# Adopted Adults Access to their Adoption Records Process

## Introduction

Schedule 4 of the Data Protection Act 2018 states that any information gathered under adoption legislation is exempt from Article 15 of The General Data Protection Regulation (GDPR) and not a Subject Access Request (SAR). Access to adoption records is underpinned by the Adoption Agency Regulations which sets out how they must be managed. There is a defined list of which documents make up a child’s adoption case record and these can be accessed once a person is aged eighteen without making a SAR (see appendix below).

An adopted adult who wishes to access their child in care records for example for the time they were in foster care/residential care prior to a plan for adoption should make a Subject Access Request for this part of their record.

Any Professional who is supporting a young person and wanting to request access to their records, which includes their adoption record, should make this request to our Front Door ([duty.intake@n-somerset.gov.uk](mailto:duty.intake@n-somerset.gov.uk)) as a professional access to records request.

## What Needs to Happen

* Requests for access to an Adoption record should be directed to [Brianne.Ackland@n-somerset.gov.uk](mailto:Brianne.Ackland@n-somerset.gov.uk)
* Adopted adults living in the Adoption West region who want to access their adoption record should contact [Adoption West Birth Links Service](https://adoptionwest.co.uk/birth-links/).
* Any adult who does not live in the Adoption West region will be advised by North Somerset Front Door Team or Adoption West, to contact their local Regional Adoption Agency (RAA) or their Local Authority (LA) Adoption team to ensure a social worker is allocated to support the adopted adult access their service.
* Adoption West Birth Links OR another RAA/LA allocate a Social Worker to support the adopted adult access their adoption record.
* Birth Links OR the other RAA/LA obtain the signed consent from the adopted adult and undertake the verification of identity before requesting the file record. Birth Links require two forms of photo identification or one and a proof of address such as utility or council tax bill.
* Birth Links OR the other RAA/LA contact: [Brianne.Ackland@n-somerset.gov.uk](mailto:Brianne.Ackland@n-somerset.gov.uk)
* Children’s Social Care Business Support will check if North Somerset Council was the adoption agency of the child and confirm to Birth Links OR the other RAA/LA whether North Somerset Council holds the adoption case record. This request should be actioned promptly and not subject to delay.
* Shelley Caldwell (Head of Family Support and Safeguarding, [shelley.caldwell@n-somerset.gov.uk](mailto:shelley.caldwell@n-somerset.gov.uk)) will oversee and approve what information can be shared.
* Business Support liaise with Birth Links OR the other RAA/LA worker to either come and view the adoption record or scan the record and send securely to them.
* The preparation of adoption case record is delegated to Birth Links OR the other RAA/LA. A summary of the record is prepared and documents to share with the adopted adult.
* Birth Links OR the other RAA/LA support the adopted adult throughout the process of sharing the record.
* Where an access to adoption records request comes from the adopted adult directly to North Somerset Council and the adopted adult lives in the Adoption West region the request should be passed to Birth Links worker: [vanessa.thomas@adoptionwest.co.uk](mailto:vanessa.thomas@adoptionwest.co.uk)
* If the adopted adult does not live in the Adoption West region, North Somerset Council should identify the regional adoption agency for the area where the adopted adult lives and direct the enquiry to them for support and progression.
* Any regional adoption agency contacted by an adopted adult living in their area who requires access to their North Somerset Council adoption record could contact North Somerset Council, and North Somerset Council should follow the same process as above.

## Appendix

### Adoption Case Record Guidance

The child's Adoption Case Record should contain the following information and documents:

1. The child's original birth certificate and birth details (time, weight, type of delivery etc);

2. Description and details (including family tree) of the birth family and household set out in an Assessment or other relevant document;

3. Photographs, certificates, other significant personal mementos and Life Story Book;

4. Completed Neo-natal and obstetric reports;

5. The Child's Permanence Report;

6. The Prospective Adopter's Report and Adoption Placement Report;

7. The Adoption Support Plan;

8. The child's profile, Matching Meeting minutes and any other documents prepared and presented for the matching decision;

9. Record of social work with child about adoption, including recording of direct work. This should include the date of every contact, whether the child was seen, issued discussed, child's views, analysis and evaluation of the content of the report. This will provide a record to inform current actions and a record for the young person in later years;

10. Details of siblings, together with any assessments and decisions to place brothers and sisters separately, including minutes of relevant meetings;

11. All relevant minutes and the Agency Decision Maker (Adoption) decisions in relation to the child's adoption plan and placement, including records of discussions held by the Agency Decision Maker. Copies of all notifications of agency decisions will be sent to birth parents and adopters;

12. Looked After Review minutes and the child's Care Plan from the point when adoption was identified as the plan;

13. Assessments, correspondence and signed agreements relating to post-adoption contact;

14. Any other key correspondence to and from members of the child's birth family;

15. Minutes from Placement Planning Meetings;

16. Itemised List and copies of information supplied to child;

17. Itemised List and copies of information supplied to adopters;

18. Later Life letter/information from the birth parents to the child;

19. Later Life letter from the social worker outlining the circumstances of the adoption plan;

20. The Adoption Placement Plan and any amendments;

21. Reports of visits to the child post-placement and records of any Adoption Review meetings. As previously stated, this should provide sufficient detail to inform current actions but also enable the young person in future years to make sense of his/her history;

22. Court reports and other documents prepared for Placement Order applications (if applicable) and the adoption application;

23. Copies of Care Orders (including Interim Care Orders);

24. Copy of any Parental Consent to Adoptive Placement and Parental Consent to the adoption and/or a copy of the Placement Order;

25. Copy of Adoption Order;

26. Any recording relating to requests for access to birth records by the adopted person or access to the Adoption Case Record by any person;

27. Any Veto - absolute or qualified - registered by the adopted person;

28. Minutes of any Disruption Meetings.

It is essential that all case records reflect the supervisory process and comprehensive management overview.