

Borderline Support UK CIC Factsheet

Know your rights – accessing your medical records

Individuals have a right to access their own health records. These records include any information about your physical or mental health recorded by a healthcare professional. This includes all records made by hospital staff, GPs, dentists, opticians, etc.

This information could include clinical notes, prescriptions, letters, x-rays, recordings of telephone calls, and results from laboratory testing.

Why you might request to see your records

Some people access their records to better understand their condition and treatment, others request their records in order to be fully informed when lodging a complaint. You do not have to explain why you want to see your records when you make the request.

How to request access

A request for information has to be made with the organisation that holds your health records, also known as the 'data controller'. For example, this may be your GP surgery.

For hospital records, you need to contact the records manager, or patient services manager, at the relevant hospital trust. You can find a list of hospital trusts on the NHS website.

Reasons why your request may be denied

There are occasions where your request may be refused. This may be if a health professional feels that seeing the records would be seriously harmful to your physical or mental health, or if the records also relate to someone else.

Other people who can see your records

Your medical records are confidential, and nobody else is allowed to see them unless you have given written permission, the person is a relevant healthcare professional, or someone who has legal rights to manage your affairs.

You can provide written consent for someone else to see your records, such as a solicitor.

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Costs relating to accessing your health records

Under General Data Protection Regulation (GDPR) accessing your medical records should be free, though some GP surgeries may charge an administration fee.

Complaints

You can make a formal complaint if;

- You disagree with the decision not to let you see medical records
- You are unhappy about the process
- You do not receive the records within 40 days
- You feel that your information is being used incorrectly.

Your first step is to complain to the provider. If you are still not satisfied, you can make a complaint to the Information Commissioner.

To make a formal complaint, you should contact the commissioner as soon as possible, the Information Commissioner will not normally investigate complaints that are over 12 months old. Give full details of what has happened, and include any relevant letters or emails. State clearly what you think the healthcare provider has done wrong.

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