



Royal College of  
General Practitioners

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# MRCGP RCA guidance and proforma consent form

Patient consent for recording of telephone and video  
consultations in general practice settings

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**With grateful thanks to Professor Dominic Patterson (HEE Primary Care Dean and Vice-Chair of COGPED) and Wing Commander Dudley Graham (Chair of COGPED) for their help in development of this resource with the RCA Core Group**

## **Patients and recording**

Patients have a right to expect that consultations will be devoted to their needs and expectations and that these will not be compromised by the needs of the profession. However, many patients are pleased to contribute to teaching, learning and assessment within medicine, and some may feel that it is their duty to do so even if the benefits will be to others rather than to themselves.

Telephone and video consultations are increasingly common in General Practice and, with patient consent, recordings may be used as part of formative education and training or summatively in assessments or examinations.


If patients do agree to recordings of their consultation being used for training purposes, the care they receive should not be compromised by the fact of the recording or the purposes for which it will be used. They have a right to confidentiality, to be informed about what any recording of the consultation will be used for, who will listen to it, how and for how long it will be stored, and how it will be destroyed. All of this should be included in your practice's Data Protection Impact Assessment and privacy policy that relates to consultation recording.

Consent for the recording of consultations should be obtained before and after the consultation.

Trainees and Clinical/Educational Supervisors should refer to guidance of the GMC and the Information Commissioners Office that relates to consent, capture, processing and storage of consultation data.

[https://www.gmc-uk.org/-/media/documents/Making\\_and\\_using\\_visual\\_and\\_audio\\_recordings\\_of\\_patients.pdf](https://www.gmc-uk.org/-/media/documents/Making_and_using_visual_and_audio_recordings_of_patients.pdf) 58838365.pdf

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/consent/t>





## Informed consent

Each consultation that is recorded must be done with the informed consent of the patient and there should be no coercion.

Informed consent must be sought before the consultation takes place, but it must also be confirmed after the consultation is over. Sometimes the patient may be distressed by the consultation and it may be difficult to broach the subject immediately. Equally the outcome of the consultation may sometimes lead to a patient ending a call abruptly in an angry or distressed state. Consultations such as these are often invaluable for teaching and learning, but this must not be allowed to override the rights of the patient to give informed consent to its use for these purposes.

If post-consultation consent is not obtained or is refused, any recording should be erased. If the proposed use of the consultation data changes from that for which original consent was given, then consent should be sought again.

### How should informed consent be requested?


Consent must be sought in a neutral fashion and any wording used should be consistent and not assume that the answer will normally be yes. It is not recommended that the clinician seeks consent at the beginning of the consultation as there is a risk of coercion.

Where consent taking is not built into the recording platform evidence of consent must be submitted with the recording. Ideally this can be done in the following ways:

1. A text message can be sent with details and links to further guidance. The patient can read this in their own time and respond to confirm consent prior to the consultation.
2. Someone (other than the clinician) from the practice team calls the patient to seek their consent before the consultation. This may be preferable in the following situations:
  - a. Communication / literacy difficulties
  - b. A very ill patient
  - c. A patient with mental health problems
  - d. Children
  - e. Patients with learning difficulties

After the consultation, a text message or consent form should be sent to the patient to confirm the patient's continued consent to the use of their data.

A suggested consent form and some scripts for the various ways in which consent may be gained are included in the appendices to this guidance. Consent forms or text message conversations must be uploaded with the recording when submitting.





## Evidencing Consent

Where the recording is being carried out directly through the RCA FourteenFish IT platform, the system will ask for the patient's consent and provide an opportunity to revoke that consent, if desired, after the consultation has ended. The system will not save the consultation if a patient doesn't consent before the consultation or revokes consent after the consultation.

Where the consultation is being captured using a third-party recording system, it is the responsibility of the candidate to ensure that consent to the recording is obtained before the consultation and to offer the opportunity to revoke that consent after the consultation has ended. Obtaining or confirming consent may occur off-camera but if consent is not evidenced in the recording, written (paper or electronic) evidence of consent must be obtained and retained by the candidate.

During the period before upload to the FourteenFish system you must comply with your existing practice data protection and control processes used for similar non-RCA recordings made within the practice.


Following upload to the FourteenFish system, the patient will need to be able to contact the RCGP for access and deletion if they do subsequently decide to remove consent. As a result, when uploading a consultation, we will also need you to upload evidence to provide assurance that consent has been obtained and that it exists on the recording verbally, or in some other appropriate form, and patients will need to be made aware of who to approach to fulfil their rights.


Candidates' copies of recordings must be retained for an appropriate period in line with GDPR guidance. Unless retention is justified under GDPR for a purpose other than RCA submission, they should be deleted once the RCGP examination board has published results.

To comply with retention policy, recordings of consultations that are submitted for the RCA will be deleted on the day that the exam results are published.

To comply with retention policy, recordings of consultations that are recorded through, and uploaded to, the central IT platform but not submitted for the RCA will be deleted after 26 weeks (182 days).

Candidates should ensure that recordings that are recorded through, and uploaded to, the central IT platform for use in any future RCA will still be in date by the time of the assessment. Specifically, the recording must have been uploaded within 26 (182 days) of the [date of publication of the exam results](#).






