



**Archives & Records
Association**
UK & Ireland

**Chief Archivists in
Local Government Group
(CALGG) of the Archives and
Records Association (UK and Ireland)**

**The records of adopted and
care-experienced people - good practice
guidance for record-keepers and care
professionals (England and Wales)**

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Foreword

How do you respond when a child asks the question, ‘where did I come from?’ Young children have their own explanations, some of which are hilarious. In the context of an upbringing in a secure, loving family environment, can be a source of amusement, and anecdotes to be shared later, when the child in question has grown up, maybe with children of their own. Parents’ shared memories, photographs, and input from relatives and friends combine to create a rich archive of memories.

Now think of a different scenario, one where there are no collective memories to tap into; maybe, if you’re lucky a small number of photographs, and one or two memories of your own, accessed through the fog of a traumatic separation from family members. You might have had the good fortune to have been placed with a caring, supportive foster family, or you might have landed in a decent residential children’s home. Wherever you are in the care system, and no matter how long or short your stay, you will have questions that may well include, ‘where did I come from?’ But will be followed by, ‘how come I’m living here?’ And, ‘why didn’t my parents want me?’ Or ‘what did I do wrong to make my family abandon me?’ These questions are so loaded, so potentially upsetting that you may not be able to bear to ask them.

The upside is that if the answers to some of those questions, painful as they might be, can be found and dealt with in a healing, sympathetic environment, then maybe some of the hurt can be washed away. And that’s where records come in.

Having searched for and eventually found care notes on the 18 years I spent in foster care and children’s homes, I’ve experienced the roller coaster of emotions involved in the search for, and reading of extensive records. When that file was in my hands, it felt strange to know that somebody—an employee of a local authority—had written an official biography without my knowledge or consent. My life documented not by me, or for me, but about me.

These records are often more meaningful to the care-experienced or those who’ve been adopted than other information and data collected

about our lives. For large numbers of people, they are the only source of information about their past. The opportunity to access information about our origins and personal histories may enable us to understand more about who we are and where we came from even though care and adoption records may not provide the level of solace desired. However, records do at least indicate why a child has been admitted into care; they also have the potential to give meaning and significance to a person’s early life. In some cases it may serve to validate the care experienced person’s identity and attest to their visibility, and thus their existence. Before accessing my care notes, I had the feeling that I was born at the age of 22 years, when I started to appear in photographs.

The CALGG led project has brought into sharp focus the necessity to ensure the longevity and preservation of these unique archives of care experienced and adopted people. We can think of these records as being very personal, because of course they are. But they are also of wider historical significance and an invaluable resource. They give texture to the story of society’s attempts to provide substitute families in circumstances where birth parents are not able to provide a nurturing, secure environment for their children.

Even some policy-makers are not always aware of the disparity between the rights and services that exist for adopted people in contrast to those who have been through the care system. If a digital repository equivalent to the Adoption Search and Reunion database could be established, it would be very helpful for care-experienced people and professionals alike. It would help to determine whether records exist and to locate where they are held.

The creation of a database able to identify the location of record sets generated by this project could be a key to unlocking the past, and securing a more settled future for those whose lives have been disrupted at an early age. It could also contribute to a better understanding of the predicaments faced by care-experienced people by society in general.

Baroness Lola Young of Hornsey



The records of adopted and care-experienced people – good practice guidance for record-keepers and care professionals (England and Wales)

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1. Introduction

This good practice guidance is aimed at practitioners in England and Wales responsible for creating, managing, and providing access to care and adoption records. It provides the viewpoints of care-experienced people and adopted people to give practitioners a greater understanding of their experiences, needs and the challenges they face. Whenever possible, it uses plain and inclusive language and is designed to be an easy read whilst signposting to other more detailed guidance and examples from real-world organisations.

The guidance gives examples of good practice to inspire and empower practitioners to make changes that will help improve the creation, management and access of records. It also gives examples of exemplary practice as case studies. It applies to both care and adoption records: these should be treated with equal care, attention and sensitivity.

The records – a “paper self” – significantly affect care-experienced people and adopted people throughout their lives.

“Reading these pages of my life made me realise that there was a lot missing in my life. Some things can never be replaced. It was very upsetting, but it was extremely needed for me personally to carry on. A lot of unanswered questions were now at last answered and, most importantly, with the truth.”

Jeanette, care-experienced adult – reproduced from [Care Leavers Association](#).

“For people who are thinking about accessing their files, I would express that it should be a decision made after a lot of thought, and with a lot of support, as you may feel more confused afterwards, and in some ways things may feel worse. It’s not a quick fix, and you may not find all the answers you are looking for. However, despite this, reading files can help to make sense of things, give a person closure and in time give a person a happier and more content life.”

Sue, care-experienced adult – reproduced from [Care Leavers Association](#).

“Access to information can have a positive impact and help lessen living with uncertainty and the unknown for all those affected by adoption”

J.Triseliotis, J.Feast and F.Kyle – [The Adoption Triangle Revisited](#) (summary) (2005).

“The development of autobiographical memories, particularly in childhood and adolescence, is critical to a child’s future wellbeing (Cook-Cottone & Beck, 2007; Fivush, 2011). Many care-experienced people (of all ages) do not know a great deal about their childhood. They may be confused about what happened to them as a child, and they may not be able to answer such fundamental questions as “Why was I in care?” (McGill et al., 2018). They may lack other information critical to their sense of self, such as their personal health history or the name of a parent or sibling, or they may have questions around ethnicity and heritage. All of these factors can have

an impact on a person's identity and sense of self, and many care-experienced people will turn to their care files for answers.”

