

Date 8 April 2019
Our Ref FOI-2019-000106

Dear [REDACTED]

Freedom of Information Reference: 2019-000106

Thank you for your freedom of information request which we received on 12th March 2019, requesting the following information:

When was the policy which enables patients to amend the sex category under the Community Health Index introduced?

Please provide full details of the consultation undertaken prior to the introduction of this policy, in particular:

What risk assessments were undertaken?

Which of the Royal Colleges and other professional bodies were consulted?

What consultation was there with the Chief Medical Officer's department?

Please note that under Section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 Practitioner Services does not hold this information.

However further to our email on 4th April 2019 we are able to provide you with some information in relation to your questions about amending a patient's sex category which we hope will be useful.

It is not possible to amend a patient's sex on their existing Community Health Index (CHI) record. In order to change a sex in CHI, a new record must be created for a patient and the 2 records are linked together. There are 3 instances where a patient may require a new CHI record 1) if the initial recording of the information was incorrect 2) if the patient has gone through gender re-alignment surgery or 3) if the patient is transgender but has not had re-alignment surgery.

The CHI was first established in the 1970s and the process of allocating a new CHI record for patients pre-dates NHS NSS Practitioner Services who began in 1999. The CHI only has a category for sex which can only be recorded as Male or Female and there is no separate gender category. It has always been the case that a new CHI record would be created for a patient in scenario 1 and 2 above and for patients in scenario 3 this has been operated since 2004 with the introduction of the Gender Recognition Act.

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Since the late 1980s/1990s the CHI has been the NHS administrative database for the whole of Scotland and has main 2 functions: 1) it generates a CHI number for patients in Scotland and 2) it records patient's registration history with a GP Practice for Primary Medical Services. The patient demographic and registration details of a patient are provided from CHI to other NHS Scotland departments for use in their systems. These include secondary care systems, national screening systems and other health systems.

In the example of transgender patients, regardless of any surgical procedure, the creation of a new record again pre-dates NSS Practitioner Services. A decision to change sex on CHI is not made in isolation but made in conjunction with the GP Practice. Once agreed and a patient's gender is changed there used to be a manual process to inform national screening programmes of the change so that they could take any necessary action to include or exclude a patient based on clinical judgements. This process was changed to a system to system process in July 2015.

For that system to system process, NSS Practitioner Services, along with colleagues in National Screening Programmes and representatives from the Transgender Community agreed a solution to CHI which would create a transient marker when recording a patient as transgender. This meant CHI could electronically update the Screening Systems and not mark a patient's record as being transgender. It was important in this change that patients were not 'flagged' as transgender on CHI as this could cause discrimination.

These changes, as with all changes to CHI are governed by the CHI Advisory Group (CHIAG). CHIAG is a cross-NHS Board and Scottish Government group that meet to discuss/approve changes to CHI. This group was set up by the Chief Medical Officer to advise the CMO and Scottish Directors of Public Health of the use of CHI, including changes. The group is made up of different Health, Governance and Operational leads that ultimately make decisions on the use of CHI.

Details of the CHI Advisory Group can be found here <https://www.shsc.scot/meetings/chi-advisory-group/>

If you are unhappy with any aspect of how we have dealt with your request you can make representations to us asking us to review the handling of your request. Please write to the

Associate Director of Corporate Affairs and Compliance
NHS National Services Scotland
Headquarters
Gyle Square
1 South Gyle Crescent
Edinburgh
EH12 9EB

within 40 working days of the date of this correspondence.

If after a review you are still unhappy, you also have the right to apply to the Scottish Information Commissioner, who can be contacted at Kinburn Castle, St Andrews, Fife, KY16 9DS, or via their [online Appeal form](#).

If you have any queries about this letter, please contact me at the above address.

