

**NHS Information Governance:
Information Risk Management**

Guidance: Short Message Service (SMS) & Texting

Department of Health Informatics Directorate

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Amendment History

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1.0		First published version

Introduction

This Information Governance (IG) guidance provides NHS organisations with a general awareness of the associated risks of Short Message Service (SMS) and texting that may potentially affect the effectiveness of local services. It is not a technical specification for SMS that use standard communications protocols and may operate across a range of network types.

Terms used:

Short Message Service (SMS) is an easy to use, standardised, mobile communications service for the exchange of short alphanumeric text messages, usually between mobile telephone devices.

Texting is the most widely used data application globally allowing mobile phone users to send and receive short text messages of up to 250 characters on their phones.

SMS Service Providers may provide commercial internet based services that use SMS for a range of purposes including, marketing and bulk texting. They may also provide hosted services to offer text users the opportunity via the web or mobile device to forward messages that may be relevant to another user.

Why use SMS?

The highly accessible and easy to use nature of SMS makes it an attractive technology for the communication of short messages quickly. Examples of potentially justifiable NHS business uses of SMS may include:

- Reminders to patients about appointments previously made
- Bulk notifications of changes to premises opening times or contact details
- Information to subscribed patients about the availability of a new or changed care service
- Alerting staff to system errors or urgent messages

Information Governance Issues

Whilst there are undoubted values of SMS as a business tool, there are also legal obligations, and potential dangers and pitfalls to be managed. Inappropriate or careless use of SMS by staff or service provider of an NHS organisation may expose that organisation and its patients to information risks capable of impacting business and care processes and are likely in breach of data protection legislation. Messaging errors or modifications can occur and messages may not reach their intended recipients.

SMS messages stored on NHS owned systems are subject to the same data protection and FOI obligations as other NHS information assets. NHS Information Asset Owners must therefore ensure these aspects are fully considered and risk assessed when designing and implementing a local SMS service.

The following examples of potential risks are for illustration only and are not exhaustive of all possibilities:

- Implementing SMS without proper planning may adversely impact upon other information services of the organisation eg. reduced bandwidth and performance, and SMS uses that are inappropriate;
- Insufficient testing may result in systems interoperability problems and exploitation constraints. Pilot projects will help in deploying any SMS solution:

- Not planning for training and education can lead to poor use, support and maintenance of SMS facilities that may adversely impact on patient care and the reputation of the organisation;
- No SMS policy is likely to lead to security and confidentiality breaches occurring through unauthorised or uncontrolled use of SMS facilities;
- Insufficient planning for potential SMS service disruptions may lead to missed patient appointments, data losses and ineffective recovery processes

Avoiding problems with SMS

A number of considerations and checks may be applied that will help NHS organisations and their employees avoid problems:

1. Plan for your organisation's SMS solution, not after the solution has been deployed. Early risk assessment will help with the development of a properly justified and risk mitigated solution;
2. Verify if the organisation has a relevant policy for SMS use and the extent to which this applies within the organisation and for other stakeholders;
3. Ensure that SMS risks and legal obligations are considered within the overall approach to information governance risk assessment, management and assurance;
4. When considering the potential use of a commercial SMS service to support local business processes, understand what you are contracting for, the potential sensitivity of the information that will be involved, and importantly what service provider guarantees and security and confidentiality claims, undertakings, standards applicable, assurances and evidence that exist. These should include Data Protection Act considerations and in particular the Principle 7 concerning technical and organisational controls of the provider. Ensure also that a Service Level Agreement exists for all contracted SMS services that rely upon service availability and the timeliness of information transmission;
5. Be aware of sub-contracting arrangements that may potentially require the disclosure of patient data to a third party. A separate risk assessment will be necessary for any sub-contracting arrangements;
6. Consider what safeguards are available to verify the integrity of messages to ensure they are communicated as intended and have not been modified;
7. Ensure the consent of participating patients is obtained, and that patients are able to 'opt in' and 'opt out' of SMS service arrangements according to their personal needs and choices;
8. Ensure staff who may use SMS receive appropriate training and are aware of expected SMS good practice, personal accountabilities and professional codes of conduct where these exist. It is essential to avoid unnecessary sharing of patient details or discussion of patients or staff by SMS.
9. Use professional reasoning and judgement when contacting patients by SMS. Withhold personal information that is unnecessary to the meaning of a message
10. Avoid sending text messages that could be embarrassing or distressing to the intended recipient. Remember it is possible that others could intercept a message or inspect the contact list on a mobile phone for entries of interest;
11. Examine carefully any text messages received as these may be unreliable or contain errors. Word abbreviations and other acronyms are commonly used within SMS messages as a means to maximise message content within limited text space. However, abbreviations easily understood by the author may be prone to mistyping and misinterpretation by the recipient;
12. It is good practice for SMS service participants to delete messages from their mobile phones when they are no longer required. However, and exceptionally, care will be

necessary to ensure that any message retention requirements and implications thereof for SMS service participants are addressed within appropriate patient service registration agreements;

13. Consider potential IG requirements and legal obligations for the transmission and storage of data sent to service providers including those whose services may operate outside England. Such considerations will include the data protection implications and safeguards of SMS services that may operate outside the EEA. These will also include the audit trail, review and monitoring capabilities of service providers;
14. Consider the possible use of SMS facilities within NHSmail. Guidance on how to use such facilities is available at https://web.nhs.net/public/Help/GeneralUser/NHSmail_help.htm . Further guidance on the potential uses of NHSmail should be available from your Local Organisation Administrator (LOA).