Lothian NHS Board

NHS Lothian Headquarters
Waverley Court
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Edinburgh
EH8 8BG
www.nhslothian.scot

Date 3 November2026
Your Ref
Our Ref 11959

Enquiries to Richard Mutch
Extension 35687
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loth.freedomofinformation@nhs.scot
richard.mutch@nhs.scot

Dear

FREEDOM OF INFORMATION – MEDICAL RECORD ACCESS

I write in response to your request for information in relation to medical record access.

Question:

- To ask how many cases your health board has recorded of staff members viewing patient medical records without the appropriate permission. Could this be broken down by the following years - 2021/22, 2022/23, 2023/24, 2024/25, 2025/26

Answer:

Year	Inappropriate access
2021/22	5<
2022/23	5<
2023/24	5<
2024/25	5<
2025/26	5<
Total	20

To protect the identity of the individuals involved any figure of 5 or less has not been shown in the table above. Since we do not have their consent to release this data from their records, the information is exempt under section 38(1)(b) of the Freedom of Information (Scotland) Act i.e. to provide it would breach the Data Protection Act (2018).

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 www.itspublicknowledge.info/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 FOI Reviewer at the email address at the head 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.nhslothian.scot/FOI/Pages/default.aspx

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive