



Quick reference guide

for staff providing access to
care records

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4.1 The records you help people to access are important

Remember that the records you provide access to are taonga for the person the records are about. They can hold sensitive information, memories, connections and explain important decisions made about the person.

When access is provided in a person-centred way, these records can provide meaningful answers for the questions in people's lives.

4.2 You have obligations when providing access to records

You must ensure that people's personal information is accessible and available to them and respond to requests for access within the required timeframe and without unreasonable delay.

4.3 The way you provide access to records can make a difference for people

You can make a difference by handling access requests with empathy, providing people with options wherever possible and communicating proactively.

4.4 There are some guiding principles you can follow when providing access to records

Empower people to make informed choices about how they engage through the access process and receive their care records

What good practice could look like when following this principle

- Provide different options for how requesters can contact your organisation and how they make their request. For example, a form can be a useful way to set out the information needed to request records; consider if requiring all requesters to fill it out would be an unnecessary barrier to access.

- Engage with people to understand which information they want and what's important to them. Adapt your response to meet what they've asked for, rather than taking a one-size-fits-all approach.
- Give the requester options on how (and how often) they want to communicate with your organisation throughout the process.
- Provide options for the requester around how they want to receive their records and engage with them to understand and try to enable their preferences.

Be transparent about how long it could take to provide people's care records and help them understand why

What good practice could look like when following this principle

- Proactively explain the release process to the requester in appropriate detail, including the factors which may make a request take longer than they might expect.
- Respond as soon as possible after receiving the request (but within the required 20 working days) to confirm whether you will be able to provide the information requested, and if not to explain the reasons for refusal.
- Provide the requester with an estimated release timeframe which is reasonable in the circumstances of their individual request.
- Explain why this can only be an estimate and that you will update them if the expected timeframe changes.
- Notify the requestor if the release is likely to take longer than the initially estimated timeframe you shared. Explain the reasons for the delay at an appropriate level of detail and provide an updated estimated timeframe for the records to be provided.

Make each redaction decision on its own circumstances with consideration of the value of the information to the requester

What good practice could look like when following this principle

- Weigh up each decision to redact based on the individual circumstances of the requester's information rather than applying a blanket approach to types of information.
- Consider the value of the information as a potential piece of the disabled person's identity and life story when deciding whether it is necessary to redact the information to protect a third party's privacy.

- When a redaction is necessary, explain the legal grounds for the redaction and why the redaction decision was made, in a way that the disabled person can understand.

Provide people with the necessary context about care records to help them prepare to receive their information

What good practice could look like when following this principle

- Explain to the requester the usual types of documents and information included in care records and do this as early in the request process as is possible and appropriate.
- Explain what redaction means, why things might be redacted and the type of information that might be withheld, for example sensitive information about other people.
- Proactively notify the requester about information which might be difficult to receive. Consider offering to put warnings before these pieces of information so the requester can make the necessary support arrangements.
- Offer to connect the requester with available support services who can assist them throughout the process of receiving and engaging with their records.