



## **Guidance on requesting medical records**

This guidance is designed to help witnesses or potential witnesses to request their medical records. It also covers how to access someone else's medical records (with their consent) and how to access the medical records of a deceased family member.

It is not necessary for a witness to have access to their medical records in order to provide a written statement to the Inquiry. The Inquiry recognises that some individuals who are infected do not wish to obtain their medical records or know that key parts of their medical records are missing. Their personal accounts are highly valuable to the Inquiry, with or without reference to contemporaneous medical records. A written statement does not need to be cross referenced to medical records for it to be treated as reliable.

We recognise that accessing medical records is not always straightforward, so if you have any questions or require assistance then please feel free to contact the Inquiry Team at [witness.support@infectedbloodinquiry.org.uk](mailto:witness.support@infectedbloodinquiry.org.uk) or Freephone 08081691377 and the Inquiry Team will be happy to help.

### **1. How to request your own medical records**

The General Data Protection Regulation, in conjunction with the Data Protection Act 2018, gives every living person the right to apply for access to his or her medical records.

#### **The request must be in writing**

Your request must be made in writing to the appropriate healthcare provider. You should state that you require a copy of your medical records and specify whether you would like all or part of your records. You will often be able to submit your request via email or by post.

Some healthcare providers will have a specific request form that you must fill out. If your healthcare provider does not have a specific form, we are providing a request form that outlines all of the information that you need to include.

#### **Verification of Identity**

Before access to your medical records can be granted your identity must be verified. You must provide two forms of evidence of your identity; this must include one form

of personal photographic identification and one form of proof of address. Acceptable documentation includes: passport, photo driving licence, bank statements and utility bills, but not mobile telephone bills, as they can be sent to different addresses.

## **Response Times**

You are entitled to receive a response from the healthcare provider no later than 28 days after your completed application has been received, provided that you have given enough information to identify you. The 28 days can be extended by a further two months where requests are deemed to be 'complex' or 'numerous'.

Access to your medical records can only be denied in exceptional circumstances. If your access request is declined then please get in touch with the Inquiry Team.

## **Applying to separate healthcare providers**

You will need to apply for your GP records and then separately to each hospital or healthcare provider that you have received treatment at.

### ***i) GP records***

If you are currently registered with a GP you will need to send a request in writing to the practice manager at your GP surgery. Your GP record should include copies of hospital letters.

### ***ii) If you are not currently registered with a GP***

If you are not currently registered with a GP then your records may still be held by the last GP surgery that you were registered with. If your last GP surgery no longer holds your records then, depending on the location of your last GP surgery, you should apply to:

- **England** - Primary Care Support England  
**Address:** The Records Manager, Primary Care Support England, PO Box 350, Darlington, DL1 9QN  
**Email:** [pcse.accessrequests@nhs.net](mailto:pcse.accessrequests@nhs.net)
- **Wales** - NHS Wales Shared Services Partnership  
**Address:** The Records Manager, NHS Wales Shared Services Partnership, HRR Department, NWSSP, Cwmbran House, Mamhilad Park Estate, Pontypool, NP4 0XS  
**Email:** [nwssp-primarycareservices@wales.nhs.uk](mailto:nwssp-primarycareservices@wales.nhs.uk)
- **Scotland** - NHS Scotland Practitioner Services  
**Address:** Records Manager, Practitioner Services, NHS National Services Scotland, Gyle Square, 1 South Gyle Crescent, Edinburgh, EH12 9EB  
**Email:** [adam.bates@nhs.net](mailto:adam.bates@nhs.net)
- **Northern Ireland** - Medical Services Department, Business Services Organisation

**Address:** The Records Manager, Medical Services Department, Business Services, 2 Franklin Street, Belfast, BT2 8DQ  
**Email:** [dpa.bso@hscni.net](mailto:dpa.bso@hscni.net)

### ***iii) NHS hospital records***

To obtain a copy of your hospital records you will need to apply in writing to the hospital's records manager at the hospital where you received your treatment.

Below are links to the various NHS hospital trusts:

- NHS England: [NHS Choices website](#)
- NHS Wales: [NHS Wales Hospital Directory](#)
- NHS Scotland: [NHS Scotland Health Boards](#)
- NHS Northern Ireland: [Northern Ireland Health and Social Care Trusts](#)

### ***iv) Haemophilia centres***

If you are currently registered with a haemophilia centre then you can apply to that centre for a copy of your records.

The National Haemophilia Database (NHD) is a register of UK patients with all kinds of bleeding disorders, which was established in 1969. The database is managed by the UK Haemophilia Doctors' Organisation (UKHCDO), they are required by the Department of Health to collect data on diagnosis, management and complications of bleeding disorders. A complete list of the information that the UKHCDO collect can be seen on their website [www.ukhcdo.org](http://www.ukhcdo.org). If you would like to request a copy of any information that the NHD holds about you then you will need to complete this [application form](#).

## **2. Can someone else request your medical records on your behalf?**

Medical records are strictly confidential so you can only access someone else's records if you:

- are acting on their behalf and have been given their consent to do so;
- have legal authority to make decisions on their behalf (power of attorney);
- have another legal basis for access.

If you wish to access someone else's medical records you will need to submit a request in writing to the relevant healthcare provider with the patient's written consent. If the healthcare facility does not supply an application form, we have provided a request form that outlines all of the information that you need to include.

## **3. How to access the medical records of a deceased family member**

**Retention periods for the medical records of a deceased patient**

GP records are generally retained for 10 years and hospital records for 8 years after a patient's death.<sup>1</sup>

### **Making a request for the purpose of the Inquiry**

Next of kin do not have an automatic right of access and requests will be considered by the record holder on a case-by-case basis to decide whether disclosure is in the public interest. You should make it clear that your request is for the purpose of providing evidence to the Infected Blood Inquiry.

### **What information should you include in the request?**

The applicant must provide details and evidence of their relationship to the deceased. If the healthcare provider does not have their own form, we have provided a request form that outlines all of the information that you need to include.

### **Who should you send the request for a deceased family member's records to?**

When a person dies their GP and hospital records will be forwarded to a NHS service facility. Please send your request to the record holder at one of the below services, depending on where the deceased person last resided (the contact details for these services are outlined above under section (1)(ii)):

- Primary Care Support England
- NHS Wales Shared Services Partnership
- NHS Scotland Practitioner Services
- Medical Services Department, Business Services Organisation
- National Haemophilia Database (link to the application form under section (1)(iv))

If you encounter any issues then please contact the Inquiry Team.

## **4. The cost of accessing medical records**

The Chair of the Inquiry, Sir Brian Langstaff, has written to the NHS Chief Executives in England, Wales, Scotland and Northern Ireland, to request that any fees that would normally be charged to access and obtain copies of medical records (included the records of deceased persons) are waived for people who are infected and affected, for the purpose of providing evidence to the Inquiry.

So far Sir Brian has received confirmation from the Chief Executives of NHS England, Wales and Scotland that all fees that would normally be charged will be waived, and is awaiting confirmation from the Chief Executive of Northern Ireland.

The letters to the NHS Chief Executives and their responses can be viewed on the [Inquiry website](#).

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<sup>1</sup> <https://www.bma.org.uk/advice/employment/ethics/confidentiality-and-health-records/retention-of-health-records>