

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk)

Our Ref: VTR1441

DATE 24 April 2013

Dear Mr Pearsall,

Thank you for your Freedom of Information request received on 27 March 2013 in which you ask:

*“please can you supply myself with a copy of Guidance issued to DWP staff on disclosure of certain categories of personal medical information to the subject of that information.*

*I recently received a reply from yourselves stating that DWP do not send copies of medical records to the subject of a SAR. this does not follow the law of the DPA where by law all information must be disclosed (with some legal exemptions).*

*I am therefore interested in seeing all guidance available in relation to a subject access request, and medical records.”*

I have enclosed DWP guidance which provides information and advice on how to deal with requests by customers and staff for personal information held about them by DWP. The Subject Access Request Guide (SARG) is for use by Data Protection Officers (DPOs) and their Deputies throughout DWP and aims to provide the basic information they need to handle SARs. The SARG includes guidance on how to:

- gather in medical records – see under “Gathering information” – “Atos Healthcare Medical Services records”
- how to exempt personal information relating to physical or mental health or condition which, if disclosed, would be likely to cause them **serious** harm – see under “Exemptions” – “The Exemptions” – “Medical data or the health of the customer”

I have also enclosed DWP guidance entitled “ Disclosing medical information to the customer”.

If you have any queries about this letter please contact DWP quoting the reference number above.

Yours sincerely,

DWP Central Fol Team

---

**Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF [www.ico.gov.uk](http://www.ico.gov.uk)