APPLICATION FOR ACCESS TO HEALTH RECORDS  
(in accordance with the Data Protection Act 1998)

Please complete this form in block capitals and in black ink, and return to the address at the end of this document

The PATIENT’s details:

Surname ____________________  Forename ____________________

Address _______________________________________________________

_______________________________________________________________

Date of Birth ____________________ Hospital Number (if known) ____________

Telephone Number/s __________________________________________

If the patient’s name and/or address was different from that given at the time to which the application relates, please give details below:

_________________________________________________________________

_________________________________________________________________

Please provide details of which particular episode of care you wish to have access to:

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<th>Hospital</th>
<th>Ward / Outpatient Clinic / Department</th>
<th>Consultant</th>
<th>Dates</th>
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DETAILS OF THE APPLICANT (if different from above)
Surname _______________________      Forename ______________________

Address __________________________________________________________
_________________________________________________________________

Telephone Number/s ________________________________________________

DECLARATION
I declare that the information I have completed on this form is correct to the best
of my knowledge and that I am entitled to apply for access to the above records(s)
in accordance with the Data Protection Act 1998.

Please delete as appropriate:-

• I am the patient

• I have been asked to act by the patient and attached the patients
  written authorisation

• I am acting in loco parentis and the patient is under age 16 and is
  incapable of understanding the request/has consented to my making
  this request

• I am the deceased patient’s personal representative and/or have a
  claim arising from the patient’s death and wish to access information
  relevant to my claim. I attach confirmation of my appointment.

Signed ____________________________  Date _________________________

IDENTIFICATION
We cannot process your application without proof of identity.

Please indicate which of the following documents are enclosed.

Driving Licence / Passport / Birth Certificate / Confirmation you are the patient’s
personal representative and proof of address e.g. recent utility bill

Please do not send originals
CERTIFICATION

To be completed by a person willing to confirm the identity of the above applicant.

I certify that I am (name) ____________________________________________

Address ____________________________________________

__________________________________________________________________

__________________________________________________________________

And that I have known the applicant for _____ years as an employee / client / patient / personal friend and have witness the applicant sign this form.

Signed ___________________________ Date ______________________

PLEASE RETURN COMPLETED FORM TO FOLLOWING ADDRESS:

Medico Legal Department
Warrington & Halton NHS Foundation Trust
Appleton Wing
Lovely Lane
Warrington
WA5 1QG

Official Use

Date Received ____________________ Signed ______________________

Action
IMPORTANT - Please read these notes before you proceed with your application.

The Data Protection Act 1998, gives a patient, or their representative, with client consent, the right to apply for access to their clients health records. The health records of the deceased are governed by the Access to Health Records Act 1990.

Any request for access to health records must be made in writing or electronically to your GP for GP records or the Records Manager at the hospital for hospital records.

Under the Data Protection Act 1998 (Fees and Miscellaneous Provisions) Regulations 2001, your representative may be charged to view your health records or to be provided with a copy of them. Below are the maximum fee costs. **The fees are the same whether it is an individual applying for access or a representative i.e. solicitor applying on their behalf.**

**To provide copies of patient health records the costs are:-**
- Health records held totally on computer: up to a maximum £10 charge.
- Health records held in part on computer and in part manually: up to a maximum £50 charge.
- Health records held totally manually: up to a maximum £50 charge.

All these maximum charges include VAT, postage and packaging costs.

**To allow patients to view their health records (where no copy is required) the costs are:-**
- Health records held totally on computer: up to a maximum £10 charge, unless the records have been added to in the last 40 days.
- Health records held in part on computer and in part manually: up to a maximum £10 charges unless the records have been added to in the last 40 days.
- Health records held in part on computer and in part manually: a maximum of £10 unless the records have been added to in the last 40 days.

Under the Data Protection Act 1998, there is no obligation to comply with an access request unless the health professional has such information as he or she needs to identify the applicant and locate the information and unless the required fee has been paid. Although the act says the fee has to be paid up front before the health professional complies with an access request, some organisations may not ask for the fee until all the information is gathered and or copied. Your representative should check with the organisation to see what procedure they have in place.

Once the health professional has all the relevant information and fee where relevant, they should comply with the request promptly, within 21 days and by no later than forty days after the request has been made. In exceptional circumstances if it is not possible to comply within the forty day period the applicant should be informed.

Under the Data Protection Act 1998 the health professional has a duty to read through the health records of a patient before they are released. Access may be denied, or limited, where the information might cause serious harm to the physical
or mental health or condition of the patient, or any other person, or where giving access would disclose information relating to or provided by a third person who had not consented to the disclosure. The health professional would only provide the appropriate parts of the health records to the representative as he would the patient.

When or if the health records are released, if the information is not readily intelligible, an explanation (e.g. of abbreviations or medical terminology) must be given by the data controller.

You should be aware that if you provide details on Page 1 of specific parts/periods of your health records you require i.e. information relating to a specific incident, you would eliminate the need for your representative to see irrelevant matters of your health record. There is also the added benefit of saving time and resources on the NHS and possibly reducing the cost of your access request.

Finally, please ensure you have filled in the details on the form and before you sign please discuss with your representative any uncertain issues regarding the release of your health records before you do so. Thank you.