

Complaints

If you have any complaints about any aspect of your application to obtain access to your health records, you should first discuss this with the clinician concerned. If this proves unsuccessful, you can make a complaint through the NHS Complaints Procedure by contacting the Practice Manager formally.

Further information about the NHS Complaints Procedure is available on the NHS website:

<https://www.nhs.uk/using-the-nhs/about-the-nhs/how-to-complain-to-the-nhs/>

Alternatively you can contact the Information Commissioners Office (responsible for governing Data Protection compliance) –

Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

Tel: 0303 123 1113 or 01625 545745 or
www.ico.gov.uk/

All complaints will be acknowledged within three working days and a full response will be provided within 20 working days. If a complaint is made verbally to the practice, this will be documented and you will be asked to confirm in writing that you agree with what has been recorded.

Access to Medical Records under the Data Protection Act 2018



**Drs Adey & Dancy
Tarporley Health Centre
Park Road
Tarporley CW6 0BE
Tel: 01829 732401**

cmicb-cheshire.drsadeyanddancy@nhs.net
www.drsadeydancy.nhs.uk

If you require this leaflet in a different format or you need further information or assistance, please contact:
Reception

Online Access / Making a Subject Access Request (SAR)

Introduction

The General Data Protection Regulations of 2018 in conjunction with the Data Protection Act 1998/2018 gives every living person, or an authorised representative, the right to apply for access to their health records.

Online access to your medical records

From March 2016, coded information from your medical records can be accessed as part of the Practice's online services. For security reasons, you will have to visit the practice to undertake an identity check before you are granted access to these records. Please see our website for further details.

To make a subject access request

Please ask a member of staff for details. Your request should be fulfilled within 28 days. In exceptional circumstances, where it is not possible to comply within this period you will be informed of the delay and given a timescale for when your request is likely to be met.

Costs

There is no fee associated with providing access to your medical records. You or your representative will be asked to bring in 2 forms of identification when collecting or viewing the records.

Making a Subject Access Request (SAR) continued....

Exemptions

In some circumstances, the Act permits us to withhold information held in your health record. These rare cases are:

- Where it has been judged that supplying you with the information is likely to cause serious harm to the physical or mental health or condition of you, or any other person, or;
- Where providing you with access would disclose information relating to or provided by a third person who had not consented to the disclosure. This exemption does not apply where that third person is a clinician involved in your care.

When making your request for access, it would be helpful if you could provide details of the time-periods and aspects of your health record you require.

Making a Subject Access Request (SAR) continued....

If you are using an authorised representative, you need to be aware that in doing so, they may gain access to all health records concerning you, which may not all be relevant. If this is a concern, you should inform your representative of what information you wish them to specifically request when they are applying for access.

GPs have ethical obligations around how patient records are shared, and should explain to patients, in broad terms, the implications of making a Subject Access Request so they can make an informed decision on whether they wish to exercise their rights under the Data Protection Act.