

## COMPLAINTS

If you have any complaints about any aspect of your application to obtain access to your health records, you should first discuss this with the Practice.

All complaints will be acknowledged within three working days and a full response will be provided within 21 working days. If a complaint is made verbally to the practice, this will be documented and you will be asked to confirm in writing that you agree with what has been recorded.

If this proves unsuccessful, you can make a complaint through the NHS Complaints Procedure.

Further information about the NHS Complaints Procedure is available on the [NHS Choices website](#).

Alternatively you can contact the Information Commissioners Office (responsible for governing Data Protection compliance) –

Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

Tel 01625 545745 or [www.ico.org.uk/](http://www.ico.org.uk/)

## CCTV IMAGES

- CCTV 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 Data Controller(s) for the purposes of the Data Protection Act 2018.
- 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 are 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 identify the “data subject” only.
- Images will be located by the Data Controller or authorised person.
- The practice regularly reviews compliance with the ICO’s CCTV Code of Practice; continued operational effectiveness and whether the system continues to meet its purposes and remains justified.

## Access to Medical Records under the General Data Protection Regulation



### Rothwell & Desborough Healthcare Group

Desborough Surgery  
35 High Street  
Desborough  
Kettering  
NN14 2NB

Rothwell Medical Centre  
109 Desborough Road  
Rothwell  
Kettering  
NN14 6JQ

## SUBJECT ACCESS REQUESTS

### Introduction

The Data Protection Act 2018 gives every living person (or authorised representative) the right to apply for access to their health records.

### Online Access to Medical Records

As of March 2016, [Coded information from Medical Records / Full Medical Records] can be accessed as part of the Practice's online services. For security reasons, you will have to visit the practice to undertake an identity check before you are granted access to these records.

### Costs

Under the General Data Protection Regulation you **will not normally be** charged a fee to view your health records or to be provided with a copy of them unless the request is judged to be unfounded or excessive. The fee incurred will be based on the administrative cost of providing the information.

Once the data controller (Practice) has all the required information, and fee where relevant, your request should be fulfilled within one month.

In exceptional circumstances it may not be possible to comply with this time period. If this is the case you will be informed of the delay within one month of the request. We will provide you with a timescale of when the information will be made available, which will be no more than three months after the request was made).

## SUBJECT ACCESS REQUESTS

### To make a subject access request

A request for your medical health records held at Rothwell & Desborough Healthcare Group must be made in writing to the Practice

You can apply using an Application for Access to Medical Records Form available from reception or via our website [www.rdhg.co.uk](http://www.rdhg.co.uk)

### 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.

When making your request for access, it would be helpful if you could provide details of the time-periods and aspects of your health record you require (*this is optional, but it may help save practice time and resources*).

## SUBJECT ACCESS REQUESTS

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 can 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.

### Terms Used

#### Data Controller:

This is the controller of the data and the system, as defined in the Act. In this case the Controller is Rothwell & Desborough Healthcare Group

#### 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.

**This leaflet was updated: May 2018**