

## Guidance Notes

The following guidance has been produced to assist you in completing the Access to Personal Information Form and should be read in conjunction with the Trust Leaflets entitled "Your Information" and "Confidentiality and Access to Records".

### Section 1: Your Details

This section is collecting your name, address, telephone number, e-mail and date of birth in order that we can contact you with any queries we may have and ensure you receive any information required as part of your enquiry.

### Section 2: Details of the person you are enquiring about (where different from Section 1)

Where you are asking for information about someone other than yourself, we need information about the person to whom the enquiry relates including their date of birth and any other names they may be known by. This enables us to locate the correct information.

### Section 3: Details of Enquiry

In order to handle your enquiry promptly, we need clear instructions about your expectations and requirements.

There are a number of options available to you when making enquiries about accessing information including the ability to have a telephone call with or face-to-face meeting with an appropriate member of staff. Should you choose to have a telephone call or face-to-face meeting, please rest assured this does not prevent you from requesting to receive copies at a later date.

If you are or have been a Service User, or are acting on behalf of a Service User please complete Part 1 of Section 3. We have also asked for information here about the name of your Health Professional and location attended as this additional information assists us in ensuring we locate all information relevant to your enquiry.

If you are or have been an Employee, or are acting on behalf of an Employee, please complete Part 2 of Section 3.

Whether you complete Part 1 or Part 2, please carefully read all the options available to you in sections (a) to (c) and advise us which of these best meets your needs by ticking the relevant box to the right of your chosen option. You can always contact us if you are unsure and need further advice and assistance.

### Section 4: Declaration and Authority for Request

Section 4 asks for confirmation of the authority under which you are making your enquiry. We need to undertake some checks when processing your enquiry which differ depending on the circumstance of your enquiry, your relationship with the Trust and/or the individual about whom you are enquiring where this is not you.

Most enquiries fall within the first five options which are detailed in this Section but where none of these apply to your situation, option six provides the ability for you to give us information about your enquiry. Please carefully read all the options available to you and advise us which authority best meets your circumstances by ticking the relevant box to the right of your chosen option. Some further information about each option is detailed below:-

- (1) Individuals are asked to assist us by providing identification documents to support their enquiries. This provision of identification enables us to meet our obligations under the Data Protection Act by assuring ourselves of your identity. The identification provided should consist of two forms of identity documents, at least one of which is photographic (i.e. driving licence, passport) and the other providing proof of address such as a recent utility bill. We are happy to accept photocopies however, if you need to send originals, please rest assured these will be returned immediately by recorded delivery.

- (2) If you are acting on behalf of an individual, as well as providing identity information (as detailed in (1) above), we would ask that you ensure your enquiry is accompanied by an appropriate form of authority from the individual themselves which authorises the Trust to handle your enquiry. It is important that this form of authority is explicit to your requirements and is signed and dated by the individual within the last six months.
- (3) If you are acting under a Power of Attorney, we would be grateful if you could send us a copy of the Court sealed Power to accompany your enquiries.
- (4) For those individuals who are acting on behalf of their children, it is sometimes necessary for us to obtain your child's consent as well as your own.
  - a) Age up to 10 – parental consent only is required. Please send us a copy of your child's birth certificate or a copy of the document appointing you with parental rights along with identification documents as detailed in (1) above.
  - b) Age 10 and over – please arrange for your enquiries to be accompanied by your child's authority, authorising the Trust to handle your enquiry along with identification documents as detailed in (1) above.
- (5) Where you are making enquiries about a Service User who is deceased, your enquiries will be managed under a separate piece of legislation called the Access to Health Records Act. This sets out several circumstances under which access to the information we hold may be provided and these options are laid out in (5)(a) to (5)(d).
  - a) If you are acting as Executor as appointed by the Last Will and Testament, please be kind enough to accompany your enquiries with a copy of this document;
  - b) If you are not the Executor but act with their blessing, please be kind enough to accompany your enquiries with a copy of the Last Will and Testament and a form of authority allowing the Trust to manage your enquiries;
  - c) If you are making enquiries to support a claim arising out of the death, we would appreciate information about the claim and how you feel this is relevant to the information we hold. This information will enable us to ensure that the information most relevant to your enquiries is easily identified; and
  - d) Sometimes, none of the above options meet your circumstances. If this is the case, the Trust will consider enquiries from individuals who were related to the deceased (e.g. next of kin) on a case-by-case basis. Please choose option (d) in these circumstances and provide us with information to evidence your relationship so that we may consider your enquiries.
- (6) If none of the previous options fit with your situation, please use Option (6) to advise us of the reasons behind your enquiry and the authority under which access to the records is being sought.

**If you have any questions about this process which have not been answered by either this Guidance Note or our supporting leaflets, please do not hesitate to contact the Information Rights Department. A member of the Team will be more than happy to assist you and help you through this process.**

**Information Rights Department  
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St Michaels Road  
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