

Processing images using eConsult

One of the benefits of eConsult is the use of photos in helping formulate a diagnosis, management plan or tracking the progress of a condition. It is also convenient for the patient to be able to readily access medical care by sharing a photo of their condition. However, there are some pitfalls that need to be considered when photos are submitted via eConsult which will be summarised below.

Consent for photos

For good practice, GMC guidance stipulates that the examining clinician should seek consent from the patient before obtaining a photograph. This would include explaining the reason why the photo is being taken, what the intended purpose for using the photo is (in most cases for clinical purposes) and where it will be stored. Patients should not be felt under duress to have a photo taken and should have the opportunity to decline the request to take a photo. These principles should be considered if a clinician instructs a patient to submit a photo using eConsult.

However, in the vast majority of cases where online consultations submitted via eConsult are patient-initiated, clinicians are unable to seek consent from patients prior to any photo upload. There is therefore implied consent when patients choose to upload a photo of their own accord.

We have taken several steps to ensure patients are aware of the implications of uploading a photo. At the start of the online consultation process, they must confirm that they accept all data gathered during the online consultation will be processed by eConsult and delivered to their surgery and have an opportunity to read our privacy policy.

For the avoidance of doubt and in following the principles of the GMC guidance around photos, we make the following points clear to patients (both adults and paediatric pathways) at the point of any photo upload:

1. The photos will be used for clinical purposes and uploaded to their medical record
2. The photo may be viewed by male or female staff
3. Avoid sending any intimate/sensitive photos (examples include genitals, anus or breasts)

Patients confirm the above points before submitting the photo and can skip submitting a photo if they subsequently choose not to follow the advisory notes mentioned above.

Using photos embedded within eConsult reports

Photos submitted via eConsult can vary in quality and this depends on the device used, lighting and in some cases image manipulation when our reports are processed by clinical systems where there is direct interoperability. Clinicians need to be aware of these limitations and if a photo is not clear enough to formulate a management plan then either a clearer photo should be resubmitted by the patient or another consultation modality such as video or “face to face” should be considered.

Whilst there can be clinical advantages in seeing photos of any body part, sensitive or intimate areas have the potential to introduce medico-legal risk. This is particularly the case for paediatric intimate/sensitive photos in which the handling of such photos could be deemed a criminal act. We have therefore taken an approach that patients should not submit photos of sensitive/intimate body parts and this advisory is present at the point of photo upload in our adult and paediatric pathways.

On the next screen you'll be able to upload photos related to your request.
Uploading photos is optional.

Please keep in mind that any photos you upload:

- will be added to your clinical record and used for your clinical care,
- may be seen by male or female practice staff,
- should not be an intimate area (such as genitalia, anus, bottom or breasts), even if these are the problem area.

I understand, I want to upload photos

Skip this

Adult questions: option to upload photos

On the next screen you'll be able to upload photos related to your request.
Uploading photos is optional.

Please keep in mind that any photos you upload:

- will be added to your child's clinical record and used for your child's clinical care,
- may be seen by male or female practice staff,
- should not be an intimate area (such as genitalia, anus, bottom or breasts), even if these are the problem area.

I understand, I want to upload photos

Skip this

Paediatric questions: option to upload photos

To further mitigate the risk of inappropriate paediatric photos been submitted, we have added an additional question after the photo upload disclaimer that asks whether any of the photos to be uploaded show a sensitive area. If answered 'Yes' then the photo upload option is redacted and the patient told that such photos are not accepted. They can then continue with their consultation.

Will any of the the photos show an intimate area such as your child's groin, genitals, anus, bottom or breasts?

Yes

No

Paediatric questions: photos of an intimate area

Unfortunately we can't accept photos that show an intimate area. You can still continue submitting your request.

I understand, continue with my request

Paediatric questions: if answer 'yes' to the above question

Upload a photo(s) of your problem and describe what's being shown, including which part of the body. You can upload as many as 4 photos.

Drag your photos here or use the button below. Make sure photos are clear and in focus.

Add photos

Next step

Adult questions: upload photos screen (final photo upload screen)

Please upload a photo(s) of your child's problem. You can upload up to 4 photos.

Do not upload photos of your child's sensitive or intimate body parts, such as the groin, genitals, anus, bottom or breasts.

Drag your photos here or use the button below. Make sure photos are clear and in focus.

Add photos

Next step

Paediatric questions: upload photos screen (final photo upload screen)

Despite the additional control we have put in to stop sensitive/intimate photos being submitted, there is still the potential for patients to circumvent these safeguards. We, therefore, advise practices to have their own standard operating procedures in place that staff are aligned to should sensitive images are received by the practice. One example would be for the clinician to review the content of the eConsult, make a clinical decision on the subsequent management, record the details in the clinical notes and delete the eConsult report containing the image.

As a general rule, GP practices act as data controllers and therefore need to conform to Information Governance principles and uphold patient confidentiality. It is, therefore, good practice to formulate your own policy on handling photos and ensure no images are left in email inboxes or systems that sit outside the clinical system. eConsult Health Ltd does not store any photos or consultation data from online consultations submitted via our platform.

References

You may find the following guidance helpful:

<https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/making-and-using-visual-and-audio-recordings-of-patients>

<https://www.themdu.com/guidance-and-advice/latest-updates-and-advice/receiving-and-storing-patient-images-from-online-consultations>