



# Record Keeping

## Introduction

This Factsheet is about complaints relating to flawed or inadequate record-keeping on the part of bodies within the Ombudsman's jurisdiction. It should be read together with our '[How to Complain](#)' webpage, available on the 'Making A Complaint' tab.

Thorough record-keeping is necessary to ensure accountability in decision-making. It is also often a good practice requirement and is set out in the appropriate guidelines assisting public bodies in the delivery of their services.

## What we can do

Although the initial grounds of a complaint to us may not necessarily include any reference to record-keeping, we may nevertheless uphold at least part of a complaint where the record-keeping has been flawed or inadequate.

We consider that examples of flawed or inadequate record-keeping will include the following:

- where a public body has failed to record sufficient information as required by specified guidelines;
- where a public body has failed to adequately record the reasons for some of the decisions or actions it has taken;
- where there is evidence of falsification or tampering with records.

We can also investigate complaints about requests for access to the records of deceased patients made under the Access to Health Records Act 1990.

## **What we cannot do**

Although we are able to comment on the adequacy of a public body's record-keeping, we are generally not able to investigate complaints relating to a living individual's access to records.

We cannot investigate:

- Whether records held by a public body have been incorrectly withheld from an individual who is requesting them (unless the complaint relates to a request for access to the records of deceased patients made under the Access to Health Records Act 1990);
- Whether a public body has failed to correct inaccurate records about an individual.

## **Issues to bear in mind**

Our governing legislation places restrictions on the disclosure of information obtained by us during an investigation. This includes any records supplied to us by a body within our jurisdiction.

A report issued by us will usually contain all relevant details of any flawed or inadequate record-keeping.

## **Further information**

If you have been prevented from accessing records held by a public body, or if you are concerned with the accuracy of records which a public body holds about you,

you should contact the Information Commissioner's Office (ICO) by telephone on 0303 123 1113 or you can visit the website: [www.ico.org.uk](http://www.ico.org.uk).

If you are concerned that a public body's record-keeping is flawed or inadequate, and you have already complained to the public body without success, you should initially contact our Intake Team on the details provided below.

You should also contact the Intake Team if your complaint relates to a request for access to the records of deceased patients made under the Access to Health Records Act 1990.

A full list of the [bodies within our jurisdiction](#) can be found on our website on the 'bodies within the jurisdiction of the Ombudsman' page, under the 'About Us' tab.

We are independent and impartial; we cannot order public bodies to do what we recommend – but, in practice, they almost always do. Examples of cases that we have looked at can be found on our website, under the 'Publications' tab on the '[Our Findings](#)' page.

## Contact us

If you are unsure whether we would be able to look into your complaint, please [contact us](#) on 0300 790 0203 or [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

Also available in Welsh.

## Easy Read

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