

Access to Health Records

Background

Data protection legislation provides individuals rights of access to data about them that is held by others, be it digital, manual data in a relevant filing system, or data that is processed automatically. Patients, or their legal representative, are entitled to see or have copies of data that we hold about them, subject to some limitations described below.

We may withhold information which we consider might cause serious harm to the physical or mental health of the individual or any other person. If there is information held on record that will identify any third party, then we may, under certain circumstances, need to seek their permission before disclosing it. We not have to disclose the fact that information has been withheld.

You may ask for corrections to your record, and you are entitled to a copy of the correction or, if the record is not corrected, the record holder's note of the request and any discussion. Further details on your rights can be found on the Information Commissioner's Office website: <https://ico.org.uk/your-data-matters/your-right-of-access/>

In most instances, a copy of your personal data will be provided for free. However, we may charge for additional copies. A reasonable fee for administrative costs associated with the request will only be charged if the request is manifestly unfounded or excessive.

If you think you may not have received all the information to which you are entitled, you should take the matter up in the first instance with the Subject Access Team (contact details below).

Confidentiality

It is our duty to keep the personal health information of our patients confidential. We are therefore obliged to ensure that anyone applying for access to records is the patient or is otherwise entitled to access the patient's records, for example a legal representative. At the least, we will need to check the identity of the patient concerned, but we may also have to make further enquiries.

Making a request

You may make a request by contacting the Subject Access Team:

By phone, via the Trust's Switchboard 01865 741166;

By email: subject.accessrequest@ouh.nhs.uk;

By post: For the attention of the Subject Access Team, Level 3, West Wing, Headley Way
Headington, Oxford OX3 9DU.

Details of the records to be accessed:

Patient surname:			
Maiden name (or any previous name):			
Forename(s):			
Address:			
Post code			
Email address			
Date of Birth: dd/mm/yyyy/...../.....		
NHS Number:			
Hospital reference no. (if known)			
Record(s) regarding treatment for:	(State condition/illness)		
	Dates from To:		
Which types of information are you requesting?	Paper records	<input type="checkbox"/>	Computer records <input type="checkbox"/>
	Other	<input type="checkbox"/>

You are not required to give the reasons for your request, but sometimes this may help us locate the information you are looking for. If you are dissatisfied with your treatment, it would be helpful to the Trust to know this, to help us raise the standard of our service to patients. Please include a brief note below:

Details of applicant (if different from above):	
Surname:	
Forename(s):	
Address:	
Post Code	
Email Address	
Please state relationship:	

Declaration

I declare that the information given by me 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 General Data Protection Regulation 2018

Please tick the relevant statement.	
I am the patient	<input type="checkbox"/>
I am the patient's representative acting with their authorisation	<input type="checkbox"/>
The patient is under 16 and I am their parent/guardian	<input type="checkbox"/>
Signature of applicant	
Date	

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 via the Trust’s switchboard, 01865 741 166, or email subject.accessrequest@ouh.nhs.uk.

We require one piece of evidence from each of column regarding the data subject (patient). If you are making a request on a data subject’s behalf, please also include one piece of evidence from column A.

A – Photo ID		B – Proof of address	
UK Driving License, or license issued by an EU member state.	<input type="checkbox"/>	Utilities bill in the data subject’s name for the last quarter.	<input type="checkbox"/>
UK Passport or passport issued by an EU member state.	<input type="checkbox"/>	Council tax demand in the data subject’s name for the last quarter.	<input type="checkbox"/>
Travel documents issued by the Home Office	<input type="checkbox"/>	Financial statement in the data subject’s name for the last quarter.	<input type="checkbox"/>
Certificate of Naturalisation or Home Office Registration	<input type="checkbox"/>	Letter to data subject from government agency for the last quarter	<input type="checkbox"/>
Certificate of birth, or adoption (only accepted when requestor has no photo ID).	<input type="checkbox"/>		

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

If the patient’s name is different from that shown on the document you submit, you must also supply the original documentary evidence to confirm the data subject’s change of name, such as a marriage certificate, decree absolute, deed poll etc;.

Recognised professionals

Recognised professions whose members may countersign copies of official documents 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

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- Surveyor
- Teacher, lecturer
- Trade union officer
- Travel agent - qualified
- Assayer or auctioneer - fellows and associate members of the incorporated society
- Warrant Officers and Chief Petty Officers