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New GDPR and DPA 2018 compliant consent form for releasing health records

The BMA and The Law Society have published a new version of the consent form used for releasing health records under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA 2018).

A patient can authorise a solicitor acting on their behalf to make a Subject Access Request (SAR) for their health records and when doing so, the solicitor must provide the patient's written consent. Whilst it is not compulsory for solicitors to use the consent form, it is hoped that this will improve the process of seeking consent, as the form explains to the patient:

- what their health records typically contain
- why they are needed
- what may happen to them
- who may view them.

The form also provides useful guidance notes for healthcare record controllers and solicitors.

Further information on SARs and Access to Health Records can be found in the BMA's Access to Health Records Guidance and FAQs on SARs.