

PAC-UK SERVICES FOR ADOPTED ADULTS SCHEDULE 2 – BIRTH RECORDS COUNSELLING AND ACCESS TO INFORMATION

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1 These policy and procedures arise from

The Adoption and Children Act 2002, Section 98, Schedule 2 (Access to Birth Record Information), The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, (Pre-Commencement) Regulations 13, 18-21, and the National Minimum Standards for Adoption, Standards 15, 16.

2 Aims

- 2.1 As an Adoption Support Agency PAC-UK will provide a skilled and sensitive Birth Records Counselling service for adopted adults.
- 2.2 PAC-UK acknowledges that adoption is an evolving lifelong process for all those involved and that the fundamental issues raised by adoption may reverberate and resurface at different times and stages in an individual's life.
- 2.3 PAC-UK recognises that the paramount consideration in its Birth Records Counselling service is the welfare of the adopted adult. Nonetheless, PAC-UK affirms it has a duty of care to all parties to the adoption, and that, in provision of this service, its counsellors will consider the implications for everyone involved of decisions made and actions taken.
- 2.4 PAC-UK will seek to work in partnership with all parties involved, taking into account their views and wishes as well as issues of safety and well being in its decision-making, and in compliance with Schedule 2 (2002 Act).

3 Policy Objectives:

- 3.1 Staffing: PAC-UK will ensure that only qualified social workers experienced in Birth Records Counselling provide this particular service to adopted adults. However, subsequent Intermediary Service work may be carried out by other qualified counsellors who are experienced and trained in this field.
- 3.2 Non-Disclosure Agreement: PAC-UK operates a Non-Disclosure policy that refers to "protected information" from the Appropriate Adoption Agency (AAA) about any of the parties to the adoption, how such information can be shared appropriately, and how its use can be safeguarded. PAC-UK will enter into a Non-Disclosure Agreement with the AAA for that purpose.
- 3.3 Assessment of Need: PAC-UK will ensure that, in order to comply with Regulation 13 (2005), prospective service users are made aware that they are entitled to

request an assessment of their needs for adoption support services from their local authority in accordance with the Adoption and Children Act 2002 and associated regulations.

- 3.4 Any Birth Records Counselling undertaken will be informed by the completion of PAC-UK's Initial Assessment of Needs form (orange form) by the PAC-UK counsellor.
- 3.5 Funding of Birth Records Counselling work: before accepting a referral through the Advice Line, the PAC-UK counsellor must check that the client is from a local authority that subscribes to its services, or that provision has been made for a 'spot purchase' of Birth Records Counselling.

4 Procedures for Schedule 2 Birth Records Counselling

Taking a Referral

- 4.1 Referrals for Birth Records Counselling Services generally come via the Advice Line by telephone, letter or email. Every telephone call and email that comes through to the advice line is registered on the database in the 'Advice line log'. Any response from a counsellor is also noted in the log.
- 4.2 If this becomes a referral for a service at PAC-UK the advice line counsellor will fill in the 'front sheet on the database which is the electronic intake form. This front sheet needs to be completed as fully as possible during the initial telephone enquiry or referral, including the chargeable Local Authority, even if the caller is from a non-subscribing authority. A new ID number will automatically be generated by the database for the service user. This front sheet should indicate whether the client has cultural or other needs that may require additional resources or special consideration by the subscribing authority, before PAC-UK services are offered.
- 4.3 The Advice Line Worker will then put this referral 'on hold' to the respective manager of the advice line whose role it is to go through all the new referrals and the Advice Line Log to check procedures have been followed and appropriate advice has been offered.
- 4.4 The new referrals will be checked by the manager of the advice line (London) the Director of Service Delivery in their absence, or Team Manager (North) on a weekly basis. If there is a waiting list for allocation, a letter will be sent by the manager of that service to the client within 7 working days to explain this (see PAC-UK Policy and Procedures for Child and Family Service).
- 4.5 The manager of the Advice Line will make a note on the database that the referral

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has been checked and whom the case will be allocated to. They will then change the name of the case worker and the status of the case on the database to reflect this. Outreach surgery appointments can usually be made via the Advice Line Counsellor and confirmation of these appointments given at the time of taking the referral. (Advice Line Counsellors need to check the SLA list for exceptions to this). The Advice Line Counsellor (London) or the Outreach Worker (Leeds) will put these appointments straight onto the electronic outreach calendars and make a note on the database as to who the allocated worker is and if a welcome pack has been sent.

4.6 Making appointments for service users is dependent on current contractual arrangements with the Local Authority and these will be made known to the Advice Line Counsellors by the manager of the Advice Line. Advice Line counsellors are expected to acquaint themselves on a regular basis with these exceptions. Relevant PAC-UK information and reading lists will also be made available to the service user by the Advice Line Counsellor or allocated counsellor.

