

DATA PROTECTION

SUBJECT ACCESS REQUEST – INFORMATION SHEET

(PROCEDURE FOR APPLICATION FOR ACCESS TO HEALTH RECORDS)

Background

Data Protection gives patients the right to apply for access to personal information, held either on computer or on paper.

People who can apply include the person about whom the records has been compiled, or someone acting on behalf of the person (with written authorisation, exercising parental rights, or by court appointment).

Rights

Data Protection gives the right of access, but the record holder may withhold information that might cause serious harm to the physical or mental health of the data subject or any other person. If there is information held on record that will identify or is provided by any third party, it is possible that this information may not be provided to you. The record holder does not have to disclose the fact that information has been withheld.

You can ask for corrections to the record, and you are entitled to a copy of the correction or, if the record is not corrected, the record holder's note of the request and any discussion.

People applying for subject access will be provided with information in permanent form, and supplied with copies of their health records.

If you think you may not have received all the information you are entitled to, your rights will then be explained to you.

Where the holder of the record is the hospital, you should take the matter up in the first instance with Ms Tina Thomas, Health Records Manager, The White Building, Littlemore Mental Health Centre, Oxford, OX4 4XN (Tel. 01865 902770).

Confidentiality

People have a right to have their personal information kept confidential, and record holders are obliged to be satisfied that an applicant is the person, or is otherwise entitled to access the person's records. At the least, we will need to check your identity, therefore please include photographic proof of identify with your Subject Access Request, but we may also have to make further enquiries.

These rights are in addition to existing informal voluntary arrangements made in the hospital for allowing the person to see their records. For patient's this may be at the discretion of the health professional responsible for their care and treatment.

Address for completed requests:

For the attention of: Ms Tina Thomas, Health Records Manager, The White Building, Littlemore Mental Health Centre, Oxford, OX4 4XN

ACCESS TO HEALTH RECORDS ACT 1990

SUBJECT ACCESS REQUEST - INFORMATION SHEET FOR ACCESS TO HEALTH RECORDS RELATING TO DECEASED PATIENTS

(PROCEDURE FOR APPLICATION FOR ACCESS TO HEALTH RECORDS)

Background

The Access to Health Records Act provides the right of access to health records created from 1st November 1991.

People who may apply include the deceased patient's personal representative, and anyone who has a claim arising from the patient's death.

Rights

The Act gives rights of access. Applicants must provide proof of Personal Representation, this can be either the relevant part of the Will or a Letter of Administration from a Court. You will need to be able to set out the potential claim (a solicitor's letter may be appropriate).

People applying for access to health records will be charged a fee to cover administrative and copying costs.

If you think you may not have received all the information you are entitled to, your rights will then be explained to you. Where the holder of the record is the hospital, you should take the matter up in the first instance with Ms Tina Thomas, Health Records Manager, The White Building, Littlemore Mental health Centre, Oxford, OX4 4XN (Tel: 01865 902770).

Confidentiality

Patients have a right to have their personal health information kept confidential, and record holders are obliged to be satisfied that an applicant is the patient's representative, or is otherwise entitled to access the patient's records. At the least, we will need to check your identity, therefore please include proof of identify with your Subject Access Request, but we may also have to make further enquiries.

Address for completed requests:

For the attention of:
Ms Tina Thomas
Health Records Manager
White Building
Littlemore Mental Health Centre
Oxford
OX4 4XN