

You will be advised accordingly should a higher charge be required. Cheques or Postal Orders should be made payable to **“NHS BRENT”**.

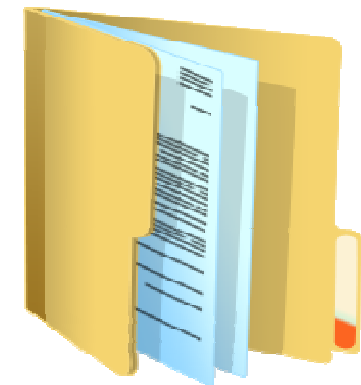
Your completed application form together with the appropriate fee and identification should be forwarded to the:

Corporate Affairs Department  
NHS Brent  
Wembley Centre for Health & Care  
Chaplin Road  
Wembley  
Middlesex HA0 4UZ

**Please note the information will not be released until payment has been received**



## **Request for Access to Health Records**



### **Guidance Notes for Applicants**

February 2010

## Introduction

The Data Protection Act 1998 provides individuals with the right to access personal information held about them. Under the Subject Access procedure you, as an individual, are entitled to:

- Be informed whether personal information is held about you
- Be supplied with a copy of that information, a description of the purpose (s) for which the information has been processed and to whom has access to the information
- Be supplied with a description of the data and its source(s)
- Know the logic involved in any decision-making affecting the individual where the data forms the basis for that decision.

## Who can access a medical record?

- The patient
- Another person with consent
- A parent or a guardian of a person under 16. (Where a child is considered capable of making decisions about his/her medical treatment, the consent of the child must be sought before a person with parental responsibility can be given access);

- A court appointed representative of someone who is not able to manage their own affairs their own affairs;
- Where the patient has died, the personal representative or executor or administrator or anyone having a claim resulting from the death (this could be a relative or another person), may apply to see the records, or part of them.

## When can the record holder refuse to provide the information?

Under the Data Protection Act 1998, you have a right to see information held about you subject to certain safeguards (exemptions):

- When the record holder thinks access is likely to cause you or anyone else serious physical and mental harm;
- When the record contains details that the patient has asked not to be revealed to a third party; When disclosing the records would reveal information that relates to or identifies another person unless their consent has been given (except where it is reasonable to disclose the records without that person's consent)
- When the records have been destroyed under the NHS Care Records Part 2, 2<sup>nd</sup> Edition (Jan 09) guidelines

- The PCT is not required to respond to requests for accessing health records, unless it is provided with sufficient details to enable the location of information, and to satisfy itself as to the identity of the individual making the request

## How long will I have to wait to see my records?

- Responses to requests for access must be made within 40 days of the date of receipt of the request and/or the fee payable.
- The health professional responsible for your care will be happy to make an appointment to go through the records with you.

## GENERAL NOTES

### Fees

If patients wish to view their health records (where no copy is required), access is free if the records have been added to within the last 40 days. Otherwise, a maximum charge of £10 is recommended. For any requests that include the retrieval and copy of manual health records this charge could rise to a maximum of £50.