

# Subject Access Requests (SARs) Policy

## 1. Purpose

This policy sets out how Longtown Medical Practice manages requests for access to personal data under:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Access to Health Records Act 1990 (where applicable).

The practice is committed to protecting patient confidentiality while ensuring lawful access to personal information.

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## 2. Core Principle

A Subject Access Request (SAR) is a **personal right of the data subject (the patient)** under Article 15 UK GDPR.

The practice will fulfil SARs in a manner that:

- Protects confidentiality
  - Maintains clear governance and accountability
  - Reduces risk of inappropriate onward disclosure
  - Complies fully with UK GDPR.
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## 3. Making a Subject Access Request (Revised Version)

A Subject Access Request (SAR) must:

- Be made in writing (email or letter acceptable);
- Clearly state that access to personal data or medical records is being requested;
- Specify, where possible:
  - The relevant date range (e.g. “January 2020 – present”);
  - The type of information requested
  - Whether the request relates to the full record or a specific episode of care;
- Provide sufficient information to identify the patient;
- Include proof of identity.

Where a request is broad or unclear, the practice may contact the patient to seek clarification regarding the scope of the request.

In such cases, the statutory one-month response period will begin once sufficient clarification has been received, in accordance with Article 12 UK GDPR.

The practice will not refuse a valid SAR solely because it is broad; however, clarification may be required to ensure accurate and proportionate disclosure.

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## 4. Disclosure Arrangements – Patient-First Model

### 4.1 Standard Position

Subject Access Request responses will be provided **directly to the patient only**, even where a solicitor, insurance company or other third party submits the request on the patient's behalf.

Patients may then share their records with any third party of their choosing.

This ensures:

- Protection of confidentiality
  - Clear accountability for onward disclosure
  - Reduction in duplicate and repetitive requests
  - Compliance with UK GDPR principles.
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### 4.2 Requests Submitted by Solicitors or Third Parties

Where a solicitor or other third party submits a SAR:

- The practice will verify the patient's identity.
- The SAR response will be sent directly to the patient.
- The practice will not ordinarily send records directly to the solicitor.

The right of access belongs to the patient, not the solicitor.

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### 4.3 Exceptions to the Patient-First Model

The practice may disclose directly to a third party only where:

- There is a **court order or statutory obligation** requiring direct disclosure;
- The patient lacks capacity and the requester holds valid legal authority (e.g. Health & Welfare Lasting Power of Attorney, Court-appointed Deputy);
- The patient is deceased and disclosure is lawful under the Access to Health Records Act 1990;
- Exceptional circumstances apply and are agreed by the Data Protection Lead.

Any exception will be documented.

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## 5. Repeat or Excessive Requests

Where a patient requests access to information that has already been provided within a reasonable timeframe, the practice will:

1. Confirm the date and scope of the previous disclosure.
2. Inform the patient that the information has already been supplied.
3. Offer access again directly to the patient where appropriate.

The practice will not routinely re-issue identical records multiple times.

Where a repeat request is for substantially the same information and no new data has been added, the practice may:

- Provide confirmation that no new information is held;
- Provide access to any additional records created since the previous disclosure;
- Charge a reasonable administrative fee where the request is manifestly excessive in accordance with Article 12(5) UK GDPR; or
- Refuse to act on the request where it is clearly excessive, providing written justification and information about the right to complain to the ICO.

Each case will be considered individually and the rationale documented.

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## 6. Special Circumstances

### 6.1 Children

- A child with sufficient maturity and understanding (Gillick competence) may make their own SAR.
- Parents with parental responsibility may request access unless the child is competent and objects.

### 6.2 Deceased Patients

Requests will be managed under the Access to Health Records Act 1990 and limited to:

- Personal representatives (executors), or
- Individuals with a claim arising from the death.

## 6.3 Incapacitated Adults

Disclosure may be made to:

- A person holding valid Health & Welfare LPA;
- A court-appointed deputy.

Proof of authority must be provided.

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## 7. Timeframes

The practice will respond:

- Within **one calendar month** of receipt of a valid SAR.
  - This may be extended by up to two further months where the request is complex or numerous (the patient will be informed).
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## 8. Fees

SARs are normally free of charge.

A reasonable fee may be charged only where:

- The request is manifestly unfounded or excessive;
  - Additional copies are requested.
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## 9. Method of Supply

Information will normally be supplied:

- Securely via encrypted email or secure portal;
- Paper copy collected in person (with ID); or
- Recorded delivery to the patient's registered address.

Records will not ordinarily be sent directly to third parties.

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## 10. Safeguards and Redactions

Before release, records will be reviewed to:

- Remove third-party information where disclosure would breach confidentiality;

- Withhold information where disclosure may cause serious harm to the physical or mental health of the patient or another person, as permitted under law.
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## 11. Complaints

If a patient is dissatisfied with how their SAR has been handled, they may:

- Contact the Practice Manager;
- Complain to the Information Commissioner's Office (ICO).

ICO website: [www.ico.org.uk](http://www.ico.org.uk)

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## 12. Governance and Review

This policy supports compliance with:

- Regulation 17 – Good Governance
- Regulation 10 – Dignity and Respect
- UK GDPR accountability principle

The policy will be reviewed annually or sooner if legislation or guidance changes.

Approved by: Practice Manager & GP Partners  
Date: February 2026  
Review Date: February 2027