



**Archives & Records
Association**
UK & Ireland

The records of adopted and care-experienced people – developing guidance for record-keepers and care professionals

A project by the Chief Archivists in Local Government Group (CALGG) of the
Archives and Records Association

Research findings report

Executive summary

Version	Description
DRAFT 20 July 2023	First draft for presentation to the Advisory Group and Project Board.
DRAFT 5 October 2023	Second draft created following feedback from the Advisory Group and Project Board. Summary of survey findings added.
DRAFT 17 October 2023	Third draft was created following feedback from the Project Board. Acknowledgments section added.
19 January 2024	Acknowledgements updated. Response rates to survey and dataset figures updated. Minor changes to project background.
FINAL 29 January 2024	Acknowledgements typo amended above.

Executive summary

(i) Project background

Many care-experienced or adopted people reconstruct their personal histories by turning to the records created about them by social workers and care providers. Across England and Wales the records of adopted and care-experienced people who are formally classified as 'looked-after people' should be kept for 100 and 75 years respectively, but there are no permanent preservation protections for records in law. This project had two key aims:

1. Identify where these records are held in England and Wales – in independent agencies and local authorities.
2. Generate robust guidance on the preservation of these records based upon the empirical evidence base collected.

The project was led by members of the Chief Archivists in Local Government Group (CALGG) who are part of the Archives and Records Association. They contracted Kevin Bolton, Larysa Bolton and Sarah Wickham to work on the project. An Advisory Group consisting of adopted people, care-experienced people, social work practitioners, information/data protection practitioners helped inform the development of the project. Funding for the project was provided by the UK National Archives' Network for Change fund, the Welsh Government and individual donations from services within the CALGG membership.

The purpose of this phase of the research was to:

- Understand how care-experienced people and adopted people think their records should be created, managed, and accessed and what they think the guidance should cover.
- Understand the views of those who create, manage, preserve, and provide access to the records and what they think the guidance should cover.

And to

- Use the findings from above to develop a framework for the guidance.

To understand this between June and July 2023 we:

- Undertook a new literature review which built on the one we did for the exploratory research on this project but had a stronger focus on understanding the views of care-experienced people and adopted people on recordkeeping.
- Facilitated consultation through focus groups (6) and interviews (6) with care-experienced people, adopted people, social care practitioners, information governance/data protection practitioners, and archive/records management practitioners.

(ii) Findings – focus groups and interviews

	Care experience people’s perspectives	Adopted people’s perspectives	Social work practitioners’ perspectives	Information governance and data protection practitioners’ perspectives	Archive and records management practitioners’ perspectives
Access to records	<p>They face challenges/barriers when accessing records, especially with redaction</p> <p>There is also inconsistency in how redaction works. For example, asking for records a second time got more records/pages and different redaction</p> <p>For some, it was difficult to find out who holds their records</p> <p>Accessing records can be traumatic and there is a lack of emotional support for those wanting to access their records</p> <p>Access to records can take a long time</p>	<p>Redaction of records and missing information is an issue</p> <p>Every single piece of information is important for adopted adults – they want to access the whole file</p> <p>Accessing the records can be traumatic but the level of support provided by organisations is mixed and often poor</p> <p>Access to court records is also important, but can be difficult</p> <p>There needs to be clear up to date guidance for adopted adults on how to access their records</p> <p>Access to records can take a long time</p>	<p>There is a lack of resources to provide trauma-informed support to people wanting to access their records</p> <p>Judging how to balance disclosure of information to the person accessing their records whilst maintaining the rights of any third parties is done on a case-by-case basis but this means it can be inconsistent</p> <p>Information about the location and accessibility of records, and handling historical records is needed</p>	<p>Those handling requests from care-experienced and adopted people need specialist knowledge: a standard SAR approach is not appropriate</p> <p>Balancing rights of access and privacy is difficult</p> <p>There are simple ways to reduce some harm e.g., using white for redaction</p> <p>Some records are very voluminous (e.g., 10,000 pages) requiring a lot of resource to review</p> <p>There is inconsistency among organisations and across the country as to how requests for access to records are handled</p>	<p>The requester should have as much control as possible over the process of accessing their records</p> <p>Practice is inconsistent</p> <p>Trauma-informed support for all individuals accessing their records, and for staff facilitating this, should be available</p> <p>It is difficult to find information about records and signpost to other organisations</p> <p>Balancing access and privacy rights is difficult</p>

