



Children's Services Your Records

The records we keep about you and how
you can see them



Hampshire
County Council

www.hants.gov.uk

Your Records

Contact information:

Subject Access Request Team
Children's Services Department
Elizabeth II Court North
Winchester
Hampshire SO23 8UG

Email: childrens.services.sar@hants.gov.uk

Web: www.hants.gov.uk/subject-access-request-info

Your Records

1. Introduction

The Children's Services Department holds the records of people who are under the age of 18, are continuing to receive services from us, or have previously used children's social care and/or education services.

This document has been created to help explain why we keep records, what we record, how long we keep information about you for, our approach to data sharing and how you can view the information held about you. (NB: we use the word "you" to refer both to parents acting on behalf of a child or to children who are considered capable of making their own decisions).

Please contact us if you have any questions relating to the content of this booklet or require this publication in a different format, such as large print or another language.

2. Why we keep Records

Children's Services records information about the work we do and the people we are in contact with. This helps us to make decisions about the services we provide, ensures we comply with the law and means we can be held accountable for what we do.



For more information about how we use the information we collect, please go to:

www.hants.gov.uk/schoolsdataprotection

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3. What we record

At the point of contact with us, information will be recorded about you and will be kept on 'file' – either on computer or as a paper record. Details of discussions, letters and records of telephone calls are added to your file as they happen, along with any reports and information about you from other people.



4. How long we keep records

Records are kept securely and will be held by us for a specified length of time, depending on the type of service that we have provided. For example:

- We keep most records for six years from the date we stopped providing a service, or for four years after a person's death.
- We keep the records of children looked after in the care of Hampshire County Council for 75 years from the child's date of birth, or 15 years from the date of their death.
- We keep the records of adopted children for 100 years from the date of the adoption order.
- We keep the records of foster carers and adoptive parents for 75 years from the date of birth or 15 years from end of provision, whichever is longest.

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- We keep the records of a child placed on child protection register for 43 years from their date of birth.
- We keep education records (excluding schools) until the person's 25th birthday.

Some of these times are specified by law, but where there is no relevant legislation the times given are agreed by the County Council and regularly reviewed. These time periods are set out in policy documents called retention schedules (NB: in the past some records may not have been kept for as long).

If you would like to see a copy of the Children's Services retention schedule, please contact the Children's Services Subject Access Request (SAR) Team (see contact page for details), or email childrens.services.sar@hants.gov.uk

5. Permission to share information



Children's Services may work with other agencies to ensure that the right services can be made available, where it is not possible for us to provide them directly. Unless there are special circumstances, the County Council is required by law to obtain your permission to share personal information about you with other people and organisations.

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We only share as much personal information about you as necessary, so that other organisations can provide an effective service, or as required by law. They can only use that information for the specific purpose we have agreed with them and their staff are bound by the Data Protection Act in the same way as our staff. We also keep a record of the information that has been given to other organisations.

5. (i) When permission is not required

There is some information that we are obliged under certain circumstances to pass on, whether you give us your consent or not. For example, where information is required to protect children, vital interests, or information that is required by the courts or is needed to detect, prevent or investigate a crime.

5. (ii) People not able to give their permission

There are some people who are not able to give their permission to pass on information about them (eg children under 12 or older children who lack capacity). They may have someone who can make the decision on their behalf. Otherwise, a “best interests” decision may be made. If this is the case we will discuss the matter with those close to the person. Details regarding any conversations and/or decisions will be kept on record.

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6. Confidentiality

All staff are required to keep information about you confidential. Only authorised staff can see this information in order to carry out their work. We only share information with other organisations where it is necessary in order to provide a service or where it is legally permitted.

7. Seeing your records

While receiving services from us, information we record will be regularly shared with you by your keyworker. If you have questions about your case or require specific information, you should first speak to your key worker who may be able to assist.



You have the right to request access to the records we hold about you and this is referred to as a **Subject Access Request (SAR)**.

The request should be made in writing. There is an application form available which has been created to assist you in helping you think about what information you are trying to obtain. The application form can be requested from the Children's Services SAR team or alternatively, an application form can be accessed online at:

www.hants.gov.uk/dataprotection

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You will be able to request information held both on paper or on computer, to check its accuracy and that you are in agreement with what is recorded. We will ensure that you see as much of your records as possible, but certain information may be withheld from you. For example:

- Information that is about somebody else.
- Third party information given in confidence about you by someone who has not given their permission for you to see it.
- Information that could cause physical or mental harm to you or someone else.

If there is any doubt about you seeing any part of your records, an assessment will be carried out before a decision is made.

8. Seeing Someone Else's Records

To see someone else's records you will need to make a written application.

Parents do not have an automatic right to see their child's records. If you want to see the records of someone who has the necessary capacity to request them themselves you will need to provide a written consent/authority from them.



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If the person whose records you wish to see does not have the necessary mental capacity to request them; eg, because they are too young, you can apply if you have Parental Responsibility for them and are legally entitled.

Seeing the records of someone who is deceased

It is Hampshire County Council's policy to maintain the confidentiality of a client's record, even after death. A decision as to whether you can see the records you are asking for will be based on the information you provide.

9. Adoption Records

Adoption records are covered by adoption law: the Adoption Act 1976 and the Adoption Agencies Regulations 1983.

Who can see adoption records?

Anyone involved in the adoption of a child can ask to see their own record. This includes the child, the natural parents, the adoptive parents and adults adopted as children.

You should bear in mind, if you are adopted, that if you want to see your own adoption records you can only see information that relates to yourself and your birth parents, not to your adoptive parents and only once you have reached the age of 18.

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Certain other documents will be withheld such as court reports as these remain the property of the court. There is no charge for seeing adoption records held by the local authority.

Finding adoption records

If you live in Hampshire and you already have information about the adoption, for example the original name of the child and that of the birth mother, you can apply directly to Hampshire County Council for help, even if the adoption was not arranged in Hampshire. Information about all adoption records in England and Wales can be accessed from anywhere in the country.

For more information, please contact:

***Adoption Support Service
Glen House
Glen Road
Swanwick
Hampshire
SO31 7HD***

Tel: 01489 587 543

Email: postadoptionsupport@hants.gov.uk

Your Records

If you do not have any information about the adoption you are interested in, you should contact:

***The General Register Office
Smedley Hydro
Trafalgar Road
Southport
Merseyside
PR8 2HH***

Tel: 0151 471 4313

Web: www.gov.uk

The General Register Office holds the Adopted Children's Register for England and Wales, and will be able to provide you with some information and link you to the local authority which will be able to help you find the records you are looking for.

Seeing adoption records

Arrangements to see adoption records are usually made through the Adoption Support Service Team, and they can make sure that you have the help or support that you need.

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10. Making changes to records

If factual details are wrong we will change them when you give us evidence of the correct information. If you disagree with what is written in the records, we will add your account of events to the file. We have 21 days to make any changes to the records and we will write to you to tell you what action has been taken.

11. Complaints

If you are not happy with any aspect of the services you have received from us or with the way you've been treated, speak first to the person you have been dealing with or their manager. If things cannot be resolved this way, please see the Complaints, Comments and Compliments page on Hampshire County Council's Hantsweb site at: www.hants.gov.uk/cs-complaints

Alternatively, contact Children's Services Complaints on 0300 555 1384.



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