

Subject access request (SAR) Policy

Stockton Heath Medical Centre

- Individuals have the right to access their personal data.
- This is commonly referred to as subject access.
- Individuals can make a subject access request verbally or in writing.
- You have one month to respond to a request.
- You cannot charge a fee to deal with a request in most circumstances.
 - **Personal data** means data which relate to a living individual who can be identified –
 - (a) from those data, or
 - (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,
 - and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual

Checklist for processing SAR:

1. Is it a subject access request?
2. Do you have enough information to be sure of the requester's identity?
3. Do you need more information from the requester to find what they want?
5. Do you have the information the requester wants?
6. Will the information be changed between receiving the request and sending the response?
7. Does it include information about other people? Do you have consent from the third party to include information about them?
8. Are you obliged to supply the information?
9. Does the information contain any complex codes or terms?

Prepare the response

You must make sure you explain the codes so that the information can be understood.

You must provide a copy of the information in a permanent form unless the individual agrees otherwise, or doing so would be impossible or involve disproportionate effort.

Third Party information: You will not have to supply the information unless the other people mentioned have given their consent for the disclosure, or it is reasonable to supply the information without their consent.

If you decide not to disclose the other people's information, you should still disclose as much information as possible by redacting the references to them.

GP to follow checklist below:

- *Have the records been checked for third party information (family medical history or information shared in confidence by family member or third party etc)?*
- *Have the records been checked for sensitive information that may cause harm/distress to patient or someone else (safeguarding information/domestic violence etc)?*
- *Has the information been redacted?
If not, you need to advise administrator what information needs to be redacted; be specific.*

Administrator: Photocopy what they need, or print a full summary with documents from computer if this is what they have requested. In certain circumstances there may be certain consultations the doctor may not want to go, if it references third parties such as spouse or anyone other than themselves. These need to be cut out of what's photocopied or printed and then the remainder sellotaped back together (or use a permanent marker to block out information and photocopy the page whichever is easier).

Read code for recording receipt of SAR:

9ER – Solicitor request for copies of medical records

8MA – Patient requests copies of medical records

Reviewed 15/5/18 – Karen Chriscoli