



Patient Information

Access to your health records

What are my rights?

Under the General Data Protection Regulation (GDPR), individuals (also known as Data Subjects) have a legal right of access to their personal data. This includes access to their health records.

How long will it take?

Under GDPR, a request must be met without delay and within one calendar month of receipt. This can be extended by a further two months where the request is complex or where there are numerous requests. If this is the case, the Data Subject will be contacted within one month of the receipt of the request and informed why an extension is necessary.

Will I need to pay?

Under the old Data Protection Act, a fee could be charged for providing copies of health records. GDPR allows most requests to be made free of charge. However, a “reasonable fee” can be charged for further copies of the same information or when a request is manifestly unfounded or excessive, particularly if it is repetitive. Any fee will be based on the administrative cost of providing the information.

How will the information be provided?

Copies of scans or x-rays will be provided on a disc which will contain viewing instructions. In most cases copies of health records will be provided on paper.

Will I receive all the information I have requested?

Access to health records may be denied or restricted in some circumstances. For example:

- If access might cause serious harm to the patients' physical or mental health
- If the record contains third party information.
- If a request is manifestly unfounded or excessive

How can I appeal or complain?

Individuals may appeal against a decision to refuse access, initially to the Trust's Data Protection Officer, and then through the Trust's official complaints procedure.

Data Protection Officer

Tel: 01793 604717

Email: gwh.subjectaccess.requests@nhs.net



Access to your health records

Official complaints:

Tel: 01793 604031

Email gwh.pals@nhs.net

All refusals will be in writing setting out the reasons and the right of the Data Subject to complain to the Information Commissioner's Office (ICO) and to seek a judicial remedy.

The Information Commissioner's Office can be contacted directly at:

Information Commissioner's Office

Wycliffe House

Water Lane, Wilmslow

Cheshire, SK9 5AF

Tel: 01625 545 700

Fax: 01625 524 510

<https://ico.org.uk/>

Deceased patient records

Access to the health records of deceased patients is governed by the Access to Health Records Act 1990. The same rights of access exist for applicants with the necessary authority.

How to make a formal application

Please complete an application form and email or post it to the Health Records Department. This will help us to quickly identify the relevant information.

Email address:

gwh.subjectaccess.requests@nhs.net

Postal address:

Health Records Supervisor (Support Services)

Great Western Hospital

Marlborough Road

Swindon SN3 6BB

We will contact you to arrange a viewing appointment or collection of copy records.

When collecting your records please ensure you bring some photo identification.

For further enquiries concerning access to your health records, please contact the health records department on **01793 604699**.

This information sheet is available to order in other languages and formats.

If you would like a copy, please contact us on 01793 604031 or email

gwh.pals@nhs.net

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