E.Shepherd and V.Hoyle – Good practice in recording and access to records (2022).

However, accessing records is often difficult, both practically and emotionally, and can be traumatic and dehumanizing. As the management of records is inconsistent across the public, private and voluntary care sectors, this affects the experiences and outcomes for individuals.

“I remember that day. The darkness and the rain. Bumping into the postman as I raced out the front door. I shoved the big brown envelope in my bag and ran. I made the bus just in time, the 126 that dragged itself from Dudley to Birmingham to get me to work. As I sat at the front of its top deck I remembered the envelope. Sweating, I pulled it from my bag and tore away the thick brown paper to reveal a bright red A4 ring binder file. I opened it and on the first page was a chronological list of my moves in and out and around the care system. Foster homes, children's homes, back to mum and then back into the system again. Instinctively I pulled up my hood and started turning its pages. The sweat now pouring from my face was quickly joined by streaming tears. These pages telling a fragmented story about a boy I once was and in some ways still am...I wonder about all those people pressing keys and scribbling on pages. I'm not sure they always saw me. Instead a form to quickly complete. A train to catch. A box to tick. At times they missed the boy and I wonder if they ever considered the man that would one day read their words again and again. I wonder if they appreciated the written world that they were crafting, because it has now

become a big part of me.”

John-george, care-experienced adult – reproduced from Care Leavers' Experiences – UCL Information Studies.

“It's difficult to comprehend the whole thing in one day really. I went home and I can't remember what upset me but I did cry, for most of the evening. And I don't cry often at all. That's probably the only thing that's ever made me cry, except that and the Lassie films. So something in there must have.....I think it was all the information overload I think. All at once. As a child you imagine what she looks like, what she did, whether she's alive or she's dead, all sort of things. But then to have someone sit down and say 'this is how you came about 'and stuff like that.”

David, adopted adult – reproduced from the Adoption Reunion Handbook (2005).

The guidance has been created as part of a project led by members of the Chief Archivists in Local Government Group (CALGG) who are part of the Archives and Records Association (United Kingdom and Ireland). An Advisory Group consisting of adopted and care-experienced people, social work practitioners, and information/data protection practitioners has guided the project (see Appendix A). Funding was received from The National Archives, the Welsh Government and from CALGG members.

[2. Creating records](#)

[3. Managing and preserving records](#)

[4. Providing access to records](#)

[5. Summary of statutory guidance and minimum standards](#)



2. Creating records

Many care-experienced people and adopted people reconstruct their personal histories by turning to the records created about them by social workers and care providers. [Research](#) has shown that care-experienced people and adopted people:

- Feel the voice of children and young people is often missing from their records.
- Value personal items, photographs, letters and objects.
- Want there to be ways for children and young people to add to their records.
- Often find the language in records derogatory, judgemental and harmful.

This section outlines good and exemplary practice in creating records including:

- Recording is participatory: children and young people are at the centre.
- Recording reflects a child and young person's holistic life experience, capturing joyful and positive moments as well as challenging experiences and events.
- Using a recording app so children and young people have control over their own record (exemplary practice).
- Records include photographs and memorabilia.
- Records are written with the person at the centre, explaining why actions were taken.
- Language is caring, simple and understandable.
- Sensitive information is collected and recorded in appropriate and trauma-informed ways to avoid creating unintended harm.

- A person can amend or comment on what has been recorded. Where there is tension and disagreement between viewpoints, these are fully shown in the record.
- Information sharing procedures with other organisations are transparent.

“What I did read made me feel awful, some of it was accurate, but some of it was exaggerated. All of the weekly home visits recordings were negative. There were no positive observations.”

A young person from Plymouth – reproduced from [Case Recording – Plymouth's Listen and Care Young Peoples' Councils \(2022\)](#).

“It's not totally me. They're interpretations of me and it takes a long time to try and find what you think is your version in there and I'd say the critical thing, the critical problem with my file is there's not much of me in it as in my voice. I'm pretty silent. I may appear on a couple of pages. My actual voice, you know, word for word and when I read those bits, they are really powerful for me because it really is me talking to me and I can really unpick how I felt at that time. Most of my voice is through other people's words and they're speaking for me and I think it's a real shame in 126 pages that there's not more of my voice.”

John-george, care-experienced adult – reproduced from [Reflections on accessing care records and supporting good recording](#) podcast.

“Perhaps the most meaningful lens with which we want to review our decision-making and record keeping is through the eyes of the child we are writing about. This perspective requires a shift away from seeing records as primarily a vehicle for professionals to share information between themselves, to thinking about the very significant role that case files play in shaping people’s understanding of their own childhood and their family’s involvement with services.”

A. Domakin – reproduced from Defensible decision-making in children’s social care - resource pack – Research in Practice (2022).

“It’s not just about just about keeping records, it’s about keeping meaningful records as well. Keeping information that will mean something to people when they are looking back on it all those years later You have to keep that priority, what you are doing is you are recording history. We are part of history.”

A staff member from the Together Trust – reproduced from Care records: The power of understanding your history – the Together Trust.



2.1 Participatory recording

Exemplary practice

Using a recording app so children and young people have control over their own record.

Resource: [Tech for Good: family story case study](#) – CITF (2020). A webinar on the family story app for families and social workers.

