

**CITY HOSPITALS SUNDERLAND NHS FOUNDATION TRUST**

**DIVISION OF ESTATES AND FACILITIES**

**MEDICAL RECORDS DEPARTMENT**

Access to Health Records Policy – Under the Data Protection Act 1998

Information for Patients

- ◆ Under the provisions of the ABOVE Act it is possible with certain exceptions, for you to see any information written in your Medical Record, if you have the required authorisation.
- ◆ To make an application under the Act you should write to the Health Records Manager requesting an application form which you should complete fully and return. Please note that ‘applications’ must be in writing
- ◆ Applicants may be required to provide a copy of an identifying document, e.g. driving licence, as well as having their application countersigned by a third party. Applicants acting on behalf of patients/enquirers will be required to produce evidence of their authorisation or relationship.
- ◆ Access to these records will be made within the following time constraints:
  - if entries have been made to the record within 40 days of application = 21 days to complete
  - if no entries have been made within the last 40 days = 40 days to complete
- ◆ A fee of £10 plus photocopying charge (35p per sheet) and £4.00 postage will be made for records which have not been updated within the 40 days preceding application. For records updated within the last 40 days only a photocopying charge and postage will be payable
- ◆ The applicant can request that inaccuracies be corrected. The consultant should either make the necessary correction or make a note in the relevant part of the record of the matters alleged to be inaccurate. You will be provided, without charge, with a copy of the correction or note.
- ◆ Applicants have a right of action in the High Court or County Court if they feel that the holder of the record has failed to comply with any requirements of the Act.

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**Reviewed by: Mark Turner**

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