
Re: Request for Medical Records - 100298

From evidence@mmalegal.co.uk <evidence@mmalegal.co.uk>

Date Tue 2026-06-23 9:10 AM

To fv.parkavenue (NHS Forth Valley) <fv.parkavenue@nhs.scot>

Good Morning,

Thank you for your previous email. We note the contents.

Are you able to use 'we.transfer.com' to provide us with the records electronically?

We.transfer is a free and efficient way of sending files electronically that struggle through email as it compresses the file size so as to allow it to fit into an email.

You would input our email address, your email address, and the body of the email and then attach a file or folder and send it over. We would then receive a link to follow and would then be able to download it.

You get a handful of free transfers and then you will have to pay. This is also an encrypted service, so our document transfer is completely secure.

Please let us know if this is possible for you to utilise.

We look forward to hearing from you in due course.

Kind regards,

Leah
Investigations Team
MMA Legal

E: Evidence@mmalegal.co.uk
T: 0161 570 0550



Cyber Crime Alert Please be aware that there is a risk posed by cyber fraud, especially in relation to bank account details. Please check with us before transferring any funds across if you are unsure and would like to confirm our bank details. MMA Legal Limited will not accept responsibility if you transfer money into an incorrect bank account. If you are not the intended recipient of this email please contact us immediately.

From: fv parkavenue (NHS Forth Valley) <fv.parkavenue@nhs.scot>

Sent: 22 June 2026 4:20 PM

To: evidence@mmalegal.co.uk <evidence@mmalegal.co.uk>

Subject: Re: Request for Medical Records - 100298

Good Afternoon

Thank you for your email.

To clarify, we are not refusing to provide the patient's medical records nor do we find your request excessive. The issue relates solely to the practical limitations of our small practice. We do not have on-site facilities for secure postage, and sending a member of staff to the post office takes approximately 45 minutes. As you will appreciate, this is not viable for us operationally and incurs a cost to the practice.

In situations like this, our usual approach is to ask the patient to collect the encrypted disc at no charge .

Given the circumstances, we will make every effort to send the records to you electronically. If the file size allows, we will provide the records securely in an encrypted electronic format. We will be in touch to confirm whether we are able to send the records electronically once we have assessed the file size.

However, if the patient's full medical record is too large to be transferred electronically, this will not be possible. In that event, we would need to revert to the original position: the £15.00 charge would be required to cover the cost of secure off-site postage and we would require payment before sending and of this information.

As alternatives, you may arrange for a courier to collect the disc, or the patient may collect it directly and forward it to you.

I hope this clarifies the situation and we will be in touch with you shortly.

Kind Regards

J Dempsey
Practice Manager
Park Avenue Medical Practice
01786 473529

From: evidence@mmalegal.co.uk <evidence@mmalegal.co.uk>

Sent: 19 June 2026 10:02

To: fv parkavenue (NHS Forth Valley) <fv.parkavenue@nhs.scot>

Subject: Re: Request for Medical Records - 100298

Good morning,

Thank you for your email.

We note your position that the £15.00 charge is intended to cover secure offsite postage rather than the records themselves. However, this remains a charge being imposed before the requested personal data will be provided in response to a Subject Access Request.

We do not consider it appropriate to pass this cost on to the requester or their authorised representative. This is a first request, the request is not manifestly unfounded or excessive, and no lawful basis has been provided for requiring payment before disclosure. Compliance with Subject Access Requests, including having appropriate arrangements in place for securely providing copies of personal data, is a responsibility of the data controller.

We are unable to arrange payment of any fee or courier charge. We also do not consider collection by the patient to be appropriate in the circumstances, as we are acting on her behalf and have already provided authority to do so.

Please therefore provide the records to us securely in an electronic format, such as encrypted PDF, secure email, or secure file transfer. If the records are already held on an encrypted disc, please confirm whether the contents can be transferred into PDF or another commonly used electronic format and sent securely to us.

Without prejudice to our position that the full Subject Access Request should be complied with free of charge, please also confirm whether it would assist if we narrowed the request to specific documents relevant to our client's current need, for example particular consultation notes, referral letters, test results, discharge summaries, correspondence, or records within a specified date range.

If you maintain that a charge is payable before the records can be released, please confirm the specific legal basis relied upon and provide your Data Protection Officer's or data protection lead's contact details, together with your complaints process.

We look forward to receiving the records, or your proposal for secure electronic disclosure, without further delay.

Kind regards,

Leah

Investigations Team

MMA Legal

E: Evidence@mmalegal.co.uk

T: 0161 570 0550



MMA Legal Limited is a company registered in England & Wales (registered number: 13900519). MMA Legal Limited is authorised and regulated by the Solicitors Regulation Authority, SRA Number: 8000579. A list of directors is available at the Registered office address STOK, 43-59 Princes., Stockport, SK1 1RY.

