



Skene Medical Group

IN CONFIDENCE

**DATA PROTECTION ACT 1998
REQUEST FOR ACCESS TO PATIENT INFORMATION
NOTES TO ASSIST IN THE COMPLETION OF THE FORM**

We apologise for any inconvenience in asking you to complete this form relating to your recent request for access to personal information. However, you will appreciate that health data relating to any individual is highly confidential and Skene Medical Group must ensure that it releases such data only to the person to whom it relates, or to a person authorised to act on his/her behalf. You should study these notes very carefully and refer to them as appropriate when completing the Request Form. Please complete the Request Form as fully and accurately as possible to enable us to locate your data.

The Data Protection Act 1998 gives you the statutory right of access to any information, manual (paper) or computerised. You may wish to authorise someone else to make your application on your behalf. If you have parental responsibilities you may make an application to see your child's notes (see section 6 of guidance)

If you wish to learn more about your care, you can discuss this with health service staff during your consultation or treatment, and you can ask to see your records at that time. This does not constitute a formal application under the Act and a member of staff is not obliged to agree to your request at this stage. If the member of staff is not able to agree to your request to see your record at this stage or, if at any time you decide you want access to your medical records, you should submit a formal application on this form.

If you wish to complain about any aspect of the manner in which your access request was handled, in the first instance you should submit your complaint in writing to: The Practice Manager, Skene Medical Group, Discovery Drive, Arnhall Business Park, Westhill. AB32 6FG or to the Feedback Service, NHS Grampian, Summerfield House, 2 Eday Road, Aberdeen, AB15 6RE, where it will be dealt with through the NHS Complaints Procedure. If you are still not satisfied with the response you receive you may refer your complaint to the Court of Session, Sheriff Court or Data Protection Commissioner.

Fees Payable

To provide copies of electronic patient health records only there will be a minimum charge of £10. For paper records or a mixture of electronic and paper there will be a charge of £50. Skene Medical Group will charge accordingly unless there are exceptional circumstances, such as when a GP is asked to formally inspect a record of a patient that is not known to him/her, where a fee of £50 will be charged.

Viewing of records of any type without copies, including those held only in electronic form, will incur a £10 charge. It is normal for inspection to be supervised by the Practice Manager or a GP.

The Practice is not required to provide all the information requested if this would involve disproportionate effort. This however would only apply in very exceptional circumstances and may need to be justified to the Information Commissioner in the event of a dispute. At the same time, however, the GP has discretion not to charge for copies should it choose to do so.

Timescale

Skene Medical Group will deal with your request as quickly as possible, however the Data Protection Act allows for 40 days on receipt of request and appropriate fee to completion of the request. If we encounter any difficulties in locating your data we will keep you informed of our progress. As soon as the records are available, you will be contacted to inform you of how to collect the information from the Practice.

Section 1: Patient details

Please ensure that this section is completed as fully and accurately as possible to enable us to trace all the data relating to you. This is particularly important if your name and/or address has changed since the period to which your application refers.

Section 2: NHS Contacts

Please complete as much of this section on your treatments as you can. This will help us to find your details with the minimum of delay. While you are entitled under The Data Protection Act 1998 to receive all the information we hold about you, you may wish only to receive information relating to one or more specific records. If this is the case please specify in the Additional Information box provided or discuss with the person giving access.

Section 3: Type of records requested

The Data Protection Act 1998 covers both manual (paper) and computerised records. Please mark which type of record you wish access to. Manual Records include all your paper records that Skene Medical Group holds, some information will also be held on computer. This will vary depending on your age and time with the Practice.

If you wish to see the original records you will be invited to make an appointment at a convenient time to view them. If you wish to receive photocopies these will be made available for you to collect from the Practice within the timescales outlined by the Data Protection Act.

Section 4: Declaration

This section must be completed by the person making the application.

- a) If you are the patient go straight to Section 5
- b) If you are completing this application on behalf of another person, in most instances, the Practice will require their authorisation before we can release the data to you. The person whose information is being requested should be asked to complete the 'Authorisation' section of the form. (Section 6)
- c) If the patient is a child i.e. under 16 years of age the application may be made by someone with parental responsibilities, in most cases this means a parent or guardian. If the child is capable of understanding the nature of the application his/her consent should be obtained or alternatively the child may submit an application on their own behalf. Generally children will be presumed to understand the nature of the application if aged between 12 and 16. All cases will be considered individually.

Section 5: Applicant

To be completed by the individual making the request.

Section 6: Authorisation

Where a third party is applying on behalf of the patient, the patient must complete this section authorising Skene Medical Group to release information to the named applicant.

Section 7: Countersignature

Because of the confidential nature of data held by Skene Medical Group it is essential for us to obtain proof of your identity and your right to receive any relevant data. For this purpose it is essential that your application should be countersigned by any one of the following: a Member of Parliament, Justice of the Peace, Minister of Religion, a professionally qualified person (for example, Doctor, Lawyer, Engineer, Teacher), Bank Officer, Established Civil Servant, Police Officer or a person of similar standing WHO HAS KNOWN YOU PERSONALLY. **A relative should not countersign.** The responsibility of the Practice's Data Protection Officer includes a check to confirm that the countersignature is genuine. In certain cases you may be asked to produce further documentary evidence of identity. **If you are unable to find someone to countersign, please send two forms of ID – see Section 8.**

The person who countersigns your application is only required to confirm your identity and witness you signing the 'Declaration'. There is no requirement for this person to either see the contents of the rest of the form or to give any assurance that the other particulars supplied are correct.

Your countersignatory **should**:

- have known you for at least two years
- live in the UK

Your countersignatory **should not**:

- be related to you by birth or marriage
- be in a personal relationship with you
- live at the same address as you

Your countersignatory should be a professional person or a person of good standing in the community. The list that follows gives examples of the type of person that would be suitable;

Accountant; bank or building society official; barrister or solicitor; councillor; justice of the peace; member of parliament; minister of a recognised religion; armed forces officer; police officer.

Section 8: Proof of identity

If no countersignature is available, two forms of identity must be provided (one of which must be photographic (clear photocopies), this is to ensure no information is released to unauthorised individuals.

The table below outlines the proof of identity required.

| Type of application | Type of identification requirements |
|---|--|
| Individual applying for their own records. | Two forms of identification required – one of which <u>must</u> be photographic - passport or driving licence and NHS medical card, utility bill, landline telephone bill, local authority council tax bill, bank statement – with all transactions ‘blacked out’, showing your name and address. |
| Application from a representative on behalf of an individual. | One form of identification from the representative and one form of identification from the patient. |
| Application from a person with parental responsibility applying on behalf of their child. | Child’s birth certificate or passport, and one form of identification from the person with parental responsibility. |

If you are unable to provide the proof of identity, the form must be countersigned in section 7.

Where to send completed forms:

Completed forms should be returned to:

The Practice Manager
Skene Medical Group,
Discovery Drive,
Arnhall Business Park,
Westhill,
Aberdeenshire. AB32 6FG

For enquiries or assistance call 01224 849400 and ask to speak to the Practice Manager.

Completed Forms must be accompanied by the appropriate payment (see Section: Fees Payable)
Payment can be paid by cash, Debit / Credit Card or cheques (made payable to Skene Medical Group)