

# Contents

---

<b>Foreword</b>	<b>ix</b>
<hr/>	
<b>Introduction</b>	<b>1</b>
A note on terminology	2
Why adult care leavers want to find out information from their care files	3
Experiences of adult care leavers asking for access to care records	5
Issues with the data Protection Act	6
<hr/>	
<b>1 Messages from research and the legal framework</b>	<b>9</b>
The legal framework	13
Key practice issues under the Data Protection Act	17
Guidance from Government and the Information Commissioner's Office	27
The Freedom of Information Act 2000 and the Freedom of Information (Scotland) Act 2000	28
Obtaining records in civil litigation proceedings	29
Summary	31
<hr/>	
<b>2 Providing a service to adult care leavers</b>	<b>32</b>
Introduction	32
Values and principles for access to records and services	34
Who can undertake access to information services?	35
Meeting the specific needs of adult care leavers	36
Direct contact to inform decision-making when responding to the access request	37
Making a risk assessment	38
Beginning the Subject Access Request	39
Verifying identity	40
Confirmation of enquiry and information about the SAR process	42
Information leaflets	43
Opening a service case record	44
When records have been destroyed or mislaid	44
Making contact with adult care leavers	45
How to prepare records	46

What information can be shared?	48
Practice issues when sharing information about another person	49
Sharing sensitively	50
Dealing with third-party personal information	52
Sharing health information	53
Serious Harm Test	54
Preparing a summary	55
Sharing information in a supportive environment	56
Support during and after accessing records	57
Sending information by post	57
Dealing with particular applications	59
Requests for information by a descendant of an adult care leaver	67
Service delivery – quality standards	69
Summary	72
<b>3 Issues and dilemmas in sharing information</b>	<b>73</b>
Case examples	73
Summary	94
<b>4 Tracing and intermediary services</b>	<b>95</b>
Providing a service	95
Case examples	96
Pointers for practice	100
Summary	103
<b>References</b>	<b>104</b>
<b>Glossary</b>	<b>106</b>
<b>Appendices</b>	<b>110</b>
Introduction to the Appendices	110
Appendix 1: Initial response letter to adult care leaver who has requested information from care records	111
Appendix 2: Access to personal records application form	112
Appendix 3: Template for the organisation’s information leaflet	114
Access to records	114
Appendix 4: Action record sheet – request for access to information from care records	121
Appendix 5: Response to an enquiry from an adult care leaver when no records have been located	123

Appendix 6: Partner agency/third party notice of relevant material intending to share with SAR applicant	124
Appendix 7: Partner agency/third party disclosure follow-up letter	125
Appendix 8: Form to accompany letter to another agency/ third party regarding intention to share relevant information	126
Appendix 9A: File report of access to records meeting	127
Appendix 9B: Example of issues to be covered in face-to-face meeting/communication with adult care leaver	128
Appendix 10A: Template for letter to adult care leaver in response to a request for records by post	130
Appendix 10B: Alternative template for letter to adult care leaver requesting records by post	132
Appendix 11: Suggestions for an evaluation of service received by adult care leaver	133

---

**Organisations for people in care/adult care leavers** **134**

---

**Further reading** **139**

Memoirs and personal experiences	139
Surveys, reports and research studies	140
Podcasts	141