

Making an Access Request

- Read this leaflet carefully
- Ask at reception for our application form for access to medical records or for online services.

Your request will be considered and you will be advised of the reasons if we cannot comply with it.

There is no facility for immediate access.

If your access request is granted we will issue with a system online username and password, this will allow you to access your medical records.

Should you not have access to a computer; your local library can support you with this.

To comply with GDPR this request must be completed within one calendar month from the date of request, however we aim to comply with your request within 21 days whenever possible.



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If you require this leaflet in a different format or you need further information or assistance, please contact:
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**Mid Sussex
Health Care**

ACCESS TO MEDICAL RECORDS

This leaflet explains:

- How to apply for access to your own health records
- When you are entitled to apply for access to someone else's health records
- How the Practice responds to requests to access health records

Updated March 2019

Applying for access to your own health records 2018 and GDPR

Under the Data Protection Act 2018 and GDPR, you have a legal right to apply for access to health information held about you. If you want to see your health records, you don't have to give a reason, but it may be that you only need to access a snapshot of your record.

In the first instance you will be asked to complete a registration form for system on line access, if you do not already have this. You will also be given a form to complete for full medical record access (this includes all correspondence, your consultations and result. Your application is then passed to your usual GP for authorisation. If there is anything within you medical records that may cause you distress access maybe withheld for some parts of your records.

Should you not want online access to your records but a copy of them, please ask Reception for our application form or write a letter that covers all of the information requested on that form. Return your form or letter to the practice, marked for the attention of the Data Officer.

Applying for access to someone else's health records

Health records are confidential, so you can only access someone else's records if you're authorised to do so. To access someone else's health records, you must:

- be acting on their behalf with their consent
- have legal authority to make decisions on

their behalf (power of attorney), or have another legal basis for access

Individuals with parental responsibility for a child under 16 can request access to that child's medical records. Mentally competent children of 16 and over can make their own applications for access to their medical records. If someone with parental responsibility asks for access to a child's records and that child is 16 or over, the child must provide the practice with his or her written consent to the access request.

Applying for access to the health records of someone who has died

Under the Access to Health Records Act 1990, only specific people have the right to apply for access to the health records of someone who has died. They are:

- the personal representative of the person who has died.
- any person who may have a claim resulting from the person's death.

To see a deceased person's health records, applicants may be required to provide evidence to support their claim and may need to provide evidence of their identity.

If you do not fall under one of these categories, then access to a deceased person's records will be judged on a case-by-case basis. The person requesting access should show:

- They have a valid reason.
- They have a legitimate relationship to the deceased person.
- That access to the records is in the public interest.

Other things that will be taken into consideration include:

- the preferences or wishes or the deceased person prior to the death
- any distress the knowledge of this information may cause to a living person
- loss of privacy which may affect the reputation of the deceased person
- views of the surviving family

Identity checks for all access applications

The Practice application form describes what checks we will need to make. Please bring original documents to reception so that these can be photocopied and submitted with your form.

How the practice processes access applications

GPs are responsible for considering access requests and it is GPs that check the records and authorise the release, or part-release of records to patients.

GPs can refuse a request, or part of a request, if they believe that releasing the information may cause serious harm to your physical or mental health or that of another person, for example. There are other grounds on which they can refuse requests and these would be explained in a letter to you or in an explanatory note on your file.