

Aviemore Medical Practice

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How to request medical records and other personal information Under the GDPR May (2019) and Access to Health Records Act 1990

TO REQUEST INFORMATION

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.

For example:

- *A parent may request to 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 the online form on our website or you can ask our admin team for a paper form to complete.

Please be aware that if you request a full copy of your medical records your GP will have to go through your records and redact information as per GDPR guidelines which can take a GP up to 2 hours to complete. There are several ways to obtain medical information which may be better for you and easier for your GP. Please be as specific as possible in your request so that we can limit the time that your GP spends on the administration of your medical records.

What charges are involved?

There is no fee payable, access is free of charge unless the request is excessive or if it is a repeat request for the same information.

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 and that your contact details are correct.

What happens if I am denied access to my records?

You will be invited to meet with your GP.

For other personal information, reports, letters and or certificates, please see our information sheet with fees schedule on our website www.aviemoremedical.co.uk.