OSWALD MEDICAL CENTRE recognises that there is a growing need to have a policy statement in relation to voice and video recording of meetings and consultations. Individuals more so than ever understand their privacy rights and have the technology which supports them to enact their rights.

Historically the recording of meetings has always been seen as a negative act, usually surrounded by a level of mistrust either from the patient/representatives or clinicians’ perspective. OSWALD MEDICAL CENTRE however acknowledges that whilst they do not wish to openly encourage recording, there are times when it can be of benefit to the clinicians. The recording provides a factual representation of the meeting, removing the opportunity for discrepancies in who did or did not say something within the meeting. Whilst abusive behaviour, either verbally or physically towards our clinicians will not be accepted, the recording again will provide documented evidence should this occur, allowing the OSWALD MEDICAL CENTRE to action where appropriate. The existence of the recording in itself has also been proven to reduce animosity between parties.

All professionals in attendance at meetings are acting within their professional capacity and therefore anything recorded is not personal to them. The personal information discussed in those meetings is personal to the patient being discussed and therefore it is their data that is protected by privacy legislation.

The OSWALD MEDICAL CENTRE has no right legally to prohibit a patient or their representative recording a consultation or meeting.

As an organisation the OSWALD MEDICAL CENTRE does not encourage the use of recording devices whilst a patient is receiving treatment or in consultation with a health care professional. However, if the patient or their representative insist on recording the consultation, the following guidelines should be adhered to:

**The following Statement to be read out prior to a consultation/meeting:**

Whilst the OSWALD MEDICAL CENTRE does not actively encourage the recording of consultation/meetings it recognises that there are occasions when individuals may wish to do so. The OSWALD MEDICAL CENTRE therefore encourages individuals to notify meeting attendees of their intention to record, rather than undertaking covert recordings. When recordings take place the OSWALD MEDICAL CENTRE follows the following principles:

* any recording should be undertaken openly and honestly. The OSWALD MEDICAL CENTRE may also record the meeting on a secure recording device, which will be stored to the patients file at the end of the meeting
* the recording process itself does not interfere with the consultation process or the treatment or care being administered
* the patient or their representative understands that a note will be made in their health record stating that both parties have recorded the consultation, the patient having their copy and Oswald Medical Centre attaching a copy to the patient file
* the patient is reminded of the private and confidential nature of the recording and that it is their responsibility to keep it safe and secure
* any recording is only made for personal use and should not generally be shared (unless the sharing can be justified as personal use e.g. for translation purposes)
* patients and their representatives are aware that the misuse of a recording may result in civil proceedings by the individual practitioners (supported by their professional body) should the recording be shared or used against them in a defamatory way i.e. shared on social media

**Further guidance notes:**

The content of the recording is confidential to the patient, not the health professional, so the patient can do what they wish with it, but it should be advised that they do not share the recording with third parties such as social media as this could become a legal issue between the health professional and the patient or their representative.

If the health professional would prefer not to be recorded, but the patient is insistent, you still owe a duty to the patient to assess their needs and offer necessary care and support and therefore should take steps to ensure that the OSWALD MEDICAL CENTRE also records the meeting.

**Covert recordings**

Technology can make it increasingly easy to secretly record consultations or meetings. Most mobile phones and smartphones have record functions which can easily be activated without the health professional realising. Even hand-held games consoles can record conversations.

A patient does not require your permission to record a consultation. The content of the recording is confidential to the patient, not the health professional, so the patient can do what they wish with it.

If the clinician has a suspicion they are being recorded covertly they must stop the meeting and ask if this is the case. If the patient or their representative states that they are not recording but there is still a suspicion of this, the above statement should be read out on the basis of the possibility they are being recorded “if you were to record this meeting I just need to make you aware of the OSWALD MEDICAL CENTRE guidelines which are…”(statement above to be read out).

**Storing of information**

Any voice or video recordings will be stored to the patients file in line with GDPR guidance, it is also advisable to ensure a written document of the recording is dictated and stored to file.

**Further support**

If in doubt or if you have any questions please contact Stephanie Driver or write in to the practice at OSWALD MEDICAL CENTRE, 387-391 Blackburn Road, Accrington, BB5 1RP