

28th July 2020

To all Practices in Surrey & Sussex LMCs

Dear Colleagues

Key Principles for Intimate Clinical Assessments undertaken remotely

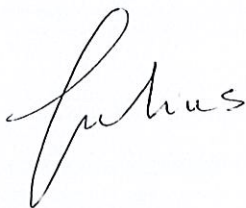
I am writing to highlight the enclosed BMA/NHS England initial guidance (Version 1 July 2020) on intimate clinical assessments undertaken remotely; there are likely to be further versions of this guidance in the future.

I would be grateful if this could be circulated to all clinicians undertaking remote consultations within the practice; the guidance is necessarily generic and adopts the same principles as would be in place for face to face consultations, but the risk of inadvertently misunderstanding is higher in remote consultations and the LMC would recommend all colleagues use their sense of professional caution and consider carefully, firstly, the need for such assessments in the first place and secondly, whether in reality a face-to-face consultation where both clinician and patient are likely to be more familiar with the protective and protecting professional etiquette that would occur in such a situation would in fact also be more helpful clinically.

The LMC would also particularly emphasize that possessing intimate images of children is prima facie an offence under the Protection of Children Act 1978 for which there is no specific exemption that such images are being used for medical purposes (as opposed to the investigation of crime, where this is a legal exemption) and although the Police will take a common sense approach, they may nonetheless need to consider the matter, as may the local safeguarding team. This could be the cause of significant distress for the clinician. The LMC would very strongly advise that any necessary remote examination of a child does not include a remote intimate examination, that no images/videos are requested or accepted, and that any intimate examination of a child is undertaken as a face-to-face chaperoned (usually by a parent) examination in the normal professional manner.

I hope this guidance is helpful; your indemnity organisation can provide specific advice in individual circumstances.

With best wishes



Dr Julius Parker
Chief Executive

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