



Access to Personal Files

10 easy to follow points on your rights to access to personal files...

- 1 Under the Data Protection Act 1998, **you have a right to know what information is being kept about you.**
- 2 **You can see any information that is kept about you** on computers or paper files, by anyone.
- 3 **There is no minimum age requirement.** Children can apply to see their own records as long as they understand what it is they are applying for.
- 4 **Social work records** - You are entitled to see all information held about you by a local authority children's services department (sometimes called "social services").
 - It can be withheld if disclosure would be likely to cause serious harm to you or another person.
 - A parent would not normally be entitled to see a child's records without the child's consent.
 - If the child is too young to consent, the parent can apply on the child's behalf.
 - Access to a child's file is not given to parents accused of child abuse, or others who could use the information to harm a child in some way.
- 5 **Educational records** - There is no minimum age: any pupil is entitled to see their school records, if they understand what they are asking for. Access must be given within 15 days of applying (in writing).
 - It can be withheld if the information is likely to cause serious harm to the pupil or someone else; or about a possible risk of child abuse.





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continued

- 6 **Health records** - You have rights of access to your own health records.

The health professionals whose records can be seen are doctors, dentists, opticians, pharmacists, nurses, midwives, health visitors, clinical psychologists, child psychotherapists, osteopaths, chiropractors, chiropodists, dieticians, occupational therapists, physiotherapists, radiographers, speech therapists, music and art therapists, orthoptists, prosthetists, medical laboratory technicians and scientists who head health service departments.

- 7 **You are not allowed to see information that is about someone else**, even if this is recorded on your file, without their permission.

It may, however, still be possible for you to see this by either taking out or blocking out information that might identify others (this is sometimes called "redacting").

- 8 If the information could be upsetting to you **then you should receive help in seeing your files**. This might be someone like a social worker, who can help to prepare you for what you might find out about your past and family whilst looking through your files.

- 9 If **information is improperly held from you**, or is not properly corrected when you ask, you can complain either to a court (you would need to see a solicitor for this) or to the Information Commissioner. You can do so after 40 days.

- 10 Who do I get in touch with?

Office of the Information Commissioner

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Information telephone line: **0303 123 1113**

Website: **www.ico.gov.uk/youth**

