

The Crescent Surgery

Access to Health Records

The medical records we hold for you, whether on paper or on the computer, remain the property of the NHS. You do, however, have the right to have a copy.

You do not have the right to see anyone else's medical records unless:

- ✓ The patient is a child aged under 16 and you have parental responsibility (please be aware that teenagers who are considered to be able to make their own decisions about their health can request to see their own records and can deny parents access to their records, although we would always advise parental involvement)
- ✓ The patient is an adult who is deemed incapable of making decisions for him/herself and you are the person with lasting power of attorney for health and welfare
- ✓ The patient is deceased and you are the next of kin or executor/executrix on his/her will, and the patient has not in the past indicated that disclosure should not be made (the right to confidentiality extends beyond the grave).
- ✓ The patient has given his/her informed written consent for you to view his/her records

If you would like someone else to have a copy of your records, such as a solicitor, please make sure you have given your written consent for this and specified whether the consent relates to the whole medical record or just to a particular element, such as all information after a particular date.

How to make a request

You can view and print your current medications and test results online by registering with Patient Access (visit <https://patient.emisaccess.co.uk>). In time more elements of medical records will be available to view in this way.

If you cannot register for Patient Access or wish to have a copy of information not currently available on Patient Access, you can make a request to the practice. You can do this verbally or in writing and we will need very specific information about which section or how much of the medical record you require.

Computers have been used in General Practice for many years and in most cases and relevant information from the old paper records has been summarized onto the computer record.

Please be aware that others requesting access to your medical records, such as solicitors, cannot do so without your written consent. They may request a copy of your complete medical record. You can decide only to disclose the information you believe to be relevant and can specify this on the Access to Records Request form.

If you are requesting access to someone else's records, please provide their written consent (we have forms available for this) or evidence of the necessary legal authority such as a certificate of Lasting Power or Attorney. Please be aware that if the request is in respect of an older child, we must ask their consent if they are deemed able to give informed consent.

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We can only provide information held by the practice, not that held by other healthcare services such as community nurses or hospital records. Neither can we request these records on your behalf.

What happens next

Access can be limited or denied if it would be “likely to cause serious harm to the physical or mental health or condition of the data subject (i.e. patient) or any other person”. Similarly, if the record contains information relating to another person, we will have to remove any elements that could breach their confidentiality.

For this reason we ask your usual GP to check through the records to ensure it is appropriate to make the release.

We will respond to your request within 28 days in most cases; however if there is likely to be a delay we will let you know. Any delay will not exceed 2 calendar months.

Where possible we will email the copy records to you as a password-protected document. We will need both an email address and a mobile ‘phone number so that the password can be sent to you by text separately from the emailed document.

If it is not possible to email, you can collect the copy records from the Medical Centre when they have been prepared. We will require proof of identity at the time of collection. Due to the sensitive and confidential nature of medical records, we will not allow someone to collect copies on your behalf unless you have notified us in advance of who you wish to collect for you. We will need to see their proof of identity at the time of collection.

Please let us know if there are any aspects of your records you do not understand and we will try to clarify them for you.

Fees and charges

We will not charge you for copies of your medical records provided:

- The requested information is not readily available to you elsewhere, such as through Patient Access
- We have not already provided you with access to or a copy of the same information
- The request is not manifestly unfounded or excessive for the purpose for which it is required

If any of the above apply we will notify you in advance of the administrative fee chargeable to reflect the cost to the practice of supplying the information.

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Correcting errors

If you believe that one or more entries in your medical records are incorrect, please let us know.

If there has clearly been a factual error, we can correct it and record when and why this was done.

If you disagree with an entry or do not like it, but it is not factually incorrect, we can add a note expressing your view, but we cannot change the original entry.

Complaints

If you are unhappy with any aspect of how we have managed your request for information, please contact the Practice Manager

V1 13/01/2014

V2 17/02/2017

V3 29/05/2018