<p>Creating records and recording</p>	<p>The voice of children and young people is often missing from the records</p> <p>Personal items, photographs and objects are important</p> <p>There should be ways for children and young people to add to their records</p> <p>The language in records can often be derogatory and judgemental. Language is important and should be inclusive and caring</p>	<p>Personal items such as letters/handwriting of birth relatives are important</p> <p>The language in records is often derogatory and judgemental. This needs to be explained to adopted adults when they access their records.</p> <p>There should be standards for what type of information is recorded</p>	<p>Contemporary recording practice is better than in the past but change is slow in this area</p> <p>Personal items, photographs and objects are important</p>	<p>A copy of life story books should be kept by the organisation so that they remain available to the person later in life if needed</p>	<p>Personal items, photographs and objects are important and physical and intellectual control must be maintained over these along with records</p> <p>Knowledge transfer and succession planning for staff changes is needed</p>
<p>Preservation and management of records</p>	<p>There should be parity with adoption records in terms of retention</p> <p>Some felt the records will have value to their descendants and should be kept for longer than 100 years (some suggested 125-150 years) or permanently – although there should be an option to ‘opt out’. However, they recognised not everyone may feel like this and one person felt their records should not be kept longer –</p>	<p>Everyone we spoke felt that the records should be kept permanently. They will have value for their descendants. The participants in the focus group felt they would also have value for academics</p> <p>In terms of digitisation, some felt the original records should be kept, but others felt this could not be realistic. However, all felt that personal items should be kept</p>	<p>All records should be kept permanently</p> <p>Descendants also have rights e.g., medical information</p> <p>Migrating formats must be done carefully to avoid loss of quality or of information. This includes digital records</p>	<p>All records should be kept for at least 100 years. Is permanent preservation fair to the people whose records they are?</p> <p>Internal controls (physical and intellectual) must be in place</p> <p>A lack of records management practices affects historic records</p>	<p>Physical and intellectual control of records must be maintained</p> <p>All records should be kept for at least 100 years, including other social care records which have shorter retention periods than case files</p> <p>The IICSA moratorium on destruction has suspended decisions about disposition</p>

	<p>there is a duty of confidentiality</p> <p>Some asked whether all the records should be brought together into one place</p>	<p>Some asked whether all the records should be brought together into one place</p>			
Priorities for the guidance	<p>Access, particularly emotional support and redaction (see above)</p> <p>Creating and recording (see above)</p> <p>Personal items, photographs and objects</p> <p>Retention periods</p> <p>Demonstrating the importance of recordkeeping to record creators and organisations</p>	<p>Access, particularly emotional support, redaction and transparency about what they hold (see above)</p> <p>What type of information should be recorded</p> <p>Personal items and objects</p> <p>Retention periods</p> <p>Timescales to responding to access requests</p>	<p>Access, particularly trauma-informed support and redaction</p> <p>Storage and control of paper records</p> <p>Longevity of digital data</p> <p>Retention periods</p> <p>Digitisation of analogue formats</p> <p>Legislation: access timescales, health records</p> <p>Resources to identify where records are located and available</p> <p>Historical context</p> <p>Contemporary record creation</p>	<p>Access, particularly redaction, and interacting with the requester</p> <p>Storage and control of paper records</p> <p>Digitisation of analogue formats</p> <p>Longevity of digital data</p> <p>Retention periods</p> <p>Legislation: access timescales, health records</p> <p>Historical and other context</p>	<p>Access, particularly redaction, and interacting with the requester</p> <p>Retention periods</p> <p>Storage and control of paper records</p> <p>Digitisation of analogue formats</p> <p>Records in cloud-based 3rd party supplied systems, particularly digital preservation and ongoing access</p> <p>Providing support</p> <p>Historical and other context</p> <p>Demonstrating the importance of recordkeeping to organisations</p>

(iii) Findings – records survey

The primary purpose of the records surveys was to understand what records local authorities and independent organisations hold relating to care-experienced people and adopted people. The survey also included some questions regarding the management of the records and what the guidance should cover. The surveys were issued to organisations in England and Wales in mid-April 2023 including archives services, local authorities, regional adoption agencies/services, and independent agencies.

The initial deadline for responses was 3 July 2023 and at least two reminders were sent to each organisation. As of 10 July 2023, response rates from local authorities and independent agencies were low. As a result, we asked 98 (56%) local authorities to consider the survey as a Freedom of Information Request. Freedom of Information Requests were not submitted to local authorities who had asked for an extension or where the Archivist was acting as a liaison with Children’s Services.

