

Guide to Accessing Medical Records

Introduction

Nothing in the law prevents healthcare professionals from informally showing you your own records. You can make an informal request during an appointment at your hospital or GP surgery, or by telephoning your GP surgery or hospital to arrange a time to see your records.

Formal Request

By law, under the Data Protection Act 1998, everyone has the right to access personal information held about themselves in either computerised or manual form. This relates to all existing records and includes NHS medical records and private healthcare records.

Depending on which health records you want to see, submit your request in writing or by email to your GP surgery or the hospital trust's medical records department. It's a good idea to state the dates of the records when you apply.

They will decide whether your request can be approved. They can refuse your request if, for example, they believe that releasing the information may cause serious harm to your physical or mental health or that of another person.

Access to a Deceased Person's Medical Records

By law, under the Access to Health Records Act 1990, only the personal representative and any person who may have a claim resulting from the person's death have the right to apply for access to the health records of someone who has died.

If you do not fall under one of these categories, then access to a deceased person's records will be judged on a case-by-case basis. The person requesting access should show:

- They have a valid reason.
- They have a legitimate relationship to the deceased person.
- That access to the records is in the public interest.

You must apply in writing to the person or organisation that holds the records.

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Timescales

Generally, requests for access to records should be met within 40 days.

Copying Fees

If you want a copy of the health records, the fee will depend on how the records are stored:

- on computer: maximum £10
- partly on computer and partly in another form: maximum £50
- entirely in another form: maximum £50

The maximum charges include postage and packaging.

Access to Medical Records Advice

Contact our specialist medical negligence claims team at Boyce Hatton for honest, expert advice. Contact us online or call **01803 403403** for a free and confidential consultation