Resource: participatory recordkeeping application [Software Requirements Specification](#) – MIRRA project phase 2 (2021). Outlines a safe, simple way for a young person in care to record a digital personalised diary, parts of which could be shared with their social worker/ carers under the control of the young person

Good practice

Recording is participatory: children and young people are at the centre. The voice, opinions and needs of every child and young person should be included in their records, in their own words and on their terms.

Recording reflects a child and young person's holistic life experience, capturing joyful and positive moments as well as challenging experiences and events.

Records include photographs and memorabilia. This should extend beyond the current practice of life story work. A copy of life story books should be kept.

Resource: [Recording in Children's Social Work guide](#) – BASW (2020). *Top tips for recording in a way which is reflective and children and families focussed.*

Resource: [Case Recording](#) – Plymouth's Listen and Care Young Peoples' Councils (2022). *Hear what young people want from records.*

Resource: [Reflections On Accessing Care Records And Supporting Good Recording: Recommendations For Recording](#) – *Research in Practice* (2021). *Hear from Darren and John-george about good practice in recording in part two of this podcast.*

2.2 Person-centred recording

Good practice

Records are written with the person at the centre, explaining why actions were taken.

Resource: [writing to the child](#) – WISPER (2019). Hear from an independent reviewing officer.

Resource: [Defensible decision-making in children's social care resource pack](#) – Research in Practice (2022). Keeping focussed on the main objective of providing a clear picture of the person's journey - rather than 'defensive' recording primarily for the organisation's benefit.

Resource: [What makes an effective case record?](#) – Ofsted (2019). Good records help people to understand what decisions were made during their childhood and why.

2.3 Language

Good practice

Language is caring, simple and understandable. Avoid jargon, acronyms and professional terminologies that the people being written about may not understand.

Resource: [Language that cares](#) – TACT Fostering & Adoption (2019). Created collaboratively to change the language of the care system.

Resource: [Language in social work: rethinking our communication](#) – The Social Work Action Group (2021). Hear from a range of speakers thinking critically and compassionately about the language used every day.

2.4 Sensitive information

Good practice

Sensitive information is collected and recorded in appropriate and trauma-informed ways to avoid creating unintended harm. This covers information relating to ethnicity, sexual orientation, gender identity, disability, complex health needs, justice-involvement, religion and other aspects of identity. These areas often overlap and may create the potential for increased unintended harm. They might also be minoritised by majority groups, causing additional harm.

A person's cultural or religious identity, national or geographic heritage is sensitively documented.

Up-to-date names, gender markers and pronouns are recorded. Previously recorded gender markers, pronouns and deadnames are not shared without the informed consent of the person.

Documents or other evidence needed for resolving immigration and nationality issues are obtained at the point at which someone comes into care. This information is subject to information sharing safeguards which prohibit the use of social care data for the purposes of immigration enforcement.

Resource: The Black Care Experience Charter (2023). Commitments “to improve the Care, Outcomes and Life Chances of the Black Child or Young Person and keep them connected to their Culture, Identity and Heritage as they journey through the Care System.”

Resource: Using genograms in practice – Research in practice (2021). Recording cultural genograms that include characteristics (such as sexuality, ethnicity, religion or social class) that are central to people's identity.

Resource: Inclusive Care: Experiences of LGBTQ+ children and young people in care report – Social Finance, LGBTQ+ Youth in Care (2022).

Resource: Safeguarding children with disabilities and complex health needs in residential settings – Council for Disabled Children and National Children's Bureau (2023). Recommended recording standards for quality and safety reviews in Annex B.

Resource: Taking Care: How local authorities can best address immigration issues of children in care – South London Refugee Association and Coram Children's Legal Centre (2021). Documenting and securing immigration status or British citizenship before the age of 18.

2.5 Amending records

Good practice

Under Data Protection legislation, a person has the right to request that parts of their record be deleted or 'forgotten.' Social work has an exemption from these rights if allowing them would damage the social work task. If it is not possible to delete information (e.g., for safeguarding, or because a system "locks" a record after a short period of time) then the person's request is included as part of the record. A person can amend or comment on what has been recorded.

Where there is tension and disagreement between viewpoints, these are fully shown in the record.

Any amendments, commentary and additions are made within recording systems and not recorded separately (e.g., not recorded within mailboxes or meeting minutes).

Resource: MIRRA toolkit and framework

Resource: Amending patient and service user records – NHS England (2022). Guidance for service users and staff, in a healthcare context but with general principles that are more widely applicable.

2.6 Information sharing

Exemplary practice

Formal information sharing agreements resolve issues such as incompatible systems and cultures of recording (including content and style).

Good practice

Information sharing procedures with other organisations are transparent. People are informed when and on what terms their records are being shared (so long as it is safe to do so) and any information shared is recorded. Social work has an exemption from the provisions of Data Protection legislation that limit how much people's information can be shared without their knowledge, but there are still complexities surrounding confidentiality and safeguarding.

Resource: Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers – UK Government (2018). Supporting decisions about sharing personal information on a case-by-case basis. NOTE at 09/23: under review – consultation result/response expected by end 2023.

Resource: Sharing data to safeguard children – Information Commissioners Office (2022). Read or watch answers to FAQs including requests from law enforcement.

NOTE at 09/23: a sector-specific resource is forthcoming but no date for this.

Resource: Cytundeb Rhannu Gwybodaeth Bersonol Cymru/Wales Accord on the Sharing of Personal Information. Framework, templates and guidance.

Resource: Data sharing: a code of practice – Information Commissioners Office (2021). General information about complying with the law and balancing the benefits and risks of data sharing.

