Access to Health Records Act 1990 – Access Application Form

V4 May 2018

Criteria for Access

The Access to Health Records Act, 1990 lays down strict guidance on what personal information can be provided to a third party regarding a deceased patient. Our application form has therefore been designed to provide us with sufficient information to ensure that we only provide access to those who are legally entitled to receive this.

The Act gives certain people a right to see the health records of somebody who has died. These people are defined under section 3(1)(f) of that Act as:

1. The patient’s personal representative. This will be the executor or administrator of the deceased person’s estate.
2. Any person who may have a claim arising out of the patient’s death.

If you meet the criteria outlined above and wish to access someone’s records you should complete this form.

We would like to draw your attention to the following points:

☐ Next of kin have no automatic right of access to these records;
☐ Individuals meeting the criteria above will be required to provide proof, e.g. a copy of the will naming an executor or a letter from solicitor regarding a claim;
☐ The Act only allows access to records recorded after 1 November 1991;
☐ You may not be able to see information which could cause serious harm to your physical or mental health, or anyone else’s;
☐ You may not be able to see information which could identify another person (except members of NHS staff who have treated the patient), unless that person gives their permission;
☐ You won’t be able to see the records of someone who made it clear that they didn’t want other people to see their records after their death;

In most circumstances there will be no cost to receive this information

Response time

We will deal with your request as quickly as possible, and within a calendar month of us receiving your completed application form. If we have any problems getting your information, we will keep you up to date on our progress.

Points to consider

Accessing health records and information is an important matter. Releasing information may in certain circumstances cause distress. You may want to speak to an appropriate health professional before filling the form in.
Access to Health Records Act 1990 – Access Application Form
V3 February 2014

We ask for a countersignature (see section 5 of the form) because we have confidential information and we must get proof of your identity and your right to receive any relevant information.

If you wish to make an access request you should complete this form and return this to:

Health Records Legal Manager
NHS Greater Glasgow & Clyde
Administration Building
Floor 2
Gartnavel Royal Hospital
1055 Gt Western Road
Glasgow
G12 0RH

Please fill in this application form using BLOCK CAPITALS and black ink.

Section 1: Right of Access – (evidence required)
I am the executor / administrator for the estate of the person who has died □
I have a claim arising from the patient’s death and want to access information relevant to my claim □

Section 2: Patient Details

Please fill in this section as fully and accurately as you can with the personal details of the patient this access request is about.

First name:

Last name:

Address (including postcode):

Date of Birth: Sex:

CHI (Community Health Index) or Hospital Reference Number (if known)