

# Access to Healthcare Records

Data Protection Act 1998 Access to Healthcare Records Act 1990

## GUIDE AND APPLICATION FORM

This leaflet explains the procedure for accessing a Patient's Hospital Records. If you require clarification of any of the points raised, or need further information please let us know. Our contact details can be found at the end.

### Procedure for Accessing Healthcare Records

- Access applications are logged upon receipt of a completed form.
- A request is made to the areas that hold the relevant records.  
(There may be a delay if the patient is currently undergoing treatment).
- Once all the required records have been gathered they will be sent to each treating clinician for authorisation to release.
- An invoice for the photocopying/viewing the records will be sent to the applicant via the Trusts Financial Services Department.
- Upon receipt of payment: a) an appointment is arranged for the applicant to view the original records or b) the requested copy records are sent out via Recorded Delivery unless otherwise specified.
- The Trust expects to provide all requested documentation within 40 days of receipt of a valid request. If for any reason we are unable to meet this deadline, the applicant will be informed.

### The Trust may refuse to release patient records if any of the following apply:

- Disclosure is likely to cause serious harm to the physical and / or mental well being of the patient or any other individual connected with that patient.
- The patient is deemed incapable of understanding the nature of the application.
- The patient is under 16 years of age and is deemed not in their best interest to have access to their records.
- A third party has applied for access to a patient's records and the patient has clearly stated that he/ she does not wish any disclosure of the records.
- The medical records were created prior to the 1<sup>st</sup> of November 1991 (Except when it helps to explain a record made on or after this date).
- The records contain any information showing that the person was or may have been born following treatment defined in the Human Fertilisation & Embryology Act 1990.

**C Type of record / information required #**

Specialist / Dr

Hospital / Dept

Date(s) and other relevant information

# Please tick if you require copies of **x-rays**   
(otherwise we assume written reports suffice, limiting costs and charges)

**D How would you like to access ? Please tick **one** box**

To receive a copy of the records	<input type="checkbox"/>
An appointment to view the records	<input type="checkbox"/>

**PROOF OF IDENTITY** Whether viewing records or requesting copies, you may be asked to supply your Driving Licence or passport (for own records) in addition to : the child's birth certificate (for children's records) or the death certificate (for deceased person's records) or written consent authorisation (for another person's records)

**CHARGES** A fee will be charged to cover the costs of this service (see over).

**PLEASE RETURN COMPLETED FORM TO:**

**Access to Records,  
Healthcare Records, Level 0,  
North Devon District Hospital,  
Barnstaple, EX31 4JB.**

**Tel. 01271 322760**

**E Declaration : please sign and date**

I declare the information given by me is correct to the best of my knowledge and that I have read and understood the terms and conditions of access.

Signed  Date

## To access records of a patient currently being treated

- You can view these , provided the clinician treating the patient has been informed and has given consent (subject to the exclusions listed in this document).
- An immediate review of the records may not always be possible, but the department will endeavour to make an appointment convenient to all parties as soon as possible.
- It will not be possible to photocopy casenotes whilst the subject is an inpatient.

## Access to Child's Healthcare Records

- If the patient is under the age of 16 and the Trust agrees that disclosure would not be detrimental to the physical and/or mental well being of the patient access may be granted to a parent or guardian.
- Dependant on age and / or understanding of the Child , they may be asked whether they agree to the release of their records.

*Note: The Trust may contact both parents/guardians if a request is made.*

## Access to a Deceased Persons Healthcare Records

- may be granted if the applicant has been named in the patient's records as a next of kin or is a named executor of the estate.

*Note: If the Trust is unsure as to the identity of the person seeking access , the named next of kin (as retained in the case notes) will be contacted for verification.*

- Northern Devon Healthcare Trust reserves the right to request proof of the applicant's right to Access the notes of a deceased person.

## Charges Relating to Accessing Healthcare Records

- There is a £10 fee for viewing healthcare records to cover costs of retrieval and validation of case notes, (waived for persons treated in the previous 30 days).
- Images arranged during a visit to hospital : £4 per item in the Maternity Unit  
Copies from Radiology : from £15 per examination on disc with viewer software
- A standard rate of £50 for all applications made through a legal representative
- For all other Data Protection requests for healthcare records:  
£5 for 3 sheets or less / £10 for 4 to 30 sheets / £50 for more than 30 sheets up to a full set of notes and for any request requiring copies of full size x-rays.
- Requests for deceased persons' records under Access to Records: at the above rates but there is no maximum limit. If there is more than one folder of notes, reasonable charges will be levied to cover resources required to provide copies.

## If you feel your Request has been unfairly denied or you wish to make a compliant with regards to the contents of your Records

- You may write to the Access to Records Manager, detailing your concerns. Your letter will then be filed within the casenotes.
- If you require advice or have concerns about any aspect of patient care you can contact the **Patient Advice and Liaison Service** on (01271) 314090.
- If you remain dissatisfied, you may contact the Northern Devon Healthcare Trust's **Complaints Office** on (01271) 322334.

## ACCESS TO HEALTHCARE RECORDS\* APPLICATION FORM

### A Patient's details \* and other personally related information (see C)

Patient's name	<input type="text"/>
Date of birth	<input type="text"/>
Address	<input type="text"/> <input type="text"/> <input type="text"/>
Post code	<input type="text"/>

### B Only complete this section if you are **not** the patient detailed above. Please note you may be required to provide proof of your right to access these records.

Name	<input type="text"/>		
Address	<input type="text"/> <input type="text"/> <input type="text"/>		
Post code	<input type="text"/>		
Relationship to patient (please tick)	Guardian <input type="checkbox"/>	Executor <input type="checkbox"/>	Next of kin <input type="checkbox"/>
	<input type="text"/> Other (please state)		
Contact phone Number	<input type="text"/>		

*please turn over ->*