3. Managing and preserving records

Without good management of records in both digital and paper formats there is a risk they can be damaged, destroyed or lost. There is also a disparity in the legislation over how long care records and adoption records should be kept. Research has shown that:

- Care experienced people feel there should be parity with adoption records in how long care records should be kept. Some care-experienced people and adopted people feel the records have value to their descendants and should be kept for longer than 100 years. Social workers, information governance practitioners and archivists agreed with this.
- They also feel that personal items should be kept and not destroyed following digitisation.
- Social workers highlighted the importance of migrating formats (including digital) carefully to avoid information loss.
- Information governance practitioners and archivists highlighted how a lack of records management practices can damage or cause loss of historic records, so strong internal controls for records must be in place.

This section outlines good and exemplary practice in managing and preserving records including:

- There is an up-to-date policy for managing record and other procedures including records retention.

- All the records created, received, used or held are identified and located within official systems or storage areas.
- The records of individuals, institutions or events can be accurately located using detailed indexes or listings.
- All records are kept for at least 125 years (best practice) or 150 years (exemplary practice).
- Digital format records are kept secure and are protected against damage so that they remain usable.
- Active digital continuity plans are in place to protect data.
- Paper format records are kept secure and are protected against loss or damage so that they remain usable.
- If paper and microformat records are digitised, quality standards are followed.
- If paper records are disposed of following digitisation, all original photographs and personal documentation are kept.

“Even many social workers would struggle to understand why, if my house burnt down tomorrow, the three things I’d grab on the way out would be my photograph collection, my letters and my social services file. So much of my life is bound up in those photocopied papers. I first realised just how much when I visited a girlfriend’s parents when aged 21. They told many stories about her childhood, shared knowledge that she could access at any time. It was a living, oral family history and the basis of her sense of identity. By comparison, my own childhood story had massive gaps. My file helped to fill a few of those gaps.”

Jim’s story.

“I was 70 when this happened. The story the family were telling me about the children’s home was actually not true. That changed when I found my file. And it was a big shock to me... That file is the best thing that could have happened to me because it freed me.”

Jolivia – reproduced from Care records: The power of understanding your history – the Together Trust.

“They’re somebody’s lives which we hold in boxes.”

A staff member from the Together Trust – reproduced from Care records: The power of understanding your history – the Together Trust.

“Archives are vulnerable to many forces, ranging from unthinking neglect, to natural disasters such as storm or flood, to deliberate criminal acts such as burglary, arson or terrorist attack.”

The National Archives – reproduced from Protecting archives and manuscripts against disasters (2004) under the terms of the Open Government License.

“Digital information lasts forever – or five years, whichever comes first.”

Jeff Rothenberg – reproduced from Ensuring the Longevity of Digital Documents – RAND (1995).

“Research has found that these minimum retention periods do not reflect the information needs of care-experienced people (Hoyle et al., 2020). Care-experienced adults often do not apply for their records until much later in life, by which time records may have been destroyed or lost.”

Elizabeth Shepherd and Victoria Hoyle – reproduced from Good practice in recording and access to records (2022).



3.1 Policy

Good practice

An up-to-date policy for managing records covers all records relating to children, young people and families. Other procedures and plans to deliver and implement policy are in place including records retention and disposal information.

How the policy framework has been applied to individual records is recorded.

Resource: Records management and security – Information Commissioners Office (nd). Includes useful questions to help you meet the ICO's expectations in relation to data protection and information security.

Resource: Code of practice on the management of records – The National Archives (2021). Principles and guidance are applicable beyond the public sector (where this is mandatory).

Resource: Barnardo's Records Management Policy (2018).

Resource: Pembrokeshire Records Management Policy (2023).

Resource: Gloucestershire Information and Data Management Policies. Includes Information & Data Management Strategy 2019-24.

3.2 Information and context

Exemplary practice

Detailed information about records held is published.

The organisation's recordkeeping history is researched. Information is published about what previous records existed and why they are no longer available.

Resource: Gloucestershire Archives cataloguing of Social Services and Education department records (2018).

Good practice

All the records created, received, used or held relating to children, young people and families are identified and located within official systems or storage areas.

Records include photographs, memorabilia, a copy of life story books and other physical items. These are managed alongside paper or digital records (even if physically located in a different place).

Summary information about types and dates of records available is published.

Resource: Records management code of practice – UK Government (2021). Statutory guidance for public authorities but includes a lot of useful general guidance.

Resource: Information and documentation – Records Management BS ISO 15489-1:2016 – British Standards Institution (2022). Available at a cost. Concepts and principles for creating, capturing and managing records.

3.3 Locations

Exemplary practice

Information is included within individual case records referring to changes in format (split paper/digital) or relevant information in other records or systems. For paper records, this may consist of a physical marker.

Good practice

The records of individuals, institutions or events can be accurately located using detailed indexes or listings.

Resource: Caring records management: Gloucestershire Historical Children's Records Project – MIRRA project (2019).



3.4 Retention

Exemplary practice

All records are retained for at least 150 years from the date of birth of the individual.

Resource: Recordkeeping and the life-long memory and identity needs of care-experienced children and young people – V. Hoyle and others (2020). Published article with references to research into the age at which people request their records: the average is around 35 years old, but around 90 and older is also documented.

Where organisations have decided to keep records permanently, a procedure is in place for people to withdraw their own records being kept permanently.

Resource: The records of adopted and care-experienced people – developing guidance for record-keepers and care professionals: Research findings report - Chief Archivists in Local Government Group (2023). The focus groups results are the evidence supporting this recommendation.

