

**WRITTEN QUESTION TO THE MINISTER FOR HEALTH AND SOCIAL SERVICES
BY DEPUTY C.S. ALVES OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 10th JULY 2018**

Question

Will the Minister advise, with regard to access to personal medical records –

- (a) how many requests have been received from individuals for the audit trail of access to their medical records since January 2008;
- (b) how many requests have been approved;
- (c) how long it took in each case for the applicant to be provided with the requested information; and
- (d) if a request was refused, the reasons for the refusal?

Answer

a)

Year	Number of requests for access to audit trail of medical records	Comments
2018 (to 04/07)	0	
2017	0	One request for audit trail of access to GP record and information system referred to applicant's GP Surgery
2016	0	One request for details of those information was/is shared with
2015	1	One request for details relating to access to the TrakCare information system
2014	Information not held	Records of requests destroyed in line with retention schedules
2013	Information not held	Records of requests destroyed in line with retention schedules
2012	Information not held	Records of requests destroyed in line with retention schedules
2011	Information not held	Records of requests destroyed in line with retention schedules
2010	Information not held	Records of requests destroyed in line with retention schedules
2009	Information not held	Records of requests destroyed in line with retention schedules
2008	Information not held	Records of requests destroyed in line with retention schedules

Please note that HSSD has defined 'audit trail of access to their medical records' as specific requests to the Information Governance function for details of the personnel that had access to:

- TrakCare and/or Care Partner– the HSSD information systems
- The paper medical record, the movement of which is administered through, and recorded in, TrakCare

b)

From the records we hold, one request has been approved.
All requests will be approved and processed once the identity of the applicant has been verified.

c)

The request in 2015 was received one day prior to the information being made available.
Any request for an audit trail would be processed within 30 days, the timescale as defined in the Data Protection (Jersey) Law 2018. The 30 day limit would begin once the identity of the applicant had been verified.

It is likely that any historical requests, where requests may have been made but records are no longer retained, will have been processed within 40 days, the timescale as defined in the previous Data Protection (Jersey) Law 2005.

d)

There is no record of any refusal to process a request of this nature.
However, whilst it is highly likely that a request of this nature would be processed in accordance with the Data protection (Jersey) Law 2018 and provided without the use of exemptions, it cannot be stated that there would be no circumstance when an exemption, as applicable in law, may apply.