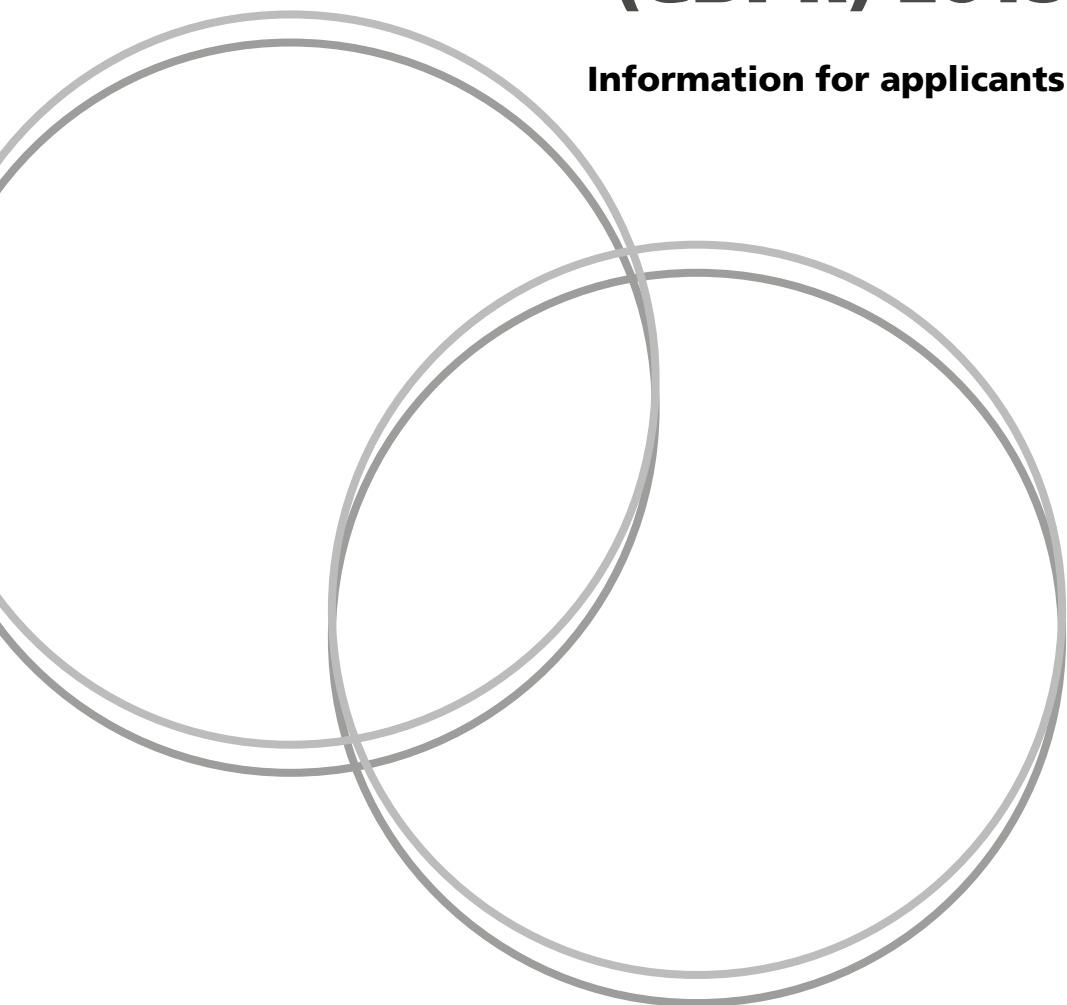




Oxford University Hospitals  
NHS Foundation Trust

# **Requesting copies of your personal information under the General Data Protection Regulation (GDPR) 2018**

**Information for applicants**





# Making a request for personal data

You have the right to see your health record (your medical notes): this is known as ‘Subject Access’. You also have the right to see other information that we hold about you.

If you ask to see your health record or other information we hold about you, we are allowed to ask you for further details, to help us find the exact information you are asking for – for example, the right key words to put into the search bar in our email system.

We may not be able to find the information until we have all the details we need.

These could include:

- likely dates/timescales of emails or documents
- who emails are from and/or to
- at least one **unique search term**, such as a **NHS or hospital number** or a **unique name** (a search for a common first or last name brings up too many incorrect results).
- the **context** in which we hold the information – for example, if you are an employee, complainant, patient, contractor, etc.

## Emails and documents

If your name appears in an email or document, it does not mean that the whole email or document is classified as your personal information. For this to be the case, you would have to be the primary focus of the information.

Emails that include patients’ names are sent for many clinical and administrative reasons, for example audit, research, reminders, etc. This type of email is not usually classified as personal Information.

# **Emails as part of health records or other formal records**

Emails including your personal Information are only kept in your health record if the author or recipient decides it is relevant to your care. This also applies to employment and other kinds of records.

## **Refusal of requests**

We may refuse your request if you:

- cannot prove your identity
- do not give us enough details to carry out a reasonable search of our email system or our records
- have recently made an identical or similar request.

We will not be able to give you:

- records which have been permanently deleted
- emails within non-OUH email accounts (excepting nhs.net)
- emails in which you are not the primary focus
- information which is legally exempt (see next page).

# Legal exemptions

There are some occasions where we are unable to give you information for legal reasons.

These include cases involving:

- information about **someone else**, if they have not given permission for us to give it out (and the Trust Senior Information Risk Owner agrees with this decision)
- information to do with **national security**
- information used to **prevent or detect crime**
- information used for carrying out **regulatory functions**
- special cases – where disclosure could cause harm to someone's **physical or mental health**
- research and statistics – where disclosure could **damage research results**
- information that is **already public**
- **confidential references**
- business management information – where disclosure could **damage the business** or activity concerned
- information relating to any **negotiations** with the person making the request, where disclosure could prejudice those negotiations
- information over which **legal professional privilege** could be claimed in legal proceedings
- information held in **hard copy** and not in a relevant filing system.

# Complaints

If you are unhappy with our response to your request, please contact us.

## **Information Governance Manager**

Oxford University Hospitals NHS Foundation Trust  
Level 3, Academic Centre, John Radcliffe Hospital  
Headley Way  
Oxford OX3 9DU

Email: [information.governance@ouh.nhs.uk](mailto:information.governance@ouh.nhs.uk)

## **Information Commissioner's Office (ICO)**

If you have contacted us about your request at the address above, and you are still not happy that we have complied with the GDPR, you can write to the Information Commissioner.

## **Information Commissioner's Office**

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Tel: **0303 123 1113**

Fax: **01625 524 510**

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

[www.ico.org.uk/global/contact-us/email](http://www.ico.org.uk/global/contact-us/email)



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[www.ouh.nhs.uk/information](http://www.ouh.nhs.uk/information)