Good practice

All records are kept for at least 125 years from the date of birth of the individual. This retention period is included in the organisation's documentation such as the retention and disposal schedule and in relevant privacy notices.

If records are securely destroyed after this period, a complete record of the names of the individuals concerned is made. This is then kept for a further 100 years to confirm disposal and the reasons for it.

Resource: The records of adopted and care-experienced people – developing guidance for record-keepers and care professionals: Research findings report - Chief Archivists in Local Government Group (2023). The focus groups results are the evidence supporting this recommendation.

Resource: The power of understanding your own history – Together Trust (2021). Explains why the Together Trust keeps records permanently.

Resource: A care leaver's story: lost records, lost lives – MIRRA Project (2018). The impact on a person when records are not available.

Resource: Historical context – Family Connect. Summarises the rights of access and history of retention, aimed at care-experienced people and adopted people.

3.5 Security and preservation (digital)

Exemplary practice

Regular snapshots (a read-only, static view) are taken of databases and stored securely. Active digital continuity plans are in place to protect data. Snapshots are subject to appropriate retention and disposal policies.

Resource: [Preserving Databases](#) – Artefactual Systems and the Digital Preservation Coalition (2021).

Good practice

Digital format records are kept secure and are protected against damage so that they remain usable.

Cybersecurity measures are taken for all digital systems, including legacy systems.

Legacy systems are actively managed and have digital continuity plans in place.

Resource: [Digital preservation for small organisations: an introductory guide](#) – Archifau Cymru/Archives Wales (2021). [Ten-step introduction to beginning digital preservation](#).

Resource: [Digital preservation of adoption records](#) – Dorset History Centre (2022).

Resource: [Cyber security advice for small and medium sized organisations](#) – National Cyber Security Centre. [Overview with links to more detailed guidance](#).

Resource: [What is digital preservation?](#) – Digital Preservation Coalition. [Introduction and links to detailed resources for preserving digital content over time](#).

3.6 Security and preservation (paper)

Good practice

Paper format records are kept secure and are protected against loss or damage so that they remain usable. Access to the storage area is limited and controlled. Records are boxed and labelled and stored on shelves. Storage areas are secure, dry and clean. Premises are secure and maintained. Risk assessments are regularly carried out so risks can be identified and mitigated.

Resource: Protecting [records] against disasters – The National Archives (2004). General guidance on risk assessments and mitigation.

Resource: Preservation – Norfolk Record Office. Information about storage areas, shelving, disaster planning and other practicalities.

Resource: Caring for records – West Yorkshire Archive Service. Information about packaging and handling, and links to more detailed guidance.

3.7 Location control

Good practice

When records are moved they are tracked. It is clear who is responsible for them and when this changes (e.g., on hand over). Records remain within the control of the organisation at all times. Whether paper or digital, any tracking system should keep a full record of previous, current and intended location; changes to any information about the records (such as date for disposal, access controls); names of those requesting the record; date requested, received, and moved.

Resource: Tracking paper records – University of Edinburgh. Guidance and sample forms.

3.8 Commercial storage

Good practice

Where outsourced or commercial offsite storage is used, the security and protection of records is maintained.

Resource: Identifying and specifying requirements for offsite storage of physical records – The National Archives (2011). Includes security measures, access and retrieval, and conditions of the storage areas.

3.9 Digitisation

Exemplary practice

Digitised images and data are managed and preserved in a digital preservation system.

Resource: Working together to preserve our digital heritage – Dorset History Centre (2022). Digitised adoption records are included in their digital preservation system.

Good practice

If paper and microformat records are digitised, quality standards are followed. If digital text is created (by typing up text or by scanning and Optical Character Recognition), an image of any original handwritten records is also made.

If paper records are disposed of following digitisation, all original photographs and personal documentation are kept and continue to be managed as these can be of critical importance to people.

Resource: How should I plan digitisation? – Culture24. A good overview of things to consider, not just for heritage collections.

Resource: Digitisation checklist – Norfolk Record Office. Part of a wider resource for people digitising in-house.

Resource: Starting a digitisation project and Deciding to outsource or digitise in-house – Sustainable Heritage network (2017). Part of a larger resource for digitisation of heritage collections but applicable to records.

Resource: Evidential weight and legal admissibility of electronic information BS 10008:2020 – British Standards Institution (2020). Available at a cost. How to transfer paper records to microform or digital formats without compromising quality.

3.10 Transferring records

Good practice

When services or organisations cease, all records are transferred to appropriate organisations – usually the Local Authority or its archive service. This is a statutory requirement for adoption records. The receiving organisation makes information about the transfer available and manages them in the same way as to their own records and following this guidance.

Resource: MIRRA toolkit and framework

Resource: Business records at risk - Archifau Cymru/Archives Wales (2021). Rescuing records which are vulnerable to loss in the event of insolvency.



4. Providing access to records

Thousands of requests to view records are made by care-experienced and adopted people each year in England and Wales. Research has shown that care-experienced people and adopted people:

- Value every single piece of information about themselves.
- Often face challenges/barriers when accessing records, especially where information is redacted.
- Can find it difficult to find out who holds their records.
- Want clear and up-to-date information on how to access their records.
- Can experience trauma when accessing their records and there is mixed levels of emotional support available.
- Often face delays and long waits for organisations to respond to their requests.

