

# Freedom of Information Guide

## WHAT INFORMATION IS AVAILABLE

The Victorian Freedom of Information Act 1982 (FOI Act) allows you to request access to your own or your child's medical record held by The Royal Children's Hospital. It is possible to obtain copies of a medical record or to view the original record.

## HOW DO I APPLY

All applications must be made in writing and have enough information for us to find the correct medical record. You can fill in an Application Form, or write a letter. The application form can be downloaded from the website [www.rch.org.au/foi](http://www.rch.org.au/foi)

FOI applications must be in writing and should include the following:

1. A completed FOI Application form or letter
2. A photocopy of photo identification, e.g. driver's licence or passport
3. The Application fee – except for valid Pension or Health Care Card Holders.

**Post to:**  
Freedom of Information Office  
The Royal Children's Hospital  
50 Flemington Road  
Parkville Victoria 3052

**Fax to:**  
9345 4088

**e-mail to:**  
[foi@rch.org.au](mailto:foi@rch.org.au)

## HOW MUCH WILL IT COST

The FOI Act sets out the following fees and charges for providing access to records.

**Application fee** \$24.40 MUST accompany the written request

If one of the following applies to you, the application fee is waived:

- Health Care Card or Pension Card (photocopy of both sides)
- Compassionate grounds (patient deceased)
- Photographs only

**Copying charges**, which apply to ALL applications

- Photocopy Fee 20 cents per page copied
- Registered Post Fee \$5.00 (depending on the size of the package)

## Photographs

RCH does not charge the Application Fee when the request is solely for photographs.

- Photographs Prints \$2.00 each (this may vary depending on the age of the negatives)
- Photographs provided on CD \$20.00 (for digital prints taken from April 2002 onwards)

## IDENTIFICATION

Photo identification that shows your signature, for example, a photocopy of a driver's licence, passport **MUST** be sent with your application.

## HOW LONG WILL IT TAKE

In accordance with the FOI Act, we have 45 days to make a decision in writing about your request. The 45 day period starts when we have received your written application, appropriate signed authority and application fee (or your photocopied Pension or Health Care card).

When the medical record has been reviewed you will receive a letter informing you of our decision to release the records. The copying and postage charges will be itemised.

Please allow approximately 4-6 weeks for photocopying of documents after the fee is paid, depending on the number of requests being processed at the time.

## **DO I HAVE THE RIGHT TO ACCESS THE INFORMATION**

- The FOI Act gives you the right to request access to your own or your child's medical record, subject to certain Exemptions. Some information may be restricted according to the Exemptions outlined in the FOI Act. This may include information that relates to the personal affairs of a person other than the patient, or information obtained in confidence
- The hospital must take reasonable steps to be satisfied that the applicant has the "right to access" the medical records. We have a duty to protect the privacy of personal information.

The following are some situations where you will be required to send in additional identification or information.

### Requesting records where the patient is 16 and over

- The young person can apply themselves or
- Written authority from the patient and Identification from the patient

### Requesting your own records

- If you have changed your name, such as through marriage, please send a photocopy of your marriage certificate.

### Family Court Orders

- We require a copy of any relevant Family Court orders.

### Requesting records of a deceased patient

- Evidence that you are the next of kin or
- Written authority from the next of kin.

You can authorise another person (for example TAC, solicitor) to make a request on your behalf.

If you want someone to make a request on your behalf, you must give them your written authorisation for us to release the information to them.

## **MEDICAL IMAGING / XRAYS / SCANS**

These can be obtained directly from our Medical Imaging Department. Tel: 9345 5634.

## **CAN YOU SEND THE INFORMATION DIRECTLY TO MY DOCTOR**

Health Information Services is able to provide copies of information to GPs and other external health care providers involved in ongoing patient treatment. You or your doctor can contact them on T: 9345 6107 or fax a request to F: 9345 6589.

## **WHAT IF I NEED THE INFORMATION FOR COURT PROCEEDINGS**

If you require the medical records urgently for Court proceedings, contact your Lawyer. A Subpoena to produce documents may be issued to send the records to the Court.

## **NEED MORE INFORMATION**

Visit the RCH website at [www.rch.org.au/foi](http://www.rch.org.au/foi) or call the Freedom of Information Office on T: 9345 5156 or 9345 5132 E: [foi@rch.org.au](mailto:foi@rch.org.au)

You can also contact the Department of Justice on 8684 0063 or visit their website [www.foi.vic.gov.au](http://www.foi.vic.gov.au)