

Access to CCTV Images

- Images will not be retained longer than is considered necessary, and will be then be deleted.
- All images will be held securely, and all access requests, and access to images will be documented.
- Images may record individuals and / or record incidents. Not all recordings are designed to identify persons.
- Other than in accordance with statutory rights, the release or availability of images will be at the discretion of the Partners to the Practice, who are Data Controllers for the purposes of the Data Protection Act.
- Images are held to improve the personal security of patients and staff whilst on the premises, and for the prevention and detection of crime, and images may be provided to police or other bodies.
- Where access is granted in response to an application received, the image may be edited to exclude images of third parties who may be also included within the requested image. This may be necessary to protect the identity of the third parties. In these circumstances the image released as part of the application may record / identify the "data subject" only.
- Images will be located by the Data Controller or authorised person.

When assessing the content of the image released the decision will be taken by the Data Controllers having due regard to the requirements of the Data Protection Act and Code of Conduct.

Provision of Information to Third Parties

The practice may share your personal information with other NHS organisations where this is appropriate for your healthcare.

In other circumstances we would approach you for specific consent to release personal information to third parties.

Information will not normally be released to other family members without written patient consent

In some circumstances there are statutory or ethical obligations to disclose information to others (such as public health issues) which may not require your consent, however you may be consulted about these in advance.

All staff have access to your medical and personal details as is required in relation to their roles. All have completed, and are bound by, the conditions of our confidentiality agreement.

Terms Used

Data Controller.

This is the controller of the data and the system, as defined in the Act. In this case the Data Controller is Diane Falconer, Practice Manager.

Data Subject.

This is the person whose image is within the system, and who has rights of access as determined under the Act.

Third Party.

A person or body other than the Data Subject who requests access, or to whom an image may be provided.

Tweeddale Medical Practice

Access to Medical Records Under the Data Protection Act 1988

Last Reviewed & Updated 01/07/16



If you require this leaflet in a different format or you need further information or assistance, please contact:
Diane Falconer, Practice Manager

Access to Medical Records

INTRODUCTION

The Data Protection Act 1998 gives every living person (or authorised representative) the right to apply for access to their health records. This is called a **Subject Access Request (SAR)**.

An application made to Tweeddale Medical Practice will give you access to all your medical records which are held at Tweeddale Medical Practice. These are known as your "GP Records". It is important to note that these may not include all information from any hospital visits you have had and only that which has been sent to your GP file will be included in your GP record. In summary, your GP record **may not be your entire NHS record** as hospitals have their own records. Requests for access to such will need to be made, in a similar fashion, via the relevant hospital department.

COSTS

Under the Data Protection Act 1998 (Fees and Miscellaneous Provisions) Regulations 2000, you may be charged a fee to view your health records or to be provided with a copy of them. The maximum permitted charges are set out below and include postage and packaging costs where applicable.

For a copy of your health record, the costs are:

- Health records held solely on computer: up to £10
- Health records held in-part on computer and in-part on paper: up to £50
- Health records held totally on paper: up to £50.

To allow you to view your health record (where no copy is required) the costs are:

- Records held solely on computer: up to £10.
- Records held in-part on computer and in-part on paper: up to £10.
- Records held on paper: up to £10 unless the records have been added to in the last 40 days, in which case viewing should be free.

Once the Data Controller has all the required information, and fee where relevant, your request should be fulfilled, at the latest within 40 days but usually within 21 days (*in exceptional circumstances where it is not possible to comply within this period you will be informed of the delay and given a timescale for when your request is likely to be met*). **There is no facility for immediate access.**

EXEMPTIONS

In some circumstances, the Act permits the Data Controller to withhold information held in your health record. These rare cases are:

- Where it has been judged that supplying you with the information is likely to cause serious harm to the physical or mental health or condition of you, or any other person, or;
- Where providing you with access would disclose information relating to or provided by a third person who had not consented to the disclosure. This exemption does not apply where that third person is a clinician involved in your care.

If you are using an authorised representative, you need to be aware that in doing so, they may gain access to all health records concerning you, which may not all be relevant. If this is a concern, you should inform your representative of what information you wish them to specifically request when they are applying for access.

GPs have ethical obligations around how patient records are shared, and should explain to patients, in broad terms, the implications of making a Subject Access Request so they can make an informed decision on whether they wish to exercise their rights under the Data Protection Act.

The Data Protection Act 1998 (Section 7) specifies the rights of access of the Data Subject.

Making an Access Request

If you wish to request access to your medical record, please submit your request in writing. This should include the following information;

- Details of the record to be accessed (i.e. name, date of birth, address)
- Details of the person requesting access (if different to above & stating relationship to patient – consent from the patient will be required other than in certain exceptional circumstances)
- Details of your application (i.e you wish access to view your records only or you wish to apply for copies)
- If there are just certain parts of your record you wish access to, it is also helpful if you provide details of the time-periods and/or specific aspects of your health record you require (this is optional, but it may help save practice time and resources and reduce the cost of your access request).

We do have a form you can use called an "Application For Access To Medical Records" form – ask at reception or visit our website. On request, we can also provide alternative formats or assistance with your application.

Where copy records are required the fee may be up to a maximum of £50. You will be informed of any applicable fee in advance.

Any fee will be payable on access/collection and we will require to verify your identity.

Please send your application to:

Diane Falconer
Practice Manager
Tweeddale Medical Practice
Fort William Health Centre
FORT WILLIAM
PH33 7AQ