This section outlines good and exemplary practice in providing access to records including:

- There are up-to-date policies and procedures including published information on how people can access their records.
- Staff receive trauma-informed training appropriate to their role.
- Once an access request has been received, the person is kept updated with information about progress.
- Subject access requests for care records are completed within the statutory timescales of one month and 'complex' requests are completed within three months.

- Requests for adoption records are completed within as short a timeframe as possible.
- Therapeutic support is available to anyone who chooses to access it.
- Redaction is kept to a minimum and all redactions are clearly explained. Judgements are carefully considered about balancing the rights of the person to information about their family life alongside the privacy rights of third parties.

“There came a point where I wanted to know where I'd been, I wanted to know who'd fostered me, because there was little chunks of my life missing, like where I'd gone to school? ... that's what spurred me on to do it, because I wanted to know, I wanted to fill in these bits that were missing in my life.”

Gina, care-experienced adult and co-researcher – reproduced from Good practice in recording and access to records (2022).

“Bits were covered up as well to safeguard others as well so it didn't make it easy to read. I get that I'm not able to see information but why can't they just make things individual?”

A young person from Plymouth – reproduced from Case Recording – Plymouth's Listen and Care Young Peoples' Councils (2022).

“It showed that I had been breast-fed and that I was with my birth mother for a couple of weeks I think. And going back on the train I think it had quite a profound effect really, because I think

instead of just being a name on a piece of paper, I thought more deeply about her and having had the children fairly recently began to imagine what it must have been like for her to give me up a baby. So I think it had quite a profound effect just that one fact, everything else I knew really.”

Elizabeth, adopted adult – reproduced from the Adoption Reunion Handbook (2005).

“There is quite a lot of relationship building that happens...because you can't just give somebody a load of files and go 'that's your information.’”

Liz, Archivist at the Together Trust – reproduced from Care records: The power of understanding your history – the Together Trust.

4.1 Policies and procedures

Exemplary practice

Processes are regularly reviewed and feedback from people who have accessed their records is proactively sought in non-exploitative ways. Changes to processes are publicised.

An organisation makes amends to people who have experienced harmful practices in accessing their records.

Good practice

People have a general statutory right to request access to their own information and to receive it within one month of the request (or three months, if complex). This is called a 'subject access request'. Children have the same rights as adults over their personal data. This right is universal, although there are some exemptions – including for adoption records.

Policies and procedures exist and are regularly reviewed (including principles for handling information relating to third parties). Practice and implementation of procedures is also regularly reviewed.

How people can access their information is publicised in plain English.

Information about policies, procedures, and what to expect is easily available so that people can decide whether to make a request. Support is available with procedures if people choose or need to use this.

Processes are designed together with care-experienced people and adopted people and are regularly reviewed. Equality Impact Assessments are carried out.

Information governance practitioners and social workers work closely together on all requests to balance understanding of information rights and the law alongside understanding the personal and emotional impact of accessing records.

All requests are tracked and monitored.

Resource: [CLEARmark: access to records quality mark](#) – The Care Leavers' Association. The quality standard for access to care records.

Good practice continued

Resource: *Your history – Together Trust.*

Resource: *Access to Records: information held about you and how to see your records – Herefordshire County Council (2022). Plain English information leaflet linked from webpage.*

Resource: *access to records – Nugent Care. Information leaflet and forms.*

Resource: *Approaching GDPR with compassion – Hertfordshire County Council (2019). Article on p.2 of a “practitioner perspectives” resource from the MIRRA project.*

Resource: *Children Act 1989: planning transition to adulthood for care leavers – Department for Education (2022). Statutory guidance including provisions for access to records by 16–25-year-olds.*

Resource: *Access to information for adult care leavers a guide for social workers and Access to Records Officers – CoramBAAF (2022). Available at a cost. Includes worked examples and templates for correspondence, information leaflets and service design.*

Resource: *A guide to the data protection exemptions – Information Commissioner’s Office. See the section on “disclosure prohibited or restricted by an enactment” for adoption records and reports.*

4.2 Trauma-informed training

Good practice

Staff receive trauma-informed training appropriate to their role.

Resource: *How can practitioners support access to records – MIRRA project (2020). Hear from Adrian and Heather about good practice.*

Resource: *Trauma-Informed Practice – Plymouth City Council. An introduction to understanding and responding to the impact of trauma on people’s lives.*

Resource: *What is meant by trauma? – Scottish Government National Trauma Training Programme. Introductory resources and links to other tools.*

Resource: *Support guides for staff working with potentially disturbing material and records – Archives & Records Association (2017).*

4.3 Processing requests

Good practice

Once an access request has been received, the person is kept updated with information about progress in a way that minimises harm. Dealing with a named professional, they can choose the means and level of contact from the organisation.* This includes when and how records are presented, when and how to disclose information which may be needed to handle the request, and the presentation of redacted information. An individual's choices are respected: everyone has different needs and preferences.

Accessibility requirements are asked for in an open and unintrusive way.

Requirements for identity are clear and generous: a lack of formal ID should not prevent someone from accessing their own information.

The person is asked sensitively if they are able to share information that they already know (e.g., names of other children they grew up with). This allows informed decisions to be made about redaction when records are being prepared.

Resource: [Rosie: Accessing my care records](#) – MIRRA project (2020). Hear Rosie's experience.

Resource: [Reflections on accessing care records and supporting good recording: accessing your care record](#) – Research in Practice (2021). Hear from Darren and John-George talk about their experiences in part one of this podcast.

Resource: [Access to records: adoption and care](#) – The Children's Society.

