

***What if I think information in my health records is incorrect?***

First talk to the member of NHS staff providing your care. What will be done depends on whether or not NHS staff decide the information is correct.

If they decide the information is incorrect they can amend your record and attach a note to your records explaining why the information has been amended.

If they decide that the information is correct, they will not change it. However, you can choose to have a note attached to your records explaining why you think the information is incorrect.

In most cases, information can't be removed from your records unless a court orders it. NHS staff need your full records to understand earlier decisions that were made about your care and treatment.

***Can I see the health records of someone who has died?***

The law allows you to see records made after 1st November 1991. However, records are generally only kept for three years after death.

You can only see that person's records if you are their personal representative or executor, or, if you have a claim for compensation as a result of that person's death (but only that information which is relevant to the claim). You will not be able to see the records of someone who made it clear that they did not want other people to see their records after their death.

**For information on children and the law contact:**

**The Scottish Child Law Centre  
54 East Crosscauseway  
Edinburgh EH8 9HD  
0131 667 6333**

**(Freephone for under 21s 0800 328 8970)**

**Website: [www.sclc.org.uk](http://www.sclc.org.uk)**

**If you are not registered with a GP or no longer live in Scotland contact:**

**Practitioner Services Division 0345 300 1024**

**For information on welfare powers of attorney and guardianship orders contact:**

**The Office of the Public Guardian  
Hadrian House  
Callendar Business Park  
Callendar Road  
Falkirk FK11XR  
01324 678 398**

**Website: [www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk)**

**For general information about the Scottish NHS  
[www.nhsinform.scot](http://www.nhsinform.scot)**

***POINTS TO CONSIDER***

Making false or misleading statements to access personal information which you are not entitled to is a criminal offence.

Because of the confidential nature of the information held by the practice, it is essential for us to obtain proof of your identity and your right to receive any relevant information. We are unable to comply with any request until we have this information.



**How to see your  
HEALTH  
RECORDS**



*Apply in writing to:*

*Hilary Scott  
Associate Business Partner  
Whinpark Medical Practice  
6 Saughton Road  
EDINBURGH EH11 3RA*

# Your Health Records

## What are my health records?



- They are records that contain information which has been created or gathered as a result of any aspect of the delivery of patient care, including: test results, x-rays or letters to and from NHS staff. Your health record identifies you, provides your clinical history and contains details of investigations, treatment and medication.
- Your records can be written on paper, held on computer or both and may contain images including photographs. Different parts of the NHS hold records.

## How do I ask to see my health records?

- Under Data Protection Legislation, you have a right to access your personal data, and, if you choose, you can get a copy. You don't have to see or get a copy of all of your records—you can ask for just some parts for example after a certain date.
- You must make your application in writing to the Business Manager at the address overleaf asking to see or get a copy of your records. Your application must be signed and dated and you should clearly detail the records or information you want to access.
- You do not need to give a reason for wanting to see your health records.

- You will be asked to provide photographic proof of your identity and a countersignature or certified copies of any legal documents if you are acting on someone else's behalf.
- If you want to see your notes a double (twenty minute) appointment will then be arranged with your GP who will explain any medical terms to you.

## Who can apply to see my health records?

- Generally, you can apply if you're able to understand what is involved in applying to see your records.
- You can apply to see someone else's records if:
  - they have agreed to this
  - you are a parent, guardian, or main carer and your child doesn't understand what is involved
  - you have welfare power of attorney or a welfare guardianship order for someone who cannot make decisions for themselves and the order gives you the power to look at their records in order to carry out your functions.
  - You are the authorised representative of a patient who has given their written consent for you to access their records.

## Can I see all my records?

Some information on your records may be kept from you. This includes information that:

- Could cause serious harm to your, or someone else's, physical or mental health



- Could identify another person (except members of NHS staff who have treated you), unless that person gives their permission.
- When someone else is allowed to see your records, that person will not receive any information that you have told NHS staff you don't want them to have even after your death.
- Where there is genuine concern that a request by a representative is excessive to the stated purpose of the access.
- Access to personal information will be denied where repeated applications are considered excessive; where an applicant has requested access more than twice in a two year period.

## How much does it cost and how quickly can I see my data?

Under the terms of the Data Protection Legislation, data will be provided free of charge. A reasonable fee may be charged to cover administrative costs of proving information if you request further copies of the same information. We will process your application within 30 days and if this is not possible we will contact you to let you know.