PrimaryCare:24

STANDARD OPERATING PROCEDURE DOCUMENT (SOP)

Title	**Subject Access Requests**		**Doc. No.**	**IG405**
Scope	**Information Governance**	**Governance Team**		
Purpose	To ensure requests for information are processed in line with the Access to Health Records Act 1990, Data Protection Act 2018 and accurate, appropriate records are provided promptly.			
Guidelines	Individuals have the right under the Data Protection Act 2018 to have access to the personal records held by Primary Care 24 (Merseyside) Ltd. Requests may be received from statutory sources (eg Coroner’s Office), solicitors or individuals. Requests can be verbal or in writing.			

PROCEDURE		**RESPONSIBILITY**
1	Subject access requests received by Primary Care 24 (Merseyside) Ltd 4 are date stamped upon receipt and passed to the Governance Team to log on to the relevant spreadsheet for processing which has protected access. If a request is received by telephone you must confirm who is making the request in order to ensure that they have the right to the information. Requests from third parties require evidence of patient consent so should be written.	Governance Team
2	Any request received from a third party must be accompanied by a letter of consent, from the individual whose information is requested, to that information being disclosed to that particular third party. If a consent form is not signed by the patient/staff member and enclosed, a letter should be sent the same day requesting consent and including a consent form. Requests must be responded to in writing ie letter or email. No information should be disclosed over the telephone. The time limit for providing information is **30** calendar days, though this can be extended in consultation with the Data Protection Officer in certain circumstances.	Governance Team
	Where the request relates to a patient, details of the call will be on the Adastra system and can be looked up and a print out of the computer record obtained immediately. If information relates to a member of staff it should be passed to the HR team for action (see also 4 below).	Governance Team HR Team

4	If the information relates to a patient, it should be reviewed by a clinician once it has been obtained to ensure that disclosure does not breach the Caldicott principles in relation to that or any other patient. If the request does not relate to a patient, it should be reviewed by a second member of the Governance/HR team to ensure that disclosure does not breach the confidentiality of any other individual.	Governance Team Governance/HR
5	From 25 May 2018 (under General Data Protection Regulations) no charge can be made for the provision of information under a Subject Access Request unless the response is unreasonable or excessive.	Governance Team
6	If there is any query regarding the response to a Subject Access Request, guidance can be obtained by contacting the Information Governance Lead (Company Secretary), Caldicott Guardian (Medical Director) or the Governance Team.	
7	Every stage of the access request should be logged on the relevant spreadsheet on the shared drive which has protected access.	Governance Team

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Version	V4.2
Supersedes	All previous versions
Approving Managers/Committee	Information Governance
Date Ratified	September 2007 (original)
Department of Originator	Information Governance
Responsible Executive Director	Director of Service Delivery (SIRO)
Responsible Manager/Support	Information Governance Lead
Date Issued	September 2007 (original)
Next Review Date	October 2019
Target Audience	Governance/HR Teams

Version	**Date**	**Control Reason**	**Accountable Person for this Version**
V1-3	**09/2007 – 2017**	**Reviewed and updated**	**Various**
V4	**03/2017**	**Reviewed and updated**	**IG Lead Manager**
V4.1	**31/05/2018**	**Update for GDPR**	**IG Lead**
V4.2	**23/4/2019**	**Update to clarify source of requests and time limits**	**IG Lead/DPO**

Reference documents	**Electronic Locations**	**Locations for Hard Copies**
	Primary Care 24 (Merseyside) 24 Intranet / Corporate Policies/ Current SOPS/ Information Governance	Standard Operating Procedures File in the Call Centre.

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