

Our Services

Clinical Negligence

Accessing your medical records

If we are investigating a claim on your behalf then we can apply for your medical records for you, but you may wish to do this yourself.

Everyone has the right to ask for copies of their medical records including x-rays under the Data Protection Act 1998. The next of kin/executor can also get copies of the medical records of someone who has died using the Access to Health Records Act 1990. If you want to get medical records from a hospital it is a good idea to phone the medical records department as there may be a form to complete.

You can be asked to pay a fee to receive copies of your medical records. Under the rules of the Data Protection Act 1998 this cannot be more than £50.

If you are applying for the records of someone who has died, the charge under the Access to Health Records Act 1990 is unlimited.

If a doctor thinks that seeing your records may harm your mental health they can refuse to release part or all of them.

There can sometimes be an argument about whether your medical records are correct. If you feel that your records are inaccurate then the Office of the Data Protection Act Commissioner can give you advice on what action you may be able to take.

When you get your records please do not mark them or write on them. Make any notes on a separate sheet of paper and try and keep the notes in the same order as when you received them.