

## **New GMC confidentiality guidance for doctors**

*Mills & Reeve Health and Care Update (Posted on 08/05/2017)*

Doctors are required to hold personal information about their patients in confidence (as set out in the GMC's core guidance [Good medical practice](#)). However, sometimes it is necessary to disclose personal information about a patient - either because there is a legal requirement to do so or other conditions for disclosure are met.

On 25 April 2017 the GMC's new guidance [Confidentiality: good practice in handling patient information](#) came into effect. The new guidance sets out the principles of confidentiality and respect for patients' privacy that all doctors are expected to understand and follow. It also includes a new section on the responsibilities of doctors for managing and protecting patient information.

The new guidance clarifies:

- The public protection responsibilities of practitioners, including when to make disclosures in the public interest.
- The importance of sharing information in the context of direct patient care, recognising the multi-disciplinary and multi-agency dynamic of modern practice.
- The circumstances in which practitioners can rely on implied consent to share information for the purposes of direct care.
- The significant role that those close to the patient can play in providing support and care and the importance of recognising that role.

The new guidance sets out a much clearer framework for considering when to disclose patients' personal information. It then applies that framework to:

- Disclosures to support the direct care of an individual patient.
- Disclosures for the protection of patients and others
- Disclosures for all other purposes.

There is a new [decision-making flowchart](#) to help doctors decide whether personal information needs to be disclosed and, if so, what the justification is for doing so. While this new guidance goes a long way to help doctors to better understand their responsibilities when handling patient information it does recognise that, in certain circumstances when doctors are in doubt, independent legal advice may still be required.