

STANDARD OPERATING PROCEDURE MANAGING HEALTH RECORDS FOR TRANSGENDER PATIENTS

SOP currently under review – please continue to use this version until it is replaced by the next approved version

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VALIDITY – All local SOPS should be accessed via the Trust intranet

CHANGE RECORD

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1. Introduction

This Standard Operating Procedure (SOP) provides guidance to staff on management of health records for transgender patients.

It is impossible to know today what clinical information will be useful in the future; therefore, clinical records in the patient's original name, gender at birth and NHS number must not be destroyed.

2. Scope

This procedure applies to all employees of the Trust, including all staff who are seconded to the Trust, contract, voluntary, temporary and agency staff and other people working on Trust premises. This includes members of staff with an honorary contract or paid an honorarium.

The procedure applies to both electronic and manual health records.

3. Procedures

3.1. Change of Name and Title

The patient can change their name and title of their records at any time with their GP practice. Although there is no legal requirement for the practice to request evidence, it is considered best practice to do so. The GP practice will then note this change by updating The Spine. The patient record must still show the same gender assigned at birth.

3.2. Change of Gender

A patient may request to change gender on their patient record at any time and do not require a Gender Recognition Certificate or an updated birth certificate to do this. This must be done with their GP Practice and will mean that a new NHS number is issued for them.

Trust GP Practices will inform patients this involves a new NHS number being issued for them. GP practices will follow the Primary Care Support England for [Process for registering a patient gender re-assignment \(england.nhs.uk\)](https://www.england.nhs.uk/process/registering-a-patient-gender-re-assignment/)

The GP will advise the patient that although they are still entitled to receive the screening, they will no longer be automatically contacted regarding current or future screening programmes associated with their gender at birth and discuss the implications of this. See [NHS population screening: information for trans and non-binary people](https://www.nhs.uk/healthscreening/for-trans-and-non-binary-people/) for further information. Decisions about screening should be made with patients in the same way as any other decisions about their health.

The original record must not be updated with the new NHS number.

3.3. Information to be Transferred

When Medical Records/GP practice are notified that a new NHS Number has been issued for the patient, they will add the following alerts to all the patient's previous records (manual and electronic):

- *Do not use this record. This record is closed and must not be re-activated.*
- *Confidential data – take care on disclosure*

This will be added as preference – other in Lorenzo and as a high priority reminder in SystemOne.

Medical Records will ask the health professional responsible for care to discuss with the patient what information from their previous record can be moved to their new record and any implications this decision may have. The health professional should explain fully the importance of maintaining the clinical record. Only information explicitly agreed with the patient can be transferred. For young people with capacity, you should encourage them to involve their parents in making this decision where appropriate.

To aid the discussion, the health professional can request an extract of the record from the Medical Records Team.

A note of this discussion and the patient's decision should be made in their previous record using the form in Appendix A. A copy of this will be held in the previous record and by the Medical Records Team.

Possible options include:

- An unredacted copy of the previous record uploaded to the new record.
- A redacted copy of the previous record uploaded to the new record. Depending on the patient's wishes, redactions may include previous name, previous gender, gendered language, NHS number.
- A health care summary of relevant information agreed with the patient transferred to the new record.

The health professional providing care to the patient will re-input any specific entries that are necessary for continuity of care that has been agreed with the patient.

The health professional will contact the Medical Records Team or the Administrative staff at the GP Practice with the patient's decision.

The Medical Records Team will redact a copy of the electronic record and any manual records in accordance with the patient decision. This will then be uploaded to the new record.

3.4. Child Health

For children/young people registered on the Child Health Systmone unit, the Child Health Team may be the first to be aware that there is an invalid NHS Number. On notification of an invalid NHS Number for a child/young person, Child Health will:

- Add a high priority reminder to the record stating “Do not use this record. The record is closed and must not be re-activated under any circumstances
- Add a high priority reminder to the record stating “Confidential data – take care on disclosure”.
- Transfer the below information to the new record. The data items are essential for ongoing care and do not reveal the previous gender.

Public Health registered nurse details, GP, treatment centres, birth details, completed and scheduled immunisations, new born bloodspot screening, health results and scheduling, visual screening, school.

- Task the public health registered nurse from the old record and advise the practitioner:

“Following a change of NHS Number, a new SystmOne record has been created for this child and this record is no longer in use”.

- Send an electronic referral to the Public Health registered nurse from the new record, advising that a new NHS number has been issued.
- Notify Medical Records of the invalid NHS Number.

3.5. SystmOne Units (Including Child Health and GP Practices)

In the previous record, the Team responsible for care will:

- cancel any scheduled recalls and confirmed these have been re-booked in the new record.
- ensure all tasks and notifications are completed and any outstanding actions transferred to the new record.
- end all groups and relationships and recreate in the new record.
- end care at the unit and deduct the patient, giving the reason as “New NHS number issued”.

3.6. Lorenzo

In the previous record, the Team responsible for care will close all activity down including actualise contact, close access plans, remove from caseload and close the referral.

The health professional will review and assess open activity and tasks and where appropriate, transferred to the new record.

3.7. Disclosing Gender History

It is unlawful to disclose a patient’s gender history without the patient’s consent or court order. When communicating with other health professionals, gender history need not be revealed unless it is directly relevant to the condition or its likely

treatment. This is in line with GMC guidance [Trans healthcare - ethical topic - GMC \(gmc-uk.org\)](https://www.gmc-uk.org/ethical-topics/trans-healthcare)

There are specific controls for information relating to patients with a Gender Recognition Certificate. The use and disclosure of the information contained in these records is subject to the Gender Recognition Act 2004, (GRA). The GRA is clear that it is not an offence to disclose protected information relating to a person if that person has agreed to the disclosure. For further information please see above GMC guidance.

4. Links to Associated Documents

- [Health and Social Care Records Policy.pdf \(humber.nhs.uk\)](https://www.humber.nhs.uk/health-and-social-care-records-policy)
- [Supporting Transgender Patients Policy.pdf \(humber.nhs.uk\)](https://www.humber.nhs.uk/supporting-transgender-patients-policy)

5. References

- [Records Management Code of Practice - NHS Transformation Directorate \(nhsx.nhs.uk\)](https://www.nhs.uk/records-management-code-of-practice)
- [Process for registering a patient gender re-assignment \(england.nhs.uk\)](https://www.england.nhs.uk/process/registering-patient-gender-re-assignment)
- [GMC - Trans healthcare](https://www.gmc-uk.org/ethical-topics/trans-healthcare)
- [NHS population screening: information for trans and non-binary people](https://www.nhs.uk/population-screening/information-for-trans-and-non-binary-people)
- Gender Recognition Act 2004

Appendix A - Patient Discussion Checklist

Patient Discussion Checklist

You have been issued with a new NHS number. To support your direct care, we would like to transfer information from your previous record. This will only be done with your agreement.

Please tick one of the below options

- I would like a full copy of my previous record uploading to my new record.
- I would like a copy of my previous record uploading to my new record, with the following information redacted (please tick all that apply):
- Previous name
 - Previous gender
 - Gendered language
 - Previous NHS number
- I would like a health care summary of relevant information only. I understand that this will mean that health professionals treating me do not have access to full information. I would like the below information to be included:

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.....

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This document will be stored digitally by the Medical Records Team and in your previous health record.

Patient Name: _____

Patient Signature: _____

Date: _____

Health Professional Name: _____

Health Professional Signature: _____

Date: _____