**Patient Text Message (SMS) and Email Policy**

Introduction

**1. Policy Statement**

The purpose of this policy is to detail the processes for staff when patients wish to receive text message and or email reminders for a range of purposes including recalls, care plans, patient information and delivering test results.

Note: Throughout this policy, text messages are referred to as such or as a short message service (SMS).

**2. Policy**

**2.1 Background**

St Thomas and West Cross Surgeries communicates with patients by Text messaging, or SMS and emails.

Such information can include appointment reminders and confirmations, prescription reminders, test results and other data for direct care purposes. Whilst this is an informal method of communication, it should be noted that all patient communication, regardless of format, is regulated by the [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted) incorporating the UK General Data Protection Regulations (UK GDPR).

**2.2 Responsible Individuals**

The Practice Manager and the Caldicott Guardian are responsible for overseeing the use of text messaging and emails at St Thomas and West Cross Surgeries, embedding use within normal ways of working and using the service to improve patient care and experience.

**2.3 Staff Access**

All staff in the organisation, both clinical and administrative, have access to the practice text messaging and email system. This also includes temporary staff such as locums and subcontracted staff such as those employed under the Additional Roles Reimbursement Scheme (ARRS).

Each role will utilise text messaging and emails for a different purpose, and this is discussed within teams and as part of new staff induction.

**2.4 Managing Patient Communication Preferences**

Consent’ is not used as a legal basis for data processing and therefore messages are sent on an ‘opt-out’ basis. If a patient informs this organisation that they do not wish to receive text messages or emails, their Vision records are updated as such

Understanding and respecting patient preferences means that patients need to understand the range of communication options available to them, to be informed of the potential risks of each communication format and indicate their preferences against each. This information is collected at registration. However, patients can also update their preferences at any time during their registration in writing to the Practice.

St Thomas and West Cross Surgeries will endeavour to code patients with an appropriate Vision code as follows:

* 9NdP.00. Consent given for communication by SMS text messaging
* 9ndQ. Declined consent for communication by SMS text messaging
* 9NdS. Consent given for communication by email
* 9Ndy. Declined consent for communication by email
* 9Nj8.00 Failed encounter – SMS text message delivery failure
* 9N3g SMS text message sent to patient

**2.5 Information Governance**

Text (SMS) messages

Text messages and emails are only sent for the delivery and administration of health and care services. They are not used for marketing third-party services or any other reason that a patient would not reasonably expect.

It is the responsibility of the patient to advise St Thomas and West Cross Surgeries should they change their mobile number or email address, or if it is no longer in their possession. In order to protect patient confidentiality, it is the patient’s responsibility to be aware that others may have access to their mobile that messages can be displayed on a mobile’s locked screen which may allow others to read them and that mobiles can be connected to other devices allowing messages to be received on them

St Thomas and West Cross which are registered with the Information Commissioner’s Office and holds an up-to-date NHS Digital Information Governance Toolkit Level 2.   
To be confident that text messages are being received by the intended recipients, it is important that patient mobile numbers are kept up to date and this number should be verified at any opportunity when speaking to a patient.

This is not simply a requirement for clerical staff, as clinical members of the team should opportunistically update mobile numbers, for example confirming a mobile number before sending patient advice at the end of an appointment.

Note: The Contact details poster is made available to patients to remind them of the need to inform the practice should they move home or change any contact details.

**Emails**

All staff at St Thomas and |West Cross Surgeries are allocated an NHS email address which is for the use of Practice business only and is one of the most common means of communication within the Practice.

**2.6 Message Content and Usage**

There is no way of guaranteeing that a message has been read by the intended recipient, therefore:

* Messages containing critical information should not be relied upon (e.g ., abnormal blood test results requiring immediate action) unless they are followed up to ensure the information was received.
* If the patients’ mobile phone number has been verified, the delivery receipt can confirm that the message has arrived on their phone.
* Return receipts must be requested for all emails sent.

**2.7 Sending Times**

Text messages should not be sent to patients before 08.30 or after 20.30 unless it is felt appropriate to do so, for example a patient is awaiting an urgent prescription before their holiday.

**2.8 Delivery Reports**

Staff can see when a message was delivered to a patient, or if the delivery failed, by reviewing ‘delivery reports’.

If a message is shown as undelivered, a further attempt will be made to send the same message again. If this is again unsuccessful then either a telephone call will be made or a letter will be sent with the same content as used in the text message and the failure should be coded into the patient’s notes using the appropriate Vision code.

**2.9 Proxy Access**

Patients have the right to grant a carer, relative, responsible adult or partner access to the text messaging services

**2.10 Children and Young Peoples Access**

Children and young people may be keener for interaction via text messages or emails as this are more commonplace as their means to communicate. However, with this comes greater challenges as, whilst children and young people may refer to use SMS regarding their care, particular attention should be given to:

* Highlighting the ability for children and young persons to request that their contact details are used instead of their parents or carers
* Having the correct contact details
* What information is to be sent to them for specific episodes of care as their healthcare record may contain alternative contact numbers for both themselves and their parents or carers
* Children and young people may wish general care information to remain communicated to their parents, e.g., check-ups, service information etc., whilst wishing for a particular test result to be texted to only them
* It should not be presumed to automatically include parents or carers in any communication

It is difficult to say at what age the child will become competent to make autonomous decisions regarding their healthcare as, between the ages of 11-16, this varies from person to person. In accordance with [Article 8 of the UK General Data Protection Regulation (UK GDPR)](http://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/children-and-the-uk-gdpr/what-are-the-rules-about-an-iss-and-consent/#:~:text=Article%208%20of%20the%20UK%20GDPR%20sets%20the%20age%20at,data%20of%20UK%20based%20children.) and [Part 2, Chapter 2, paragraph 9 of the Data Protection Act 2018 (DPA 2018)](https://www.legislation.gov.uk/ukpga/2018/12/part/2/chapter/2/enacted), from the age of 13, young people are able to provide their own consent and will be able to register for text messaging services.

People aged 16 or above are assumed to be competent to make an independent and informed decision about whether to ask for someone to have proxy access to their text messaging service, unless there is an indication that they are not.

Care has to be taken to determine who has parental rights for a child under 11 or a patient over 16 who is not competent to control access. Care must also be taken if a parent has no, or limited, legal right of access because they have been perpetrators of abuse and/or neglect.

**2.11 Opting Out Of Text Messaging Services**

Patients should be free to update and change their preferences at any time by putting their request in writing. Changes will be implemented immediately upon receipt of patients’ written request.

**3. Summary**

Text, or SMS, messaging and emails benefit both patients and the Practice alike. For patients, it helps to improve access to care and levels of satisfaction whilst providing a more efficient delivery of services.

Benefits to the practice include easing the administrative workload whilst enabling administrative and reception staff to focus upon providing a higher quality service.

St Thomas & West Cross Surgery

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