

FairWarning®

We want to give you FairWarning®

The purpose of the Core Brief is to let you know about the FairWarning® system and what it will mean for you.

The FairWarning® was introduced on **Monday 1st October 2018**. It is a new monitoring system which detects potential instances of unauthorised access to patient information held within electronic information systems.

FairWarning® is licensed for use by NHS Boards by the Scottish Government, and will track electronic information systems in real time and flag up potential instances of unauthorised access to patient information.

FairWarning® will:

- Simplify the analysis of audit files;
- Make it easier to generate reports;
- Detect potentially unauthorised access to electronic systems which hold patient information;
- Highlight unusual or suspicious activity for further investigation;
- Enable investigation of accesses to specific patients' records;
- Enable investigation of accesses made by specific members of staff.

Your Responsibilities

Staff who have access to patient identifiable information are being urged to know their responsibilities with regard to confidentiality. The system will automatically pick up potential

unauthorised access to patient information by staff.

Patients expect that you and NHSScotland will keep the information held about them confidential. As a member of NHS staff, you may have privileged access to patient information. All staff are contracted to follow the [Protecting Patient Confidentiality NHSScotland Code of Practice](#).

You have a responsibility to access only the information which you need to know in order to carry out your legitimate duties.

All staff are reminded of their personal and professional accountability in line with the standards of conduct, ethics and performance for their profession.

Please refer to the link below for the GMC's Code of Conduct.

- [General Medical Council](#)

Examples of unauthorised access to patient information include:

- **Accessing the records of people of media interest**
- **Accessing patient information where you do not have a legitimate reason for doing so**
- **Accessing your own records**

NHS Education for Scotland takes confidentiality and responsibilities under Data Protection legislation very seriously.

Staff need to be aware of their responsibilities with regard to confidentiality and accessing person information otherwise they could face serious consequences. Even if accessing patient information is done with good intentions, staff looking at a clinical record or patient information out with their legitimate duties, could face disciplinary action.

The rules regarding unauthorised access to patient information are not new. FairWarning simply allows us to flag up potential breaches more easily.

We know the vast majority of staff respect confidentiality and that unauthorised access to patient information is rare. FairWarning is an opportunity to provide an even higher level of assurance that patient information is safe with us.

We have produced guidance for both staff and line managers which is available on both the NES Intranet site and Turas Hub.

For further information on patient confidentiality and the FairWarning system, please contact your Health Board's Information Governance Team. NES employees should contact the Information Governance team by emailing foidp@nes.scot.nhs.uk