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| **Client Status** | **Capacity Y/N** | **Requester Type** | **Is the Client Currently Living at Tinkers Hatch?** | **Required Evidential Documents** | **Legislation** | **Timescales (Apply from the date satisfactory evidence of entitlement supplied/Tinkers Hatch is able to verify the authenticity of the request/identify of the requester)** | **Exceptions** |
| Living | Y | Client | Y | Direct written request from the client or their representative. | UK GDPR 2018 and Data Protection Act 2018 | One month from the date of the request (subject to satisfactory verification of the client’s identity any lawfully permissible extension). | Should we need to verify the client’s identity, the timescale will start from the date we have assured ourselves as to the client’s identity |
| Living | Y | Client | N | Direct written request from the client or their representative. We may also require photographic identification documentation for the requester in the form or either a current passport or driving licence (or any such documentation as Tinkers Hatch may require from time to time). | UK GDPR 2018 and Data Protection Act 2018 | One month from the date of the request (subject to satisfactory verification of the client’s identity any lawfully permissible extension). | Should we need to verify the client’s identity, the timescale will start from the date we have assured ourselves as to the client’s identity |
| Living | Y | Third party | Y | Written authorisation from the client to the sharing of their records (or such other form of confirmation as we deem appropriate should the client be unable to provide their consent in writing). It is likely that we will also need to speak directly to the client by telephone to verify their request. We will also require photographic identification documentation for the third-party requester in the form or either a current passport or driving licence (or any such documentation as Tinkers Hatch may require from time to time). | UK GDPR 2018 and Data Protection Act 2018 | One month from the date of the request (subject to satisfactory verification that the client ident permits the sharing of their records with the third party, and subject to any lawfully permissible extension). | If the client does not consent to the sharing of their records with you, regrettably, we will not be able to fulfil your request. |
| Living | Y | Third party | N | Written authorisation from the client to the sharing of their records (or such other form of confirmation as we deem appropriate should the client be unable to provide their consent in writing). It is likely that we will also need to speak directly to the client by telephone to verify their request. We will also require photographic identification documentation for the third-party requester in the form or either a current passport or driving licence (or any such documentation as Tinkers Hatch may require from time to time). | UK GDPR 2018 and Data Protection Act 2018 | One month from the date of the request (subject to satisfactory verification that the client permits the sharing of their records with the third party, and subject to any lawfully permissible extension). | If the client does not consent to the sharing of their records with you, regrettably, we will not be able to fulfil your request. |
| Living | N | Third party | Y | 1. A copy of a Lasting Power of Attorney for health and welfare in respect of the client or Court of Protection appointed Deputyship as to the same, which names the third party as the client’s/ex- client’s lawful representative; and 2. In order to verify the identity of the third-party requester, an identification document for the third party requester in the form of a current passport or a UK driving licence (or such other identification document that Tinkers Hatch may from time to time require). | UK GDPR 2018 and Data Protection Act 2018 | One month from the date of the request (subject to satisfactory receipt of the documentation described in the left- hand column and subject to any lawfully permissible extension). | If we become aware that the Power of Attorney/Deputyship has been revoked or is in the process of being revoked/challenged, we may not be able to release the records to you. |
| Living | N | Third party | N | 1. A copy of a Lasting Power of Attorney for health and welfare in respect of the client or Court of Protection appointed Deputyship as to the same, which names the third party as the client’s/ex- client’s lawful representative; and 2. In order to verify the identity of the third-party requester, an identification document for the third-party requester in the form of a current passport or a UK driving licence (or such other identification document that Tinkers Hatch may from time to time require). | UK GDPR 2018 and Data Protection Act 2018 | One month from the date of the request (subject to satisfactory receipt of the documentation described in the left- hand column and subject to any lawfully permissible extension). | If we become aware that the Power of Attorney/Deputyship has been revoked or is in the process of being revoked/challenged, we may not be able to release the records to you. |
| Deceased | N/A | Third party | N/A | You will need to provide one of the following documents set out at points 1 – 3 AND one of the documents referred to a point 4. 1. Grant of Probate in respect of the client’s Estate, naming the third-party requester as the Administrator of the Estate; or 2. a copy of: (a) the client’s will, in which the third-party requester is named as an Executor; and (b) an accompanying solicitor's letter confirming that the will be provided is the last known will and testament of the client (please note, a certified copy of the will, will not suffice. This is because a certified copy simply confirms that the person certifying the document has seen an original copy of the will – it does not confirm that the original copy of the will they have seen is the last will and testament of the deceased and to that end); or 3. if the client passed away intestate (without leaving a will), a Grant of Letters of Administration, naming the third-party requester as the Administrator of the Estate. **AND** 4. photographic identification documentation for the third-party requester in the form or either a current passport or driving licence (or any such documentation as Tinkers Hatch may require from time to time). | Access to Health Records Act 1990 | 1. within 21 days where the records have been added to within the last 40 days; or 2. within 40 days where the records have not been added to within the last 40 days. Example 1: client X dies on 1st January (and the last entry will therefore have been added to their records on this date). Tinkers Hatch receives a request for client X’s records on 10th January and satisfactory evidence of entitlement to client X’s records is received on 20th January. Because 20th January falls within 40 days of the date that client X’s records were last added to, Tinkers Hatch would release the records within 21 days of the date satisfactory evidence entitlement was received i.e. on or before 10th February. Example 2: client X dies on 1st January (and the last entry will therefore have been added to their records on this date). Tinkers Hatch receives a request for client X’s records on 10th January, but satisfactory evidence of entitlement to client X’s records is only received on 11th February. Because 11th February is over 40 days from the date client X died (i.e. day 41) and is therefore over 40 days from the date client X’s records were last added to, Tinkers Hatch would release the records within 40 days of the date satisfactory evidence entitlement was received i.e. on or before 23rd March. |