

INFORMATION SHEET FOR ACCESS TO HEALTH RECORDS ACT 1990 (Access to records relating to deceased patient)

Background

With effect from 1st March 2000, under the Access to Health Records Act 1990, the right of access to a deceased patient's health records is available for:

- The deceased's personal representative;
- Or those who have a claim arising from the patient's death.

The Act provides the right of access to health records created from 1st November 1991.

Rights

The Act provides for the right of access. However, 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.

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 Team via the hospital switchboard, Tel: 01865 741166, or email, subject.accessrequest@ouh.nhs.uk.

Confidentiality

Patients have a right to have their personal health information kept confidential. 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. As a requirement, we will need to check your identity. However, we may also have to make further enquiries.

Address for completed requests:

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

APPLICATION FOR ACCESS TO HEALTH RECORDS (ACCESS TO HEALTH RECORDS ACT 1990)

The Access to Health Records Act 1990, which came into effect from 1st November 1991, will as from 1st March 2000, only cover requests for access to a deceased patient's health records.

Details of the records, of the deceased, to be accessed:

Surname:

Forename(s):
.....

Address:
.....

.....

.....

Email 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:

APPLICATION FOR ACCESS TO HEALTH RECORDS (ACCESS TO HEALTH RECORDS ACT 1990)

Details of applicant applying for Access:

Surname:

Forename(s):
.....

Address:
.....
.....
.....

Email Address:
.....

Home Telephone
Number:
.....

Relationship to
deceased:
.....

Declaration:

I declare that the information provided, by me, about my application for access is correct to the best of my knowledge. I also declare 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.

Please tick the relevant statement.

I am the deceased patient's representative and attach confirmation of my appointment.

I have a claim arising from the patient's death on the following grounds:
Please state the grounds of your claim.

Signature of applicant	
Date	

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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 (a 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 deceased patient's identity (please tick). If you do not have these documents, please contact the Access Team via on 01865 741166 or email subject.accessrequest@ouh.nhs.uk.

The Trust requires one piece of evidence from column A, column B and column C.				
Column A Requestor's photo ID	Column B Requestor's proof of address	Column C Documentation of deceased patient		
UK Driving License, or license issued by an EU member state	<input type="checkbox"/> Utilities bill in the requestor's name for the previous quarter	<input type="checkbox"/> Certificate of death		<input type="checkbox"/>
UK Passport, or passport issued by an EU member state	<input type="checkbox"/> Council tax demand in the requestor's name for the previous quarter	<input type="checkbox"/> Certificate of marriage		<input type="checkbox"/>
Travel documents issued by the Home Office	<input type="checkbox"/> Financial statement in the requestor's name for the previous quarter	<input type="checkbox"/> Power of attorney		<input type="checkbox"/>
Certificate of Naturalisation or Home Office Registration	<input type="checkbox"/> Letter to requestor from government agency for the previous quarter	<input type="checkbox"/>		<input type="checkbox"/>
Certificate of birth, or adoption (only accepted when requestor has no photo ID)	<input type="checkbox"/>			<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.

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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, e.g. local or county
- Civil servant (permanent)
- Dentist
- Director/manager/personnel officer of a VAT-registered company
- Doctor
- Engineer - with professional qualifications
- Financial services intermediary, e.g. 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, e.g. an OBE or MBE

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- 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
- Valuator or auctioneer - fellows and associate members of the incorporated society
- Warrant Officers and Chief Petty Officers