Candidates who upload consultations without using the central IT platform recording method must ensure that these recorded consultations comply with retention policy arrangements and the previously agreed consent given by the patient. Evidence of consent must accompany these consultations. All recordings submitted for the RCA will be deleted on the date that the exam results are published. Recordings that are uploaded but not submitted will be deleted after 26 weeks (182 days). If the consent that you have obtained from the patient will have expired by that time then you cannot upload the consultation.

### **How will the recording be stored?**

The recording will be uploaded to an IT platform provided by a company called FourteenFish for the Royal College of General Practitioners' Recorded Consultation Assessment. The recordings are securely encrypted and stored on servers located in the UK and Ireland. FourteenFish use AES-256 encryption which is one of the strongest mechanisms available.

All data to and from the FourteenFish system is encrypted using TLS 1.2 which prevents anyone reading or tampering with the data when it is in transit.

FourteenFish is ISO 27001 certified and audited by the British Assessment Bureau on an annual basis. This means that someone impartial and outside of the organisation evaluates their security management procedures.





## APPENDIX 1 – TEXT MESSAGES ARE USED TO GAIN CONSENT

### Text message content to gain consent prior to an audio or video consultation

*\*We would like to record the upcoming consultation that you or your relatives are having have today with Doctor X*

*This is solely for training, education and assessment purposes. The recording, processing and storage of the consultation will comply with General Data Protection Regulations (GDPR) and is in line with guidance of the General Medical Council.*

*More information on how we will manage your data is available here:*

*TRAINEE OR PRACTICE TO INSERT LINK TO CONSENT AND PRIVACY STATEMENT ON PRACTICE WEBSITE AND RCGP WEBSITE*

*You do not have to agree to your consultation with the doctor being recorded. If you do not want us to record the consultation, this is not a problem at all, and will not affect the care you receive in in any way.*

*If you do give your consent, then you will have the opportunity to withdraw this at any time in the future, including immediately after the consultation.*

*If you are happy for us to record your consultation, please confirm this by responding to this message with YES.*


*If you do not wish to give consent that is fine, and all you need to do is respond with NO.*

### Text message after consultation to confirm consent

*“Thank you for allowing the recording of your consultation today. More details on how we manage your data are available here: [TRAINEE OR PRACTICE TO INSERT LINK TO CONSENT AND PRIVACY STATEMENT ON PRACTICE WEBSITE AND RCGP WEBSITE](#)*

*If you are happy for us to store and use this recording in line with this policy, then you don't need to do anything else.*

*If you would like to withdraw consent now that is absolutely fine, all you need to do is respond with NO. If you wish to withdraw consent in the future, then you can contact the practice at any time in the future.”*



## APPENDIX 2 – SAMPLE CONSENT FORM FOR RCA



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### Patient Consent Form for Recording for Training Purposes

Patient's name:		Place of Recording:	
Name of person(s) accompanying patient to the consultation:		Date:	

We are hoping to make video/digital recordings of some of the consultations between patients and Dr ..... whom you are seeing today. The recordings are used by doctors training to be a GP for training, educational or assessment purposes.

The recording is **only** of you and the doctor talking together. Intimate examinations will not be recorded, and the camera/recorder will be switched off on request.

All recordings are carried out according to guidelines issued by the General Medical Council and will be stored securely in line with the General Data Protection Regulation (GDPR). They will be deleted by 26 weeks (182 days) of the recording taking place.

You do not have to agree to your consultation with the doctor being recorded. If you want the camera/recorder turned off, please inform reception or your doctor - this is not a problem and will not affect your consultation in any way.

If you do not mind your consultation being recorded, please sign below. You will also retain the option to withhold or withdraw consent at the end of the consultation, and as such will also be asked to provide a further signature to confirm consent after the consultation.

Thank you very much for your help.

#### To be completed by the patient

I have read and understood the above information and give my permission for my consultation to be recorded and used for training, educational or assessment purposes.

**Signature of patient BEFORE CONSULTATION:**

**Signature of patient AFTER CONSULTATION:**

## APPENDIX 3 – FOURTEENFISH VIDEO CONSULT CONSENT

### **At the beginning of the consultation:**

This consultation will be recorded for training and assessment purposes

All video recordings are carried out according to guidelines issued by the General Medical Council and will be encrypted and stored securely. They will be deleted by 26 weeks (182 days) of the recording taking place.

You do not have to agree to your consultation with the doctor being recorded.

[tick icon] Yes, I agree

[cross icon] I do not agree

### **After the consultation:**

*Please confirm that you are still happy to have given consent for the recording of your consultation.*

[tick icon] Yes, I agree

[cross icon] I do not agree

If you do not select an option, then we will assume your response at the beginning of the consult is your preference. We will destroy this recording by 26 weeks (182 days) and you are able to withdraw your consent at any time, in which case we will immediately destroy your data. Please contact us at the practice should that be case.”

### **FourteenFish Telephone consult:**

*Your doctor would like your permission to record this consultation for training and assessment purposes. If you're ok with that, press 1. If you don't want your consultation recorded, press 2. For more information about how the recording will be used, go to [www.14fish.com/recording](http://www.14fish.com/recording)*

Then if the patient presses “1” ...

*Thank you. If you change your mind during the consultation and would prefer not to have the call recorded, please tell your doctor. Please hold while we connect you.*

After the call they then receive an SMS with the following wording...

*Thank you for consenting to our call being recorded. You can find out more details at [www.14fish.com/recording](http://www.14fish.com/recording)*