

CADWGAN SURGERY

HOW TO MAKE A SUBJECT ACCESS REQUEST

Introduction

This policy provides the Practice with a process for the management of requests for personal information, for living individuals, under the General Data Protection Regulations (GDPR) and, for deceased individuals, the Access to Health Records Act 1990.

It defines a process for achieving legislative requirements and ensuring effective and consistent management of such requests.

You are entitled to be:

- Told whether any personal data is being processed;
- Given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people; and
- Given a copy of the information comprising the data; and given details of the source of the data (where this is available).

This extends equally to all relevant records relating to living individuals, including records held in the private health sector and health professionals' private practice records.

Access encompasses the following rights:-

- To obtain a copy of the record in permanent form
- To have information provided in an intelligible format

Scope

This policy applies to any request made by a patient for access to their personal information held by the Practice.

Who can make an Access Request?

An application to the Practice for access to personal data may be made by any of the following:-

- an individual
- a person authorised by the individual in writing to make the application on an individual's behalf e.g. solicitor, family member, carer
- a person having parental responsibility for the individual where he/she is a child.

- a person appointed by a court to manage the affairs of an individual who is deemed incompetent
- individuals who hold a health and welfare Lasting Power of Attorney

Application

- Make a written or verbal application to our Practice
- Provide such further information as the Practice may require to sufficiently identify the individual

Fees and Response Time

Under GDPR the Practice must provide your information free of charge. However, we can charge a “reasonable fee” when a request is manifestly unfounded or excessive, particularly if it is repetitive.

The fee is based on the administrative cost of providing the information only.

Your request will be initially passed to your usual GP who will manage the Subject Access Request.

Your request must be complied without delay and at least within **one calendar month** of receipt of the request. This period can be extended for a further two months where requests are complex or numerous. However, the Practice must inform you within one month of receipt of the request and explain why the extension is necessary.

The Release Stage

The release of a health record is subject to consultation with either:-

- The GP who is currently, or was most recently, responsible for your clinical care in connection with the information which is the subject of the request
- Where there is more than one GP, the GP who is the most suitable to advise on the information which is the subject of the request

Once the records have been collated, and copied, the practice will notify you and to arrange collection.

Monitoring and Review

Ms Karen Owen, Practice Manager monitors all Subject Access Requests, to ensure the correct process has been followed, and monitors any appeals/complaints relating to Subject Access Requests.