**Note: there are some statutory requirements for people adopted before 12th November 1975 in England and Wales to meet with an approved adoption social worker before accessing their birth certificate from the General Register Office if they do not know their original birth name. People adopted between 12th November 1975 and 30th December 2005 are not required to attend a meeting with an adoption worker, but this service is available to them if they wish. It is good practice to also offer a meeting to those adopted after 30th December 2005. See Appendix B for more information.*

4.4 Timeframes

Good practice

Subject access requests for care records are completed within the statutory timescales of one month following identification verification. 'Complex' requests are completed within three months.

Requests for adoption records are completed within as short a timeframe as possible.

Any delay is communicated to the person and an explanation is provided in a way that minimises harm. Internal organisational processes, such as recalling records from storage or accessing legacy systems, do not delay completing a request.

Resource: deciding whether a request is complex – Information Commissioners Office. Factors affecting complexity may include large volumes of particularly sensitive information and any specialist work involved in redacting or communicating information accessibly. Part of a wider resource on handling access requests.



4.5 Support

Exemplary practice

Therapeutic support is available to anyone who chooses to access it (for both care-experienced people and adopted people). This is independent of the organisation and free to access.

Good practice

Organisations signpost care-experienced people and adopted people to sources of counselling and therapeutic support, if they choose to access it.

*Note: there are some statutory requirements for people adopted before 12th November 1975 in England and Wales to meet with an approved adoption social worker before accessing their birth certificate from the General Register Office if they do not know their original birth name. People adopted between 12th November 1975 and 30th December 2005 are not required to attend a meeting with an adoption worker, but this service is available to them if they wish. It is good practice to also offer a meeting to those adopted after 30th December 2005. See Appendix B for more information.

Resource: Social worker counselling service – London Metropolitan Archives (2022). Offered to all those who wish to view their in-care file at LMA, which holds records dating from 1926-1965.

Resource: Where to get support – Brighton & Hove City Council. Part of plain English information about accessing social care records.

Resource: Supporting care leavers to access records – Barnardo's Making Connections (2019). Article on p.1 of a "practitioner perspectives" resource from the MIRRA project.

Resource: Guidance documents for supporting adults adopted on/after 30 December 2005 to access their records – CVAA (2019). Available at a cost. Covers "post-commencement" adoptions.

4.6 Reviewing and redaction

Exemplary practice

Procedures and principles for reviewing and redacting records are published.

Good practice

Copies of original records are made, reviewed and prepared for transfer to the person requesting them in a way that minimises harm. Extracts or summaries are only used where the original format would make copies unclear or heavily repetitive, or where the person has requested this for accessibility reasons.

In reviewing and preparing records to be provided, redaction is kept to a minimum. Headings are retained. Redactions are made in white or pale grey by default. People may choose for redactions to be made in black. All redactions are explained and a general summary of the kind of information which has been redacted is provided. The specific exemption(s) applied under Data Protection legislation are also provided.

Reviewing and redaction is carried out by experienced trained staff. They receive regular supervision and practice is regularly reviewed to ensure consistency and to minimise subjectivity. Redaction decisions are documented and retained with the records.

Judgements are carefully considered about balancing the rights of the person to information about their family life alongside the privacy rights of third parties. Whilst the records are being prepared, the potential benefits and/or harms of sharing or withholding the information are weighed and decisions recorded.

Where the person requesting their records already knows information, redaction is avoided.

Information is only redacted where it relates absolutely and completely to a third party and bears no relation to the care-experienced or adopted person.

Information relating to any person who appears in the records because they were employed to care for someone, or received payment for providing a service, or acted in an official capacity, is not treated as 'third party' information and is therefore not redacted (DPA 2018 Schedule 2, Part III, paragraph 16(2)(b)). This means that the names and information of social workers, health professionals and foster carers remain unredacted.

Good practice continued

Resource: Social work data – Information Commissioners Office (2023). Part of detailed guidance on the right of access.

Resource: Redaction Guidance – North East Lincolnshire Clinical Commissioning Group (2021). A general document with useful redaction principles (p.3), methods (p.11-12) and a checklist (p.13). Written in a health context, and including some other legislation which is unlikely to apply, but a helpful resource.

Resource: A guide to the data protection exemptions – Information Commissioners Office. General guidance.

Resource: Access to information for adult care leavers. A guide for social workers and Access to Records Officers – CoramBAAF (2022). Available at a cost. Includes examples of redaction decision-making. Also includes detailed information about sharing health information, applying the “serious harm” exemption, and case studies about third-party information.

4.7 Presenting the records

Exemplary practice

Additional presentation copies of important memory items such as school photographs are provided.

Good practice

Records are prepared and presented with care and in a logical order, in a way that takes account of the impacts on the person receiving them. A summary or overview is provided which outlines the dates and areas covered. This includes information about potential triggers such as historic social work practice or harmful language in the records. How a person can further exercise their information rights, including how to challenge redactions, is also included. Where information has been shared with other agencies, this is explained and relevant, and up-to-date contact details provided. Additional contextual information is provided.

Original photographs and documents are transferred to the requester (such as certificates or letters left on file for them). If a copy of such items is retained by the organisation then this is made clear to the requester.

The organisation should keep a copy of the records as finally sent alongside full documentation of redaction decisions. A copy of the records as finally sent should also be added to the individual's case file.

Resource: [MIRRA toolkit and framework](#)

Resource: [Content warning – Find & Connect](#). [Content warning including historic language](#).

