

# Strathesk Medical Practice



## How to request GP records & other personal information

Under the GDPR May(2018) and Access to Health Records Act 1990

### Your rights:

You can ask your doctor, dentist or any other health professional, who has been treating you, to see the records that he or she has made about your health. The Data Protection Act 1998 allows you access to your health records.

### Who can apply to see the records?

You can make your own application to see your records or you can give your written permission for someone else to look at your records for you. A parent or guardian, a patient representative or a person appointed by a court can apply.

### Examples:

- A parent may see a child's record if the child is under 16 years of age. However, a child aged 12 or above is generally considered mature enough to understand what a subject access request is and should therefore be asked to provide their consent to allow their parents to make the request for them. You may be prevented from obtaining access to the records if a health professional considers that the information requested would not be in the child's interest.
- You can apply to see the record of a person who has died. (The deceased person's representative).

### When access may be denied?

Examples of when health records will not be released:

- If a record holder decides not to let you see your records because they may cause serious harm to your physical or mental health, or that of any other individual.
- If, in the opinion of the record holder, giving access would identify someone else who does not want information about them held in the record to be disclosed. This does not include your doctor or healthcare professional.

## **How to apply for access to records held by your GP**

Applications for access can be made by completing our form. If this is not possible you can seek advice from the Medical Practice in person or by telephone on 0131 322 9333. You can make application in other formats, just contact us at the Practice to discuss. Citizen's Advice Patient Advisory Service may be able to assist with your request (Telephone 0800 917 2127 or contact your local Citizens Advice Bureau for more details)

Should you wish to see and view the original records; a time will be arranged for you to meet with a member of the Practice staff.

If you wish to obtain extracts from your records or a full copy/download of your records, this can be requested.

### **What charges are involved?**

There is no fee payable; access is free of charge unless the request is excessive.

### **Timescales for response.**

The Practice must respond to requests for access

- within 1 calendar month for health records relating to living individuals
- within 21 days for health records of the deceased

### **Proof of identity.**

You have a right to expect that holders of your health records will maintain confidentiality. The Practice must be satisfied that any person who makes an application to see your records is entitled to do so. This means that you may be asked about your identity. Other enquiries might also be made to check you have a right of access to records. For this purpose, it is essential that your application is countersigned appropriately.

### **What happens if I am denied access to my records?**

You will be invited to meet with your GP.

*If you require this information in a community language or alternative format e.g. Braille, easy read or audio please contact the Practice.*