

Dear

## **FREEDOM OF INFORMATION – MEDICAL RECORDS ACCESS**

I write in response to your request for information in relation to medical records access in NHS Lothian.

### **Question:**

If a doctor works at the NHS and also with a private hospital, can they access medical records and use them for private patients.

### **Answer:**

Access to patient records is only provided to those staff who legitimately require it for patient care and or administration, and this is audited. If a staff member also works for another employer, they should only access records with a legitimate clinical reason. On occasion Lothian uses private providers for patient treatment, in these cases, access to patient records is again provided for staff who require it for patient care or administration.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the reviewer at the address at the top of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI>

Yours sincerely

**ALISON MACDONALD**  
**Executive Director of Nursing Midwifery and AHPs**  
Cc: Chief Executive