Resource: [Child social-care recording and the information rights of care-experienced people: a recordkeeping perspective](#) – V. Hoyle and others (2019). Published article including an overview of social work recording practices since 1970, describing how records were made and kept.

Resource: [Access to information for adult care leavers a guide for social workers and Access to Records Officers](#) – CoramBAAF (2022). Available at a cost. Includes template cover letters and supplementary information to be provided giving context to records.

4.8 Providing the records

Good practice

A person can choose the way in which records are provided to them (e.g. digitally, hard-copy or through a personal discussion). It is also their choice whether they attend an in-person meeting.*

Before the records are provided, the person is advised that this will be happening in the near future and how the records will be provided.

Records are protected when they are sent to the person. Secure links are used for digital records. Physical records are securely fastened and parcelled. A postal or courier delivery service is used with both tracking and signed-for delivery.

Resource: [How should we provide information securely?](#) – Information Office. Part of a wider resource on supplying information to a requester.

Resource: [Adoption and care records at London Metropolitan Archives](#) – T.Hodgkinson (2022). Presentation slides summarising the process followed at LMA.

Resource: [Access to information for adult care leavers a guide for social workers and Access to Records Officers](#) – CoramBAAF (2022). Available at a cost. Includes tips for preparing for an in-person meeting and considerations for mailing hard copies, among many other topics.

*Note: there are some statutory requirements for people adopted before 12th November 1975 in England and Wales to meet with an approved adoption social worker before accessing their birth certificate from the General Register Office if they do not know their original birth name. People adopted between 12th November 1975 and 30th December 2005 are not required to attend a meeting with an adoption worker, but this service is available to them if they wish. It is good practice to also offer a meeting to those adopted after 30th December 2005. See Appendix B for more information.

4.9 Access to the records of deceased people

Good practice

For requests of the records of deceased people, there is a clear and publicised policy and procedure.

Note that whilst data protection legislation does not apply to deceased people, information may be withheld under a continuing duty of confidentiality under common law, or the Access to Health Records Act 1990, or (for local authorities) the Care Planning, Placement and Case Review (England) Regulations 2010 or The Care Planning, Placement and Case Review (Wales) Regulations 2015.

Resource: Information about the deceased – Information Commissioners Office (2013).

Resource: Birth records services for descendants – Coram.

Resource: Access to information for adult care leavers a guide for social workers and Access to Records Officers – CoramBAAF (2022). Available at a cost. Includes information about requests from descendants.



5. Summary of statutory guidance and minimum standards

Department of Education (England)

Statutory guidance on adoption for local authorities, voluntary adoption agencies and adoption support agencies. This 2013 guidance covers England. Chapter 6 contains guidance on the storage of and access to adoption records both before and after adoption.

Adoption: national minimum standards. This 2014 advice contains the national minimum standards applicable to adoption agencies and adoption support agencies in England. Standard 27 relates to records.

The Children Act 1989 guidance and regulations. Volume 2: care planning, placement and case review. Provides guidance, primarily addressed to local authorities and their staff in England, about their functions under Part 3 of the Children Act 1989. Published in 2021. Section 7 covers case records including creating case records, retention and safekeeping, access and confidentiality, and electronic records for 'looked after children'.

Welsh Government

"Regulated" services are those provided by the independent/voluntary sector.

Local Authority Adoption Services – Code of Practice. Issued under section 145 of The Social Services and Well-being (Wales) Act 2014 and The Local Authority Adoption Services (Wales) Regulations 2019. Records are covered in section 1.7.

Local Authority Fostering Services – Code of Practice. Issued under section 145 of The Social Services and Well-being (Wales) Act 2014 and The Local Authority Fostering Services (Wales) Regulations 2018 as amended. Records are covered in section 1.8.

Regulated Adoption Services – Statutory Guidance. Issued under section 29 of the Regulation and Inspection of Social Care (Wales) Act 2016 and The Regulated Adoption Services (Services Providers and Responsible Individuals) (Wales) Regulations (2019). Records are covered in section 1.8.

Regulated Fostering Services – Statutory Guidance. Issued under section 29 of the Regulation and Inspection of Social Care (Wales) Act 2016 and The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019. Records are covered in section 1.9.

Disclaimers

This guidance is intended to help those dealing with the records of care experienced and adopted people. It is not intended as legal advice.

The resources are given as examples, however this does not imply that the individual resources or the organisations producing them are endorsed by ARA or the CALGG project team.

Appendix A - Acknowledgements

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Appendix B - Access to birth information

When a person has been adopted before 12th November 1975 in England and Wales and who does not know their birth name, they must contact the General Registrar Office to obtain the information they require to apply for a copy of their original birth certificate. It is a statutory requirement for the adopted person to meet with an approved adoption social worker before this information can be given to them.

However, if the adopted person knows their original name, they do not have to go through this process, but they should contact the GRO who will advise them about how they can obtain a copy of their original birth certificate.

People adopted on or after 12th November 1975 and before 30th December 2005 are not required to attend a meeting with an

adoption worker, but this service is available to them if they wish. They can apply to the General Registrar Office for a copy of their original birth certificate, whether or not they already know their birth name.

Adopted people can use the General Registrar Office's [Birth Information Before Adoption form \(BIBA\)](#) when contacting them.

For people adopted on or after the 30th December 2005 (referred to as post-commencement adoptions) and who do not know their name at birth, they will need to apply to the Appropriate Adoption Agency (AAA) that was involved in their adoption for the information they require in order to obtain a copy of their original birth certificate.