

Annexes A, B and C contain suggested correspondence regarding a disclaimer, acceptance or refusal.

GPs at [insert practice name] believe it is best practice for members of staff or relatives of staff to register at an alternative practice as this reduces the risk of:

* Accidental or intentional access to confidential information (health records)
* Failure to disclose decisive information to enable accurate diagnosis and/or management of the presenting condition
* Failure to ask pertinent questions to aid diagnosis
* Failure to undertake (where necessary) intimate examinations to determine a diagnosis
* Misconception that an informal chat is construed as a consultation
* Employment issues that may arise as a result of the consultation, treatment or subsequent absence

## Status

The practice aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the Equality Act 2010. Consideration has been given to the impact this policy might have in regard to the individual protected characteristics of those to whom it applies.

This document and any procedures contained within it are non-contractual and may be modified or withdrawn at any time. For the avoidance of doubt, it does not form part of your contract of employment.

## Training and support

The practice will provide guidance and support to help those to whom it applies to understand their rights and responsibilities under this policy. Additional support will be provided to managers and supervisors to enable them to deal more effectively with matters arising from this policy.

# Scope

## Who it applies to

This document applies to all employees, partners and directors of the practice. Other individuals performing functions in relation to the practice, such as agency workers, locums and contractors, are encouraged to use it.

## Why and how it applies to them

All [insert practice name], staff are to be aware of the reasons why a member of staff or their relative will not routinely be accepted as a practice patient and that they are not permitted to approach a GP for an informal chat about their own medical condition(s).

# Management solution

## Medical Protection Society guidance

The Medical Protection Society (MPS) recommends that staff are registered elsewhere as this avoids the pitfalls detailed in paragraph 1.2.

## Medical Defence Union guidance

Potential conflict may arise between the staff member and the practice if there are concerns regarding an employee’s performance. It will be difficult to manage employment matters in an objective manner if the GP is aware of information gained during a clinical consultation. Should the patient learn that this information was discussed without the patient’s consent, a complaint may be brought against the GP or a claim made at an employment tribunal.[[4]](#footnote-4)

## Joint statement from the Chief Executives of statutory regulators of health and care professionals

Conflict can arise in situations where someone’s judgement may be influenced, or perceived to be influenced, by a personal, financial or other interest. Most specifically, health and social care professionals are to:

* Put the interests of people in their care before their own interests, or those of any colleague, business, organisation, close family member or friend
* Consider carefully where conflicts of interest may arise, or be perceived to arise, and seek advice if they are unsure how to handle this
* Be open about any conflict of interest they face, declaring it formally when appropriate and as soon as possible

## Unavoidable scenarios

It is accepted that there may be – due to locality issues, i.e. rural practices – a requirement for the GP to undertake the roles of employer and doctor. If this is the case, the GP must first satisfy themselves that they are professionally confident to undertake this dual role, ensuring that patient safety is paramount whilst acknowledging that each role is a separate entity.[[5]](#footnote-5)

Wherever possible, the employee should be seen by a salaried GP if one is available.

GPs should seek guidance from their MDO regarding treating staff or relatives as patients and the associated implications.

## Staff or relatives remaining as patients

Where a member of staff or a relative is registered as a patient at the practice and this has been so for some considerable time, it is widely accepted that they will be immediately resistant to the recommendation that they should register with another practice in the region. In such cases, the partners and the practice manager must manage the scenario in an understanding manner, stipulating the reasons why it is necessary for staff to register elsewhere.

# Summary

Staff and/or relatives of staff must be advised that it is in the interests of the member of staff, the relative and the GPs that, ideally, they are registered at another practice within the region. This will prevent any conflicts of interest, particularly between the GP as the employer and the member of staff as the patient. In doing so, a positive working relationship will remain in existence between all members of staff at [insert practice name].

However, should there not be any alternative, or for any other reason [insert practice name] agrees to permit the patient to remain, the disclaimer at Annex A is to be signed.

Letter templates at Annexes B and C detail either acceptance or refusal to the retention or registration of a named individual as a patient due to the fact that they are a relative of a member of staff.

# Annex A – Disclaimer to remain as or to become a patient

[Address]

[Date]

Dear [insert name],

As a [member of staff or relative of a member of staff whose name is insert member of staff’s name who is related to the patient] at [insert practice name], it is advisable that you register at another practice within the region to avoid any conflicts of interest and to ensure that you are afforded independent and objective healthcare.

