

Patients' Rights

- ◆ People who are resident in the UK have rights relating to access to a GP.
- ◆ There are limited rights relating to referral on to other professionals.
- ◆ There are rights relating to access to one's medical records.

Right to a General Practitioner

People who are resident in the UK have the right to be registered with a GP. You can choose which, however, the GP does not have to accept you nor provide any reason. Some GP practices have established practice charters, which describe the standard of service a patient can expect.

Treatment from a GP

You are entitled to treatment from a GP at the surgery where you are registered. You have no automatic right however, to see your own GP. A GP must provide any treatment that is immediately necessary in an emergency, even if you are not registered with him/her.

Treatment outside surgery hours

All GPs must make sure that a service is provided for their patients when they are off duty. This service could be provided by, other partners in a practice, a rota or a locum, or a telephone number, which patients can use out of hours.

Home visits

You cannot insist that a GP visits you at home. A GP will only visit if your medical condition requires attention. If you were to become seriously ill after a GP had refused a visit, the GP could be in breach of contract with the NHS, or to be found negligent. You can then lodge a complaint. A community nurse can visit you if referred by your GP or hospital consultant. If you are not an urgent patient, an appointment can be made for a visit.

Medication

If a GP decides that you need medication, he/she will usually give you a prescription. In some cases, for example, if the surgery is in an isolated area, the medication may be provided at the GP surgery. A GP must supply any drugs needed for immediate treatment in an emergency. There is no prescription charge for these.

Alternative therapies

Some GPs are qualified in alternative therapies and may offer these as part of their NHS treatment. GPs may occasionally refer a client to an alternative practitioner. Your local Primary Care Trust decides the availability of complementary and alternative treatments on the NHS at local level. The most usual of these are Chiropractic, Osteopathy, acupuncture, homeopathy hypnotherapy and aromatherapy but access varies with different PCTs. Such referrals are entirely at the discretion of your GP and depend not only on the funds available but also on his or her personal view of alternative therapies. There is no automatic entitlement to referral.

Second opinions

You can ask your GP to arrange a second opinion either from a specialist or another GP. This is at the GPs discretion. You have no right to a second opinion. You do have the right to see a GP who is competent to deal with your particular case. If a GP refers you for a second opinion, you cannot insist on seeing a particular practitioner. You should not be referred to someone you do not wish to see. If the GP refuses to arrange a second opinion, you may wish to change your GP. If a GP is unsure about a diagnosis, they could be found negligent if they failed to refer you to a specialist and you suffered as a result of this. If this is the case you can make a formal complaint.

Right to hospital treatment

You cannot receive NHS hospital treatment without being referred by your GP, unless you are attending a special clinic i.e. sexually transmitted diseases, or medical attention in an emergency. You have no right to see a particular doctor, although this can be requested. Your GP cannot insist that you see a particular consultant or doctor. You do have the right to see a doctor who is competent to deal with your case.

Hospital waiting lists

You may be unable to receive immediate treatment, which may mean being placed on a waiting list. There are maximum waiting times for in-patient treatment under the NHS plans. If necessary, treatment may be arranged in an alternative hospital to meet this guarantee. There are also waiting time standards for a first appointment as an outpatient. Waiting lists do not operate on a 'last come, last served' basis. Where you are on a waiting list depends on a range of circumstances. If your condition deteriorates, your GP may recommend you are seen as a matter of urgency. How long you will have to wait for a date to see a specialist or have an operation will depend on your condition, how busy the specialist is and other demands on the hospital facilities. You do not have the right to be cared for in a single sex ward.

Financial help for hospital patients

If you are entitled to social security benefits, your entitlement may be affected by being in hospital. If you are concerned about the affect of hospitalisation on benefits, you should consult an experienced adviser i.e. Citizens Advice Bureau. If you are on a low income, you may be able to get help with travel costs to hospital and with the cost of prescriptions, wigs and fabric supports.

Discharge from hospital England, Wales and Scotland

You should not be discharged from hospital until your care needs are assessed. Any assessment should take into account your wishes. You should be kept fully informed. You can ask for a reassessment of your needs if circumstances change in the future. You can refuse any treatment if you wish. When you visit a doctor, this usually implies consent to examination and treatment. The doctor cannot act against specific instructions, so you should tell the doctor about any treatment you do not want.

Access to medical reports and health records

You have the right to see most health records held about you, subject to certain safeguards. You are entitled to be informed how these are used, who has access to them and how you can arrange to see them. This information is provided in GP practices and NHS Trusts in the form of posters and leaflets. For more information on this, you may wish to speak to the health professional in charge of your case. Such reports may be for your employer, insurer etc. Information about your medical history should be kept confidential, and should not be released to people who are not involved in your medical care, without your consent.

Relevant Information

- ◆ BackCare Factsheets – Disability Rights Commission, DWP & Access to Work

Relevant Referrals

- ◆ Much of the material in this information sheets is summarised from the excellent National Association of Citizens Advice Bureaux. To read the full text or to contact a branch, view the website at www.citizensadvice.org.uk
- ◆ You can get information about NHS services in Scotland from the NHS Scotland Helpline, on (freephone) 0800 224488. The website address is at www.nhs24.com.
- ◆ Many specific condition and disability charities and support organisations provide information on patients' rights
- ◆ Some medical associations have information on patients' rights e.g. The Royal College of Surgeons of England. See www.rcseng.ac.uk.