

Access to medical records by children, young people and their parents

- 53** Young people with capacity have the legal right to access their own health records and can allow or prevent access by others, including their parents.* In Scotland, anyone aged 12 or over is legally presumed to have such capacity. A child might of course achieve capacity earlier or later. In any event you should usually let children access their own health records. But they should not be given access to information that would cause them serious harm or any information about another person without the other person's consent.
- 54** You should let parents access their child's medical records if the child or young person consents, or lacks capacity, and it does not go against the child's best interests. If the records contain information given by the child or young person in confidence you should not normally disclose the information without their consent.²⁴
- 55** Divorce or separation does not affect parental responsibility and you should allow both parents reasonable access to their children's health records.

* There are circumstances in which disclosures may be made to parents and others without consent (see paragraphs 46–52).