However, as this is not practical due to [insert reasons], you are requested to sign this disclaimer to remain as or to become a patient at this practice and you acknowledge that:

1. Your medical records may be accessed by clinical staff to ensure that care is delivered in a safe and effective manner
2. Correspondence relating to your continuing care may be seen by both clinical and administrative staff in the course of their daily duties
3. You are not permitted to view your own records or manage any incoming correspondence relating to you as a patient
4. Should you have cause for concern or complaint, you will follow the practice protocols, whilst accepting that the practice management team will be involved in the process of addressing your concerns or managing your complaints.

A copy of this disclaimer will be retained within your healthcare record.

Yours sincerely,

[Signature]

For the partners

I, [insert staff or relative of staff name], agree that I understand the terms detailed above and choose to remain as a patient at [insert practice name].

Signed:

………………………………….

Print name:

………………………………….

Date:

# Annex B – Letter to patient accepting registration

[Address]

[Date]

Dear [insert patient name]

**Application to register at the practice**

Thank you for your application to register at [insert practice name] which was received on [insert date]

For reasons of patient confidentiality, it is practice policy not to register known relatives of practice staff. We understand that [insert name and relation to applicant] works at the practice. Although all our staff are bound by the practice’s strict rules of patient confidentiality and not permitted to access or discuss any patient’s clinical information, unless in the course of carrying out their duties, it is inevitable that there may be occasions where this is unavoidable.

We ordinarily would not register you at this practice and recommend your registration at one of the other practices in the area. It may be that you have no objection to the possibility of your [relative] seeing your medical records and may still wish to be registered at the practice. If this is the case, please notify us accordingly by completing the tear off slip below and returning it to the practice.

Should you wish to register at another practice then by entering your postcode, town/city at the following website, you will locate other GP practices within our area:

<https://www.nhs.uk/service-search/find-a-gp>

If you still have problems registering please contact NHS England’s Customer Contact Centre <https://www.england.nhs.uk/contact-us/>

Yours sincerely,

[Signature]

[Insert name and post]

-----------------------------------------------------------------------------------------------------------------

I, am fully aware that, who is a relative of mine, is employed at [insert practice name].

I realise that if I am accepted as registered patient at the practice they may, in the course of their duty, have access to my medical information. I also understand that they are bound by a duty of patient confidentiality.

[Insert date] Signature:

# Annex C – Letter to patient declining registration

[Address]

[Date]

Dear [insert patient name]

**Application to register at the practice**

Thank you for your application to register at [enter practice name] which was received on [insert date]

For reasons of patient confidentiality, it is practice policy not to register known relatives of practice staff. We understand that [insert name and relation to applicant] works at the practice. Although all our staff are bound by the practice’s strict rules of patient confidentiality and not permitted to access or discuss any patient’s clinical information, unless in the course of carrying out their duties, it is inevitable that there may be occasions where this is unavoidable.

For these reasons, we therefore regret that we are unable to register you at this practice and recommend that you register with one of the other practices in the area. You can enter your postcode, town/city at this website and find other practices within your area at <https://www.nhs.uk/service-search/find-a-gp>

If you still have problems registering, please contact NHS England’s Customer Contact Centre <https://www.england.nhs.uk/contact-us/>

Yours sincerely,

[Signature]

[Insert name and post]

1. [BMA](https://www.bma.org.uk/advice/employment/gp-practices/service-provision/removal-of-patients-from-gp-lists) [↑](#footnote-ref-1)
2. [GMC - Good Medical Practice](https://www.gmc-uk.org/-/media/documents/good-medical-practice---english-20200128_pdf-51527435.pdf?la=en&hash=DA1263358CCA88F298785FE2BD7610EB4EE9A530) [↑](#footnote-ref-2)
3. [Primary Medical Care Policy and Guidance Manual (PGM)](https://www.england.nhs.uk/publication/primary-medical-care-policy-and-guidance-manual-pgm/) [↑](#footnote-ref-3)
4. [MDU – The pitfalls of treating work colleagues](https://www.themdu.com/guidance-and-advice/journals/inpractice-december-2013/the-pitfalls-of-treating-work-colleagues) [↑](#footnote-ref-4)
5. [GP Online – Medico-legal – When employees are patients](https://www.gponline.com/medico-legal-when-employees-patients/article/1002350) [↑](#footnote-ref-5)