PROVA GUIDES

Find · Ask · Check · Decide · Correct

Five steps from finding a record to putting it right

Seeing, Questioning and Correcting the Records Held About You

Find out what is written, ask for it in writing, and ask for it to be put right

FOR:
people who use public, health, education, housing or social services, and the family members, case-workers and advocates who help them

INCLUDES:
how rights to see and correct records differ by who holds them, five steps from finding a record to correcting it, what to do when the answer is no, and a worked case

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Seeing, Questioning and Correcting the Records Held About You

Services write things down about the people they serve: an intake form, a case note, an assessment, a missed-appointment flag, a reason for closing a file. Most of it is routine. Some of it shapes what happens next, often in a decision made by someone who has never met you and is reading the record instead.

You can usually ask to see what is written about you, and you can usually ask for mistakes to be put right. How strong those rights are, how long the holder has to reply and what it may hold back all depend on who holds the record and where you live. This guide explains the general pattern and the practical steps. Before you rely on any right, check what applies to your record, and get legal help if a lot depends on the result.

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01 Your rights depend on who holds the record

There is no single rule for every record. The same person can have a strong legal right to see a clinic's notes and almost no legal right to see a small charity's case file. Here are some common examples from the US and the UK. They are not a complete list.

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Who holds the record	A law that may apply	What it generally gives you	Where to check
US health care providers and health plans	The HIPAA Privacy Rule	A right to see and get copies of your medical and billing records, and to ask for an amendment. If the holder refuses an amendment, you can submit a statement of disagreement to be added to the record	The provider's Notice of Privacy Practices; the US Department of Health and Human Services
US schools and colleges that receive federal education funding	FERPA	Parents, and students once they are 18 or at college, can inspect education records, ask for records they believe are inaccurate or misleading to be amended, ask for a hearing, and add a statement if the record is not changed	The school's annual FERPA notice; the US Department of Education's Student Privacy Policy Office
US federal agencies	The Privacy Act of 1974	For US citizens and lawful permanent residents only: a right to ask for records about you held in an agency's "system of records" and to ask for them to be corrected, with a route to appeal a refusal. Other people can ask for federal records under the Freedom of Information Act, but have no Privacy Act right to correction	The agency's Privacy Act or FOIA office; its published system of records notices
State and local agencies in the US	State law, which varies widely	Anything from a strong access right to a narrow one, often with special rules for child welfare, benefits, court and criminal justice records	The agency's own policy; your state's public records or privacy law
Organizations in the UK and the EU	The UK GDPR or the GDPR	A right to ask for a copy of your personal data (a subject access request) and to ask for inaccurate data to be corrected or incomplete data completed	The organization's privacy notice; the Information Commissioner's Office in the UK, whose correction guidance is under review after the Data (Use and Access) Act 2025

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Nonprofits and contractors not covered by the above	Sometimes none directly; sometimes a contract or grant term, or a law that reaches them through the agency that funds them	Whatever the organization's own policy offers	Its privacy or records policy; the agency that funds or contracts it

Three things are true almost everywhere:

- **Holders may withhold some information.** Laws commonly allow parts of a record to be held back, for example to protect another person, or where the information was given in confidence. A record with parts removed is not necessarily a refusal. You can ask what was removed and on what basis.
- **Correction rights are about accuracy, not agreement.** A holder will usually correct a wrong date, a wrong name or a fact that did not happen. It is less likely to rewrite a professional's opinion. Where it refuses, many laws give you a way to add your own account to the record.
- **A request in writing is easier to follow up.** Many processes start the clock from when the holder receives your request. Keep a copy and note the date.

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02 Step 1: Work out who holds what

Before you ask, list the services involved and what each might have written. A person who has moved through a housing program may have records with the housing agency, the nonprofit that ran the program for it, a referral line and a health clinic. These are separate holders, often with separate rules.

Ask each one, or look on its website, for its privacy notice or records policy. It should say what it keeps, how to ask for it and who to contact. For a US federal agency, its system of records notices say which records exist. If you cannot find out who holds a record, ask the service you dealt with directly: “Who keeps the file on my case, and how do I ask to see it?”

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03 Step 2: Ask in writing

A clear request names you and your case, says which records you want and for what period, says how you want to receive them, and asks the holder to confirm when it received the request. You do not have to explain why you want your own records, though a short reason can help a holder find the right part of a large file.

Ask for everything you might need the first time. That might include case notes and assessments as well as forms, records held by a contractor on the holder's behalf, and any notes about why a decision was made. Ask for codes and abbreviations to be explained. Under FERPA, for example, schools must respond to reasonable requests to explain and interpret the records.

Expect to be asked to prove who you are. If someone is acting for you, the holder will usually need your written permission or proof that they have legal authority, such as a power of attorney or guardianship. Some laws, including HIPAA, allow fees for copies. Check what the holder may charge before you pay.

The companion template, *Records Request, Correction Request and Reply Log*, has wording you can adapt for both requests and a log for keeping track.

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04 Step 3: When the reply arrives

Check what you received against what you asked for. Note the date it arrived. Look for:

- **Missing periods or types of record.** If you asked for case notes from 2023 to 2025 and only 2025 arrived, ask about the rest.
- **Removed or blacked-out sections.** Ask which exemption or reason applies to each.
- **Codes, scores and abbreviations you cannot read.** Ask what they mean and how they were worked out.
- **References to other records.** A note that says “see assessment” points to a document you may also be entitled to.

If no reply arrives, write again and refer to your first request and its date. If the law that applies sets a time limit and it has passed, say so and name the law. Do not guess a deadline. Find it in the holder’s notice or the regulator’s guidance, and write down where you found it.

