

Good Management Good Records – Review Comment Sheet

Document Title		DHSSPS – Good Management Good Records	
1 No	2 Page/Part/ Paragraph Reference No	3 Reviewer Comment	4 Author Response
1	11/1/all	A reference to the common law duty of confidentiality would be appropriate here. It imposes restrictions on the use of personal information that the DPA does not (except in so far as the first principle requires adherence to the common law), and it arguably applies to deceased patients' records, as per the Information Tribunal Appeal Number: EA/2006/0010 of 17 Sep 2007 between PAULINE BLUCK, the INFORMATION COMMISSIONER and EPSOM & ST HELIER UNIVERSITY NHS TRUST and <i>Lewis v Secretary of State for Health [2008]</i> EWHC 2196.	
2	110/1/	The reference to protection of the individual to whom the information relates might helpfully be qualified as per paragraph 51 of the GMC's Confidentiality guidance , which states that competent adult patients' refusal to consent to disclosure should usually be respected if nobody else is at risk of harm.	
3	136/1/	The listed exemptions to disclosure under the FoIA should include personal data and information subject to a duty of confidentiality (as per the Bluck case mentioned at 1, above).	
4	168/1/	There is no description of the General Medical Council (see http://www.gmc-uk.org/about/role.asp for our role), and our address and contact details are long out of date. See http://www.gmc-uk.org/about/contacts.asp for our Belfast contact details. There is a web link following the entry to a paragraph in our guidance on Consent, which does not appear to be relevant. A link to our Confidentiality guidance would be relevant: http://www.gmc-uk.org/guidance/ethical_guidance/confidentiality.asp .	

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5	86/1/10	The link to the ISB documentation is broken. The 'Health Record and Communication Practice Standards for Team Based Care' document (to which I assume reference is intended) is dated.	

COMMENTS:

* Reviewer to complete in all cases.

Columns 1-3 should be completed by the Reviewer. Column 4 will be completed by the Author.