

Proxy access for Parents– What’s it all about?

If your son/ daughter is aged eleven or over you do not automatically have a right to access their record. Whilst this may seem odd there is a reason for this. Your son/daughter will reach a number of age milestones until they reach adulthood. Based on a number of test cases in the High Court* these milestones have been set as:-

Milestone 1 Up to the age of 11

The usual position would be for parents of the child to control access to their Childs record and online services.

Milestone 2 Between the age of 11 and 16

Decisions made at the first milestone can be re-considered and changed. Each case must be considered individually for the best interests of the young person. For example, if the young person has long-term conditions or learning difficulties access can continue unchallenged but must be balanced against the risks that may arise as the young person becomes competent to make their own decisions and will vary from person to person.

****Gillick and Fraser –competence in children test cases – “parental right yields to the child’s right to make their own decision when they reach a sufficient understanding and intelligence to be capable of making up his/her mind on the matter requiring decision”***

Access to the child’s medical record should be switched off automatically when the child reaches the age of 11 unless, following discussion with the GP practice, it is felt to be in the child’s best interests to continue with proxy access for the reasons above.

Milestone 3 16th Birthday

Once a young person turns 16, they are assumed to have capacity unless there is an indication to the contrary.

“We do not see these Proxy access considerations as a way of blocking access to parents, rather we see it as involving the young person in the decision”

The Village Surgeries Group