

Peninsula Medical Practice
Access to information under the
Freedom of Information Act
and
The Data Protection Act



Practice Policy Document No. 15

V2.0

March 2019

Contents

Purpose	2
Freedom of Information Act 2000	2
Data Protection Act 2018.....	2
Review.....	3
Declaration.....	3



Purpose

The purpose of the policy is to set out the rights of patients and other parties to request information about themselves or the Practice under the Freedom of Information Act, or the Data Protection Act.

Freedom of Information Act 2000

All a patient of this Practice, members of the public in general and properly interested persons, including the media, are entitled to request information about this Practice.

Some information should not be provided (where it is prejudicial to the interest of the person involved, or will breach a proper duty of confidentiality); in which case we will explain the reasons why we are withholding this information. Such exceptions will normally only apply to sensitive personal matters.

The Practice may choose not to reveal commercially sensitive information if it believes that it may damage its business interests.

The Freedom of Information Act does not affect the Practice's patients' rights to the protection of confidential information concerning them under the:

- Human Rights Convention (Article 8);
- Data Protection Act;
- Common Law.

Clinical and professional staff of the Practice are also bound to maintain the confidentiality of patient information by their professional licensing bodies.

The Practice has a legal responsibility to respond to requests for information about the Practice. The Practice will respond to any such requests received in writing within 20 days, however, there may be a charge for the information requested, but you will be informed of the charge and requested to pay prior to the information being released.

Applications for release of information under the Freedom of Information Act should be made to the practice manager, Mrs Noreen Atkinson.

Data Protection Act 2018

The rights of patients to see any personal data held on computer and on paper records concerning them are provided by the Data Protection Act 2018.

It incorporates the General Data Protection Regulations (GDPR)

The Act provides for right of access to personal information about them held by public authorities and private bodies regardless of the form in which it is held. They are entitled to

see their medical records, and any records of children for whom they have parental care¹; and to have copies of all such records, for which no fee is chargeable.

All requests for access to, or copies of records, must be dealt with promptly, and in no greater than 40 days.

The practice will set out its duties under DPA (2018) in a leaflet accessible to patients.

Review

This policy will be reviewed within three (3) years of its implementation, or sooner if any significant changes in best practice are advised by the Department of Health, or that any new legislative changes or legal precedents require its revision.

Declaration

This policy will be binding upon all employees of the Peninsula Medical Practice from the 1st November 2012.

We, the partners, have reviewed and accepted this policy.

Dr Diane Ruell
Dr Michael Bunter
Dr Nick Gent

1st November 2012

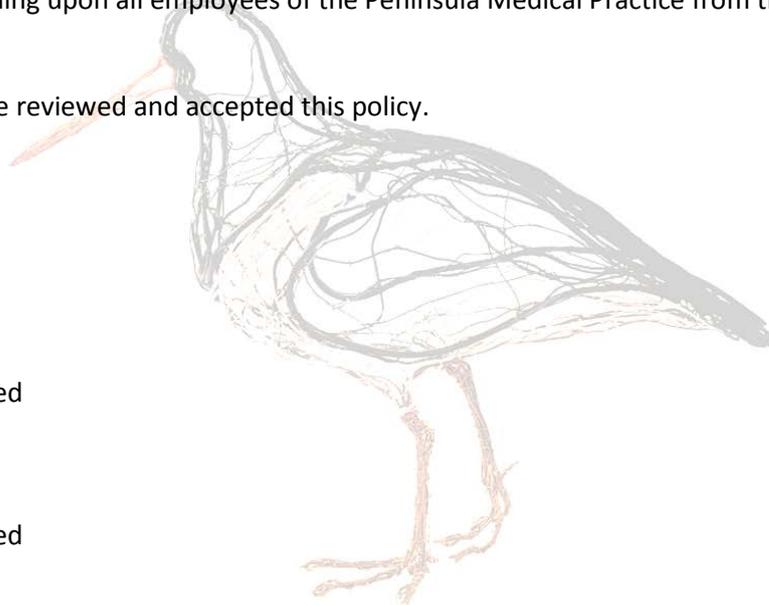
Reviewed and amended

1st March 2014

Reviewed and amended

1st March 2019

NG



¹ In the case of parents, guardians, or partners who are living separate lives, are separated or divorced seek guidance from the practice business manager as to whether a party has the formal status of a person having parental care.