

### *How can I get the information you hold about me?*

By contacting the Wolverhampton Primary Care Trust, Customer Services Department, at the address overleaf, or, for your general health records, ask at the Reception in your GP surgery. In your letter, please give your name, address, date of birth and if possible your NHS number to help us to identify your information quickly. While you are entitled to see your records as far back as they are held, it is helpful if you state how far back you wish to see the records, e.g. last two years. You should be able to access this information within 40 days.

### *What information will I get?*

1. Details held about you on the computer.
2. Details held in manual (paper-based) records.

You will either get a computer printout or a photocopy of your manual records. This is yours to keep and check to see if it is correct. We will help you if you do not understand any of the data. We can also arrange for information to be translated if necessary.

### *Do I have to pay?*

Depending on whether you want to access just the computer records, or the manual ones, or both, there may be a charge of up to £50. This will need to be paid before your record can be made available.

### *What if the data is not correct?*

You can write to us (or your GP as appropriate) stating which details are wrong and asking for your records to be amended. We will tell you whether we have done this and if we do not change it because we feel it is correct, you can:

- Ask us to add a note on your records that you disagree; or, if this is not satisfactory,
- Appeal to the Information Commissioner; take legal action.

### *What If I think information is missing?*

You can appeal to the organisation through its complaints system or failing that, you can ask the Information Commissioner to look into the matter on your behalf.

### *How can I stop an organisation using my personal information for a purpose likely to damage or distress me?*

You can write to the organisation stating why the use of your personal data would cause you damage or distress.

### *How do I know you have done what I ask?*

We will inform you of what we have done, and if we do not do this, or refuse to do what you ask, you can take legal action.

### *What can I claim compensation for?*

If you suffer damage or distress, either as a result of our failure to comply with the rules and conditions of the Data Protection Act, or from our use of inaccurate data, you could claim compensation.

All claims must be made through the courts. You must show either that we did not take reasonable care to comply with the Act, or that you suffered damage or distress from our use of inaccurate data.

**For more information or to request access to your health records, contact either your GP surgery, or for the Primary Care Trust, contact:**

**Customer Services  
Wolverhampton Primary Care Trust  
Coniston House  
Chapel Ash  
Wolverhampton  
WV3 0XE**

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## Information about the Data Protection Act and access to your Health Records.



### **What is the 1998 Data Protection Act?**

It is a law that protects personal information about individuals. It means you must be told why the information is being collected, what it will be used for and by whom. Data is protected no matter whether it is stored in printed form, on a computer, or as audio visual media, and no matter why it is collected or who collects it.

### **What are my rights?**

- To ask any organisation if it holds personal information about you.
- To see what information they hold about you e.g. your health records.
- To be given a copy of the information.
- To be given details about what the organisation uses the information for, and details of other organisations (or persons) with whom it is shared.
- To ask for incorrect data to be corrected.
  - To compensation for damage or distress caused by an organisation failing to comply with certain requirements of the Act.

The NHS Care Record Guarantee for England sets out the rules that govern how your information is used in the NHS and what control you have over this. Everyone who works for, or is contracted to the NHS has to comply with this guarantee which you can access at <http://www.nigb.nhs.uk/guarantee>.



### **Why does the NHS need to keep personal information?**

The main reasons we collect information are to:

- Give you proper healthcare and treatment.
- Help us to look after the health of the general public.
- Manage and plan the NHS. For example to:
  - Make sure services can meet patient needs in the future.
  - Pay your GP, nurse, dentist and any other staff or hospital that treat you.
  - Prepare statistics on NHS performance and activity (steps are taken to ensure you cannot be personally identified).
- Investigate complaints, legal claims and cases of fraud.
- Help staff monitor care to make sure it is of the highest standard and is effective.
- Train and educate staff (you choose if you wish to take part).
- Carry out health research approved by the Local Research Ethics Committee (should any research involve you personally you will be asked for your permission).

We keep this information, together with details of your care, in order to provide you with the best care or treatment in the future.

The NHS holds a central list of basic personal details for all patients registered with a GP. Previously this has not contained any medical information, but if/when it is implemented, the Summary Care Record will extend this to include basic medical data, such as allergies, current medication etc. You have the option to say 'no' to your information being placed in the Summary Care Record.

### **Do you need my permission to use my personal data?**

There is some information that we have to pass on because it is the law, e.g. to notify the birth of a baby. Otherwise, we will only use information you give us for the specific purposes for which we have originally collected it. We would need to ask for your permission (known as consent) before using it for anything else.

### **Is information about me passed to other people or organisations?**

The main reason we collect information from you is for your health care. We will ask for your consent before we share information with other individuals (or organisations), who are not directly related to this original purpose. For example:

- If you are receiving care from other people (such as Social Services) as well as the NHS, we may ask for your consent to share information so that we can work together for your benefit.
- Your relatives, carers or friends may need to be kept up to date with the progress of your treatment, but only if you consent.

However, information about you is only passed on if there is a genuine need and it is in everyone's best interests to do so. Whenever possible all details which identify you are deleted.

Your information may also be accessed by NHS staff for the purpose of monitoring performance and activity and to maintain the efficient running of patient systems. However, everyone working for the NHS has a legal duty to keep information about you confidential.

Anyone who receives information about you from the NHS also has a legal duty to keep it confidential. The NHS does not use personal information for direct marketing purposes.