Background

With effect from 1st March 2000, the right of access to a deceased patient’s health records will remain under the Access to Health Records Act 1990. The 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, but the record holder may withhold information which might cause serious harm to physical or mental health of any individual, or might identify a third party. The record holder does not have to disclose the fact that information has been withheld.

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 the Subject Access Supervisor on Tel: 01865 234853

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, but we may also have to make further enquiries.

Address for completed requests:

For the attention of:
Subject Access Team
Data Quality Department
Level 3
West Wing,
Headley Way
Headington
Oxford
OX3 9DU
The Access to Health Records Act which came into effect from 1 November 1991, will as from 1st March 2000, only cover requests for access to a deceased patient’s health records.

**Details of the records to be accessed:**

- **Patient:**
  - Surname: .................................................................
  - Forename(s): ..........................................................

- **Address:**
  - .............................................................................
  - .............................................................................
  - .............................................................................

- **Date of Birth:** .........../........./........
- **Date of Death:** .........../........./........
- **NHS Number:** ................................................................

**Hospital Reference**

No. (if known) ................................................................

**Record in respect of treatment for:**

(State condition/illness) .............................................

**On date:** .........................
OXFORD UNIVERSITY HOSPITALS NHS FOUNDATION TRUST
APPLICATION FOR ACCESS TO HEALTH RECORDS
(ACCESS TO HEALTH RECORDS ACT 1990)

Details of applicant applying for Access:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Surname:</th>
<th>Forename(s):</th>
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<tr>
<td>Home Telephone Number:</td>
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<tr>
<td>Relationship to patient:</td>
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</tbody>
</table>

Declaration:

I declare that the information given by me about my application for access is correct to the best of my knowledge and that I am entitled to apply for access to the health records referred to above under the terms of the Access to Health Records Act 1990.

Signature of applicant: ..........................................

Please tick

The patient is deceased and:

I am the deceased patient’s personal representative and attach confirmation of my appointment

I have a claim arising from the patient's death on the following grounds: (use separate sheet if necessary).

..........................................................................................................

..........................................................................................................

..........................................................................................................
Proof of Identity:

We must see original documents and are unable to accept photocopies. Please note that we will return all documents sent to us via recorded delivery.

However, certified copies can be accepted, these can be obtained from the post office (fee is applicable) or a copy of the document which has been signed and certified by a professional (see page 5), not related to you, must include the following declaration:

“I, ………………….., certify that these are true copies of the original document.
Signed:………………………. Date……………… Job Title……………….”

A list of documents is provided below. Please indicate which documents have been included as proof of data subject’s identity (please tick). If you do not have these documents please contact the Access Team on 01865 234853.

I am the Patient's representative and:

☐ Driving License issued by a member state of the EC/EEA

☐ Full Valid Current Passport or ID Card issued by a member state of the EC/EEA or Travel Documents issued by the Home Office or Certificate of Naturalisation or Registration or Home Office Standard Acknowledgement Letter (SAL)

NB – if you do not have photo ID a birth/adoption certificate will be accepted.

☐ Birth Certificate or Certificate of Registry of Birth or Adoption certificate

*If the Data Subject's name is now different from that shown on the document you submit, you must also supply original documentary evidence to confirm the Data Subject's change of name e.g. Marriage Certificate, Decree Absolute or Decree Nisi papers, Deed Poll or Statutory Declaration.*

We also require proof of the data subjects address by sending one of the following documents:

☐ Gas, electricity, water or telephone bill in the Data Subject's name for the last quarter

☐ Council Tax demand in the Data Subject's name for the last quarter

☐ Bank, building society or credit card statement in the Data Subject's name for the last quarter

☐ Letter to Data Subject from solicitor/social worker/probation officer in the last quarter

Version 3
If you choose to deliver your documents in person, we will do our best to process these on the day. If not we will return documents to you by recorded delivery.

**Recognised professionals**

Examples of recognised professions include:

- accountant
- airline pilot
- articled clerk of a limited company
- assurance agent of recognised company
- bank/building society official
- barrister
- chairman/director of limited company
- chiropodist
- commissioner for oaths
- councillor, eg local or county
- civil servant (permanent)
- dentist
- director/manager/personnel officer of a VAT-registered company
- doctor
- engineer - with professional qualifications
- financial services intermediary, eg a stockbroker or insurance broker
- fire service official
- funeral director
- insurance agent (full time) of a recognised company
- journalist
- Justice of the Peace
- legal secretary - fellow or associate member of the Institute of Legal Secretaries and PAs
- licensee of public house
- local government officer
- manager/personnel officer of a limited company
- member, associate or fellow of a professional body
- Member of Parliament
- Merchant Navy officer
- minister of a recognised religion - including Christian Science
- nurse - RGN or RMN
- officer of the armed services
- optician
• paralegal - certified paralegal, qualified paralegal or associate member of the Institute of Paralegals
• person with honours, eg an OBE or MBE
• pharmacist
• photographer - professional
• police officer
• Post Office official
• president/secretary of a recognised organisation
• Salvation Army officer
• social worker
• solicitor
• surveyor
• teacher, lecturer
• trade union officer
• travel agent - qualified
• valuer or auctioneer - fellows and associate members of the incorporated society
• Warrant Officers and Chief Petty Officers