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05 Step 4: Decide what to question

Reading your own record can be hard. It may describe you in words you would never use, at a time you would rather forget. Take it slowly, and read it with someone you trust if that helps.

Not everything you dislike is worth challenging, and not everything worth challenging is a plain error. The self-assessment in this collection, *Is This Record Fair to Me?*, takes you through one entry at a time. It helps you separate what is wrong from what is missing, and both from what is fair but painful. Use it before you write a correction request, so that the request asks for something specific.

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06 Step 5: Ask for the record to be put right

A correction request works best when it is short and exact:

1. **Point to the entry.** Give its date, page or section, and quote it.
2. **Say what is wrong.** Say whether it is inaccurate, incomplete, out of date or about someone else.
3. **Say what it should say instead,** or what should be added.
4. **Attach evidence where you have it.** A hospital discharge letter, a receipt or a letter from the other service all count.
5. **Ask about anyone who received the wrong version.** Some rules, such as the HIPAA amendment rule, require a holder that makes a correction to take reasonable steps to tell others who received the information. Even where no rule requires it, ask.

A holder might correct the entry, add a note beside it, or refuse. If it refuses, ask for the refusal and the reason in writing. Then ask how to add your own statement to the record. Under the HIPAA, FERPA and Privacy Act rules, and under many other policies, a statement of disagreement stays with the record and travels with it when it is shared. A statement is not a win, but it means the next reader sees both accounts.

Three ways a holder may answer a correction request

It corrects the entry

Ask whether anyone who received the wrong version will be told.

It adds a note beside it

The original stays, with the note alongside.

It refuses

Ask for the reason in writing, then ask how to add your own statement to the record.

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07 When the answer is no, or there is no answer

Most holders have an internal review or appeal. Use it first, and keep it in writing. If that fails, routes outside the holder include:

- **A regulator.** In the US, HIPAA complaints go to the Office for Civil Rights at the Department of Health and Human Services, and FERPA complaints go to the Department of Education's Student Privacy Policy Office, within 180 days of the problem or of when you knew or should have known about it. In the UK, complaints go to the Information Commissioner's Office. Each sets its own conditions and time limits for complaints, so check them early.
- **An ombudsman or inspector general,** where one oversees the service.
- **The agency that funds or contracts the service.** A nonprofit running a public program usually answers to that agency for how it keeps records.
- **Legal help.** Legal aid organizations, disability rights organizations and some law school clinics help with records disputes, especially where benefits, housing, custody or immigration are at stake.

Who checked a decision based on your record, and how, is a separate question. The question cards *Who Checked My Case?* cover it.

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08 Worked case: a school discipline record

Case. Tomas, now 18, was applying for a training program that asked for his high school record. He wrote to his old school district asking to inspect his education records, including disciplinary entries and any reports they referred to. The file recorded a suspension for "fighting." It left out the assistant principal's finding, in the incident report, that he had been attacked and had not hit back.

The people, places, organizations and figures in this document's examples are fictional.

He asked the district to amend the entry as misleading, quoting the incident report, and to add his written account. The district added the assistant principal's finding to the entry but declined to remove the suspension, which had in fact been imposed. Tomas asked for a hearing, and the hearing upheld the district's decision. He then placed a short statement in his record giving his account, so that it goes with the entry whenever the record is shared. He logged each letter and date as it arrived.

Tomas's requests, in order

Inspect	→	Amend	→	Partial change	→	Hearing	→	Statement
Asks to see his education records		Asks for the entry to be changed, quoting the incident report		Finding added; suspension stays		Upholds the district		His account travels with the entry

What made this work was not a clever argument. Tomas's request pointed to one entry, used the district's own report as evidence, and asked for something the district could do.

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09 Helping someone else with their records

If you are an advocate, a family member or a caseworker, the record still belongs to the person it describes. Get their permission in the form the holder needs, and agree with them what to ask for and what to share with you. Let them decide what to challenge. Some people would rather leave an entry alone than relive it in a dispute, and that is their choice to make.

Take extra care where safety is involved. If someone is avoiding an abusive person, ask the holder to send replies only to a safe address or in person. Check whether any correction or statement would be visible to someone who should not see it.

RELATED: *Records Request, Correction Request and Reply Log*, for wording to adapt and a log to keep; *Is This Record Fair to Me?*, for deciding what to question; question card *Why Are You Asking Me This?*, for why information is requested; *What Records Were Created to Do*, for what a record is for; *When Records Are Not Enough*, for when a record cannot settle the matter.

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10 Further reading

1. **US Department of Health and Human Services, Your Medical Records.** Plain-language summary of the HIPAA rights to see, copy and ask to amend health records, and to submit a statement of disagreement.
2. **US Department of Education, Student Privacy Policy Office, FERPA.** The regulations on inspecting education records, seeking amendment, hearings and placing a statement in the record (34 CFR 99.10 and 99.20–99.22).
3. **US Department of Education, How to File a Complaint.** The federal complaint route for FERPA.
4. **US Department of Justice, Office of Privacy and Civil Liberties, Overview of the Privacy Act of 1974 (2020 edition).** Sections on the individual's right of access and right of amendment for federal agency records.
5. **Information Commissioner's Office, What is the right of access?** and Your right to get your data corrected. Guidance for the public on subject access requests and correction under UK data protection law. The ICO notes that its correction guidance is under review following the Data (Use and Access) Act 2025.

QUESTION IT

Found an error, or want to question this document? Contact Prova at hello@byprova.com.

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