



How to Access Your Health Records

Please read these guidance notes before completing the application form.

Introduction

You have the right to ask for a copy of the personal information we hold about you, including your health records. This is called a subject access request, or SAR. In some cases, someone can ask on your behalf.

Who can access records?

People who can usually ask for access include:

- you, as the patient
- someone you have given permission to act for you
- a parent or person with parental responsibility for a child, where appropriate
- someone with legal authority to act for a person who cannot make the request themselves
- the personal representative of someone who has died, or a person with a legal claim linked to their death

Your rights

- ask for a copy of your information
- ask how your information is used and shared
- ask us to correct information that is wrong
- raise concerns with the Trust

Will I have access to all of my health records?

We will usually provide the information we hold about you. In some situations, we may need to remove or withhold a small amount of information, for example if it would seriously harm someone's health or wellbeing, or if it includes confidential information about another person.

If your records mention another person, we may need to remove their information before we send your records to you.

Do I have to pay to see my health records?

There is usually no fee for a copy of your health records. However, the Trust may charge a reasonable fee where a request is manifestly unfounded or excessive, or where further copies of the same information are requested.

How do I apply for access to my health records?

To request access to your health records, please complete the application form and return it to the Trust. If you are applying on behalf of another person, we will also require evidence that you are authorised to act for them.



Before we disclose any records, we will require proof of identity and address so that we can verify who you are and ensure that confidential information is sent to the correct person. We will only request the information needed to process your request securely.

Documents you can use as proof of identity:

1. Current signed passport
2. Residence permit issued by the Home Office
3. EU or Swiss national identity photo-card
4. Valid UK photo-card driving licence (full or provisional)
5. Valid armed or police forces photographic identity card
6. Photographic disabled blue badge
7. Citizen card

Documents you can use as proof of your current address (dated within the last six months):

1. Recent original utility bill (i.e. gas, electric, water, telephone - not mobile)
2. Hospital Appointment Letter
3. Council tax bill (valid for current year)
4. Bank, building society or credit union statement or passbook
5. Recent original mortgage statement from recognised lender
6. Current council/housing association rent book or tenancy agreement
7. Notification letter from Department for Work and Pensions / HM Revenue and Customs confirming your right to benefit or state pension

If you would like an electronic version of the application form, please download it from <http://www.coch.nhs.uk/patients-visitors-and-public/about-your-hospital-visit/after-you-leave/access-to-your-health-records.aspx>

You can return your completed application form and copies of your identification documents by email to: cochlegalservices@nhs.net

Or, alternatively post to:

Legal Services Department
Countess of Chester Hospital NHS Foundation Trust
Liverpool Road
Chester, CH2 1UL

You can get an application form from the Trust website or by contacting Legal Services on 01244 365229.



If you would like us to respond by email, we will use the Trust's secure email system. Email is often the quickest way for us to provide copies of records. However, once an email is sent over a public network, we cannot guarantee that it will remain secure if it is sent to a personal email address.

If you would prefer paper copies, we can usually send these to your home address. If you live in the UK, records will usually be sent by recorded delivery. If you live outside the UK, recorded delivery may not be available and the Trust cannot accept responsibility for any loss in a foreign postal system.

Please make sure you complete all required sections of the form, tell us your preferred contact method, and check that your contact details, including your email address, are correct and up to date.

What will happen after I apply?

When we receive your application, the Legal Services Department will check that we have the information we need to process your request, including proof of identity and any authority to act for someone else. We will then ask the relevant service or department to locate the records and prepare them for disclosure.

We will usually provide a copy of your records in the format you have asked for, where possible. In some cases, we may contact you to discuss the most appropriate way to provide the information.

How long will this take?

We will respond without undue delay and usually within one calendar month of receiving sufficient information to process your request.

This usually starts when we have sufficient information to confirm who you are and understand what records you want.

- information to confirm your identity, where this is needed
- information to understand what records you want
- detail to help us locate the information requested
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If we need more information from you, we will contact you as soon as possible. If your request is complex, it may take up to two further months. If this happens, we will let you know within the first month and explain why.

Providing documents to support your request

If you want to view your records in person, you will need to bring photographic identification, such as a passport or driving licence, when you attend.



If you are collecting paper copies, you will also need to bring photographic identification. If you ask someone else to collect them for you, they will need to bring their own photographic identification and a signed letter from you, unless you have already authorised them on the application form.

Requesting records for someone else

There are times when someone may need to apply on behalf of another person. This can include:

- a parent or person with parental responsibility asking on behalf of a child, where appropriate
A parent or person with parental responsibility can sometimes ask for a child's records. We will consider the child's age, understanding, and best interests before deciding what information can be shared.
- an adult who wants to authorise someone else to make the request on their behalf

If you are acting for an adult who cannot make the request themselves, we will consider whether you have the legal authority to ask for their information.

- an attorney appointed under a registered Lasting Power of Attorney for health and welfare, where relevant

If you hold a valid Lasting Power of Attorney for health and welfare, or have authority from the Court of Protection, you may be able to request relevant information where this is necessary and lawful. The Trust may ask to see evidence of your authority.

Accessing the records of a deceased person

If a patient is deceased there is still a duty of confidentiality to that person.

If the patient has died, requests for access are considered under the Access to Health Records Act 1990. We may be able to share records with the patient's personal representative or with someone who has a legal claim linked to the death. We will still consider confidentiality before releasing any information.

If you are applying as the personal representative, we may ask for evidence such as a grant of probate, letters of administration, or other documents showing your authority.

If a request falls outside the statutory right of access, the Trust may consider whether any disclosure is appropriate on a case-by-case basis, taking account of confidentiality, the purpose of the request, and any legal or public interest considerations.

What if I disagree with my records?



If you think something in your records is wrong or incomplete, you can ask us to review it. If a professional opinion cannot be changed, you can ask for your view to be added to the record where appropriate.

If you have any questions about how your information is used, please contact the Trust's Data Protection Officer by emailing coch.dpo@nhs.net

How are my records used to help me?

We keep records about your health and the care you receive so we can support your treatment and provide safe care.

These records help staff involved in your care understand your needs and make informed decisions about your treatment.

Your records are used to support your care and treatment, including:

- helping health professionals understand your medical history and current care needs
- supporting safe referrals and communication between services involved in your care
- reviewing and improving the quality and safety of care

Your information may also be used, in line with the law, to help improve services, train staff, and support research.

This can include staff training and service improvement.

It may also include research, where this is allowed by law and appropriate safeguards are in place.

How is the confidentiality of my records maintained?

All staff working for the Trust have a legal and professional duty to keep patient information confidential and secure.

We may share information with other health or care professionals involved in your care when this is needed and lawful.

We may also share information with your relatives, friends, or carers if you agree, if they have legal authority, or if the law allows us to do so.

In some circumstances, we may be required or permitted by law to share information with other organisations or public authorities, for example where there is a legal obligation, a court order, or a public health reporting requirement.

What if I have a complaint about accessing my records?

If you are unhappy with how we have handled your request, please contact the Trust first so we can review your concerns and try to resolve them.



You can contact the Trust using the details below.

The Patient Advice and Liaison Service (PALS)
Countess of Chester Hospital NHS Foundation Trust
Liverpool Road
Chester, CH2 1UL
Email: cochpals@nhs.net
Telephone: Freephone 0800 195 1241 select option 2

If you remain unhappy after contacting the Trust, you can complain to the Information Commissioner's Office.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire, SK9 5AF
Telephone: 0303 123 1113