Cyber Crime Alert Please be aware that there is a risk posed by cyber fraud, especially in relation to bank account details. Please check with us before transferring any funds across if you are unsure and would like to confirm our bank details. MMA Legal Limited will not accept responsibility if you transfer money into an incorrect bank account. If you are not the intended recipient of this email please contact us immediately.

From: fv parkavenue (NHS Forth Valley) <fv.parkavenue@nhs.scot>
Sent: 18 June 2026 3:11 PM
To: evidence@mmalegal.co.uk <evidence@mmalegal.co.uk>
Subject: Re: Request for Medical Records - 100298

Hi Leah

Many thanks for your email. We do not charge for the records, they are available free of charge. The reason for the small administration fee is due to the fact we do not have onsite facilities and so this is to cover safe secure offsite postage. We are happy for the records to be collected by the patient or alternatively if you would prefer to arrange a courier we can ensure the records are available at reception.

Kind Regards

Admin Team
Park Avenue Medical Practice
01786 473529

From: evidence@mmalegal.co.uk <evidence@mmalegal.co.uk>
Sent: 18 June 2026 13:40
To: fv parkavenue (NHS Forth Valley) <fv.parkavenue@nhs.scot>
Subject: Re: Request for Medical Records - 100298

Dear NHS Forth Valley,

Thank you for your email.

We confirm that we are acting on behalf of Sheila Kerr in relation to her Subject Access Request, and that the appropriate authority has already been provided. This is a first request for these records and is not manifestly unfounded or excessive.

As this is a Subject Access Request under the UK GDPR/Data Protection Act 2018, the requested personal data should be provided free of charge unless you are able to demonstrate that the request is manifestly unfounded or excessive, or that a lawful fee is otherwise applicable. We do not consider a £15 secure delivery/postage charge to be appropriate in the circumstances.

We also do not agree that collection by the patient is a suitable option, as we are instructed to act on her behalf and the records have been requested by us as her authorised representative.

Please therefore provide the records to us in a commonly used electronic format, such as PDF, by secure email or encrypted file transfer. If password protection is used, please send the password separately.

If you maintain that a fee is payable, please confirm the legal basis for charging the fee and provide your reasoning, including why you consider this request to be manifestly unfounded, excessive, or otherwise chargeable. Please also provide your chief Data Protection officers name and contact details, together with your complaints process.

We would be grateful if you could release the records without further delay.

Kind regards,

Leah

Investigations Team

MMA Legal

E: Evidence@mmalegal.co.uk

T: 0161 570 0550



MMA Legal Limited is a company registered in England & Wales (registered number: 13900519). MMA Legal Limited is authorised and regulated by the Solicitors Regulation Authority, SRA Number: 8000579. A list of directors is available at the Registered office address STOK, 43-59 Princes., Stockport, SK1 1RY.

Cyber Crime Alert Please be aware that there is a risk posed by cyber fraud, especially in relation to bank account details. Please check with us before transferring any funds across if you are unsure and would like to confirm our bank details. MMA Legal Limited will not accept responsibility if you transfer money into an incorrect bank account. If you are not the intended recipient of this email please contact us immediately.

From: fv parkavenue (NHS Forth Valley) <fv.parkavenue@nhs.scot>

Sent: 18 June 2026 1:10 PM

To: evidence@mmalegal.co.uk <evidence@mmalegal.co.uk>

Subject: Request for Medical Records - 100298

Good Afternoon

Many thanks for the request for medical records on our patient Sheila Kerr. The encrypted disc containing the medical records is now available.

We have 2 methods for obtaining notes. If you wish us to post this secure delivery, we can organise at a fee of £15.00 which must be settled prior to us sending the clinical notes. The other option is that you contact the patient directly and they can collect from reception. They would be required to provide photographic identification on the day of collection. Please let us know which method you would prefer to use.

Kind Regards

Admin Team
Park Avenue Medical Practice
01786 473529

This email is intended for the named recipient only. If you have received it by mistake, please (i) contact the sender by email reply; (ii) delete the email from your system; . and (iii) do not copy the email or disclose its contents to anyone.

This email is intended for the named recipient only. If you have received it by mistake, please (i) contact the sender by email reply; (ii) delete the email from your system; . and (iii) do not copy the email or disclose its contents to anyone.

This email is intended for the named recipient only. If you have received it by mistake, please (i) contact the sender by email reply; (ii) delete the email from your system; . and (iii) do not copy the email or disclose its contents to anyone.

