

MEDICAL RECORDS

FACTSHEET

We are hearing from many claimants that their GP is refusing to supply their medical records or a Patient Summary.

Please note:

Except in exceptional circumstances where a professional feels the records may harm, ie Mental Health issues.

The maximum the surgery can charge is £10 for electronic records where you can visit to view and print what you need or £50 for your paper records going back to birth however these can take a few weeks to be sorted.

If you would like to view records, you will need to put this in writing. Nothing in the law prevents Healthcare Professionals from informally showing you your own records, however you will need to make a formal request to arrange a time for this.

You can also request a Patient Summary which details your diagnoses and much more. You must ensure you keep your GP updated. If you are unable to get an appointment for this then write them a letter bullet pointing how your conditions affect you daily, referring to the PIP/ESA descriptors if apply.

Copies of your records are only supplied if you send in a formal request.

Formal requests under the Data Protection Act

Under the Data Protection Act 1998, you have a legal right to request health information held about you. This includes your NHS or private health records held by a GP, Optician, Dentist, or by a hospital. A health record contains information about your mental and physical health by a health professional. You don't have to give a reason to see your records.

Applying for access to your health records

Depending on which health records you want to see, put your request in writing or mail to a registered health professional such as:

- GP surgery
- optician
- dentist
- hospital trust's health records manager or patient services manager

They will decide whether your request can be approved. Sometimes they may refuse to disclose information if, ie information you've asked for contains information relating to another person.

Under the Data Protection Act, requests for access to records should be within 40 days. However, government guidance for healthcare organisations says they should aim to respond within 21 days, although full medical records will take longer.

Can someone else access my health records?

Another person can only access your health records if you authorise them to do so.

Online records

GPs should give patients online access to summary information in their records. Speak to reception at your practice about how to access your health records online.