As of 1 January 2024, response rates from local authority archive service (84%) and regional adoption agencies/services (75%) were good. However, response rates for local authorities (49% for adoption records, 45% for care records) and independent fostering agencies (4%) were still low.

The findings from the surveys include¹:

- **Good engagement with archivists and records managers.** Several archivists and records managers fed back that completing the survey was a useful process as it has given them a greater understanding of what they hold. For a few, it has helped them develop a better relationship with Children’s Services.
- **Limited capacity or understanding of what they hold.** Email and telephone conversations we had with respondents, especially local authorities, suggests the capacity to complete the survey was an issue, but this also suggests they do not necessarily have basic information to hand about what they hold. Information can also be held in different parts of the local authority which further complicated completing the survey. In retrospect, we could have made parts of the survey simpler for local authorities to complete.
- **Confusion about where records are held.** There was often an assumption in England by local authority staff that adoption records are held by the Regional Adoption Agency, when in most cases they are still held by the local authority. In addition, in few cases where independent adoption agencies have closed and their records transferred (statutorily) to the local authority, staff were not always aware of this. Where Children’s Services functions have been outsourced to an external organisation there was also sometimes confusion about who holds the records.

¹ Analysis of survey undertaken 1 October 2023.

- **Quality of responses.** The quality of responses was mixed. Some respondents went to great lengths to provide useful contextual information and detail. However, there were some responses that provide very brief information. In some cases, respondents did not even include basic information such as date coverage. For example, just under one third of organisations who responded did not provide a start date of their adoption or care case files.
- **Size of the records.** The survey asked about the extent/size of their paper and digital records. 67% of organisations did not provide an answer on the number of boxes they hold and 83% did provide an answer about the size of their digital records in GB. This suggests organisations do not know this or have this information easily to hand.
- **Case management software.** The survey asked approximately when the creation of digital case records started in the organisation. 65% of organisations were able to answer this question. The answers provided ranged from the 1980s to 2022 – with 80% of those who answered providing a date from the 2000s-2010s. The most common case management software used by respondents was Liquidlogic (34% for care records and 37% for adoption records) and Mosaic Access (35% for care records and 28% for adoption records).
- **Guidance.** The survey asked what respondents thought the guidance should cover. All areas scored relatively high, although the highest scored areas were for ‘access to records,’ ‘retention of records’ and ‘redaction.’ Digitisation and storage of paper records scored slightly lower – especially in the care records survey.

The main outcome of the record survey is three datasets outlining what records organisations hold. These are:

- Archives services - arranged by name of archives service (128 services)
- Adoption records - arranged by name of the organisation that holds the records (119 organisations)
- Care records - arranged by name of the organisation that holds the records (92 organisations).

In total, the datasets contain details of the records of:

- 1,749 children’s homes
- 166 mother and baby homes
- 228 local authorities and agencies/societies (adoption)
- 113 local authorities and independent organisations (care)

Note – dataset information correct as of 1 January 2024

(iv) Framework for the guidance

The guidance will:

- Be aimed at practitioners responsible for creating, managing, and providing access to the records and free to access.
- Provide the perspectives of care-experienced adopted people to give practitioners a greater understanding of their needs and the challenges they face.
- Use plain/simple and inclusive language.
- Be relatively 'short and punchy,' but at the same time have enough detail to be useful for practitioners.
- Be easy to dip in & out of/refer to when needed.
- Parts can be easily reused to create additional content such as social media posts or films.
- Signpost to existing guidance, sources of good practice and other resources where appropriate rather than create new guidance.
- Identify good practice to empower people to change what is in their power.
- Highlight best/exemplary practice as case studies and where campaigning/advocacy will be required to implement best practice with significant resource impacts.

In terms of content, it will cover:

(i) Introduction

- Background
- Why is recordkeeping important?

(ii) Creating records

- Participatory recordkeeping and the voice of the children and young people
- Recording joy and positive moments
- Accessibility and inclusivity
- Memorabilia, personal items and objects

(iii) Preserving records

- Retention periods and permanent retention
- Digitisation of microformats and paper
- Storage and control of paper records
- Longevity of digital data

(iv) Providing access to records

- Access processes
- Redaction
- Legislation and statutory timescales
- Trauma-informed practice in support
- Identifying location and availability of records

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- Larysa Bolton, archives consultant
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