



Accessing Your Health Records: GENERAL

Under UK law, including the [Data Protection Act 2018](#) and the UK General Data Protection Regulation (UK GDPR), you have a legal right to access personal information held about you by health and care organisations.

1. Your Right to Access Your Own Medical Records

You can request a copy of your health records via a **Subject Access Request (SAR)**.

- **Cost:** In most cases, this is **free of charge**. A fee may only be charged if a request is "manifestly unfounded or excessive," such as repeated requests for the same information.
- **Reasoning:** You do not need to provide a reason for your request.
- **Third Parties:** You can authorise a solicitor or relative to apply on your behalf with your written consent.

2. How to Apply

Health records are not held in one central location; you must contact each service provider (GP or Hospital) directly.

- **GP Records:**
 - **Online:** Use the [NHS App](#) or NHS website to view recent records, or ask your surgery for full online access.
 - **Directly:** Contact your GP surgery via letter, email, or by speaking to a receptionist.
- **Hospital Records:**
 - Contact the **Records Manager** or **Patient Services Manager** at the specific [NHS Hospital Trust](#) where you received treatment.
 - Many trusts provide dedicated online portals or [Subject Access Request forms](#) on their websites.

3. Timescales for Provision

Organisations must provide your records without undue delay and at the latest within one calendar month (28–31 days) of receiving your request and verifying your identity.

- **Extensions:** For complex or numerous requests, this period may be extended by a further two months. You must be informed of any extension within the first month.

4. Important Limitations

Access may be restricted if a healthcare professional determines that viewing certain information would likely cause **serious harm** to your physical or mental health or that of another person. Information identifying **third parties** (who have not consented) may also be redacted.

5. Obtaining copies of the Health Records of a Deceased patient

Under UK law, medical records remain confidential even after death. Only specific people have a legal right to access them.

The Two Categories of Applicants are :

1. **The Personal Representative:** This is the **Executor** named in the deceased's Will, or the **Administrator** of the Estate if there was no Will. They usually have a full right of access.
2. **People with a Claim:** If you are not the Personal Representative, you can only apply if you have a **legal claim** arising from the person's death (e.g., a life insurance dispute or a medical negligence claim).
 - **Note on Next of Kin:** Simply being the "next of kin" does **not** grant an automatic right of access unless you also fall into one of the two categories above.

Where to Apply

Requests must be made in writing to the specific organisation that held the records.

(a) GP Records

- **Current Practice:** Apply directly to the **Practice Manager** of the last GP surgery where the deceased was registered.
- **Closed Practices:** If the surgery has closed or the patient was unregistered, apply to [Primary Care Support England \(PCSE\)](#).
- **Service Personnel:** For deceased members of the UK Armed Forces, apply to the [Ministry of Defence \(MOD\)](#).

(b) Hospital Records

- **NHS Hospitals:** Apply to the **Access to Medical Records Team** or the **Records Manager** at the specific NHS hospital the deceased attended.
- **Private Hospitals:** Apply to the administration department or the **Medical Records Manager** of the private facility.

Required Documentation: You will typically need to provide proof of identity and legal status, such as a **death certificate**, a **copy of the will** naming you as executor, or a **Grant of Probate**.

How long will it take?

Under the law, the record holder must respond to your request within:

- **40 Days:** The standard timeframe for most requests.
- **21 Days:** If the records were updated within the 40 days prior to your application.

How long are records kept after the death of a patient ?

In the UK, the length of time GP records are kept after a patient's death depends on your location, although **10 years** is the standard for most of the country.

- **England, Wales, and Northern Ireland:** GP records must be retained for **10 years** after the patient's death.
- **Scotland:** GP records are typically kept for **3 years** after death, though some practices may hold them longer.
- **Electronic Records:** Many modern Electronic Patient Record (EPR) systems in England and Wales are required to store data **indefinitely** or "for the foreseeable future" because they cannot always be permanently deleted while maintaining an audit trail.

Important Exceptions

Retention periods can be extended beyond the standard 10 years in specific cases:

- **Children & Young People:** If a patient died as a child, records are often kept until what would have been their **25th or 26th birthday**.
- **Maternity Records:** Historical obstetric and midwifery records are usually kept for **25 years** after the birth of the last child.
- **Legal & Public Inquiries:** Records may be held longer if they are relevant to ongoing investigations, public inquiries, or active legal claims.
- **Armed Forces & Prisoners:** Records for these individuals are often not destroyed and may be kept for a much longer period (up to **100 years** in some cases).

Note on Storage: Since August 2022, the last registered GP practice in England is responsible for storing the deceased's records for the full 10-year period rather than sending them immediately to Primary Care Support England (PCSE)

Notes to assist :

- **Be Specific:** If you only need records for a certain timeframe or a specific illness, state this. It can speed up the search.
- **Fees:** Accessing records is usually **free of charge**. However, a "reasonable fee" may be charged for administrative costs if the request is excessive or for multiple copies.
- **Denial of Access:** Access may be refused if a doctor believes the information would cause "serious harm" to someone's physical or mental health, or if the deceased person explicitly stated they did not want their records shared.