4.7 At the initial assessment interview, the service user's need for an adoption support service will be assessed by the counsellor either at PAC-UK premises in North London or Leeds, through telephone counselling or in an Outreach Surgery, using the PAC-UK Initial Assessment form and CORE Questionnaire. The contents of the initial contact pack will be shared with the service user, including confidentiality and the exceptions to this in relation to safeguarding of self or others. The CORE Questionnaire may be completed by the service user at the first session and will provide some basic information for an assessment of need. To standardise PAC-UK practice, the CORE questionnaire and the initial assessment form should be completed for each new adult client, even if a referring local authority has completed its own assessment of need. (These particular forms do not apply to the Child and Family Service. See their Intake Procedures).

4.8 Where appropriate, the Advice Line Counsellor will advise the enquirer about the www.nidirect.gov.uk/gro website, where more information can be found. All forms relevant to accessing information about birth records and the Adoption Contact Register can be downloaded from this website or through www.gov.uk Identity and Passport office.

Telephone number is 0151 4714830.

4.9 The enquirer, if appropriate, will be sent (preferably by email), PAC-UK's publication resource list as well as information on PAC-UK services, training events, and other relevant websites.

4.10 The enquirer must be informed that they will need to bring identifying information to the first meeting, i.e. valid passport or driver's licence. In the event that these

documents are not available, two further documents must be produced, one of which must be a Council Tax bill (less than one year old), and the other, a Bank or Building Society statement, Household Insurance or utility bill (less than 3 months old).

- 4.11 The adopted adult can be given guidance on how to obtain their birth records' information: in the first place either through applying for a copy of their original birth certificate to the General Register Office at Southport or to the Appropriate Adoption Agency (where known).
- 4.12 If the person was adopted before 12th November 1975, s/he will be required to have counselling which can take place at their local adoption support agency, the AAA or, by request, at PAC-UK's main office or at one of its outreach surgeries in a subscribing local authority. Such counselling can only be provided under Schedule 2 (2002 Act) by a qualified social worker.
- 4.13 If an adopted adult chooses to have such counselling through PAC-UK, s/he can either request their AAA to send their birth records to PAC-UK or, with the consent of the adopted adult, PAC-UK can request the records on his/her behalf.
- 4.14 The PAC-UK counsellor will require to see proof of the adopted person's identity and age i.e. valid passport or driver's licence, or other document that demonstrates age, or alternative documents as above in 4.10 and to sign a certificate authenticating identity documents.
- 4.15 Assessment of need: PAC-UK will ensure that, in order to comply with Regulation 13 (2005), adoption support services provided to an adopted adult are appropriate to their need as assessed by the local authority or PAC-UK counsellor who will consider:
 - the client's wishes and feelings
 - the client's physical and mental capacity to engage in Birth Records Counselling
 - the welfare and safety of all parties involved in the adoption;
 - legal and financial implications of Birth Records Counselling provision in each case.

5 Procedures for Access to Adoption Records and Birth Family History

Taking a Referral

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- 5.1 Referrals for Access to Adoption Records may come via the Advice Line by telephone, letter or email or originate from a Birth Record Counselling session.
- 5.2 Procedures as outlined above in 4 will be followed.
- 5.3 Where appropriate, the Advice Line Counsellor will advise the enquirer about the website www.nidirect.gov.uk/gro from where more information and application forms for 'Access to Birth Records': and Entry onto the 'Adoption Contact Register' can be obtained. All forms relevant to accessing information about birth records and the Adoption Contact Register can be downloaded from this website or through www.gov.uk Identity and Passport office.

Telephone number is 0151 4714830

- 5.4 The enquirer, if appropriate, will be sent (by email preferably), PAC-UK's publication resource list as well as information on PAC-UK services, training events, and other relevant websites.
- 5.5 The enquirer must be informed that they will need to bring identifying information to the first meeting, i.e. valid passport or driver's licence. In the event that these documents are not available, two further documents must be produced, one of which must be a Council Tax bill (less than one year old), and the other, a Bank or Building Society statement, Household Insurance or utility bill (less than 3 months old).

6 Protected Information

- 6.1 PAC-UK will operate a Non-Disclosure Agreement policy relating to 'protected information' shared by an AAA. Such 'protected information' may be disclosed by the AAA at its discretion to the Birth Records Counselling counsellor and may include background information on the adopted person, or the adoptive family, or indeed the birth relative.
- 6.2 A Non-Disclosure Agreement will be signed by PAC-UK and the AAA providing such information. Any professional disclosing such information outside the terms of such an agreement may be found guilty of a criminal offence and, on conviction, fined.
- 6.3 The AAA may be willing to share information and documents about the birth family with the PAC-UK counsellor, and for copies of these papers and letters to be given to the adopted adult.

- 6.4 Original letters from members of the birth family should be included *unless they contain third party information* or are relevant to more than one adopted person. Copies should be retained on file of any original letters or photographs given to the client.
- 6.5 In most cases, the AAA is unlikely to send any original files to PAC-UK for Birth Records Counselling work.
- 6.6 Third party information – e.g. about the adoptive parents - would generally be deleted from any information shared with the adopted adult, except where it is considered to be appropriate in certain circumstances: for instance, if there had been abuse within the adoptive family.
- 6.7 Medical information may be included, if available, with a recommendation that this be followed up with the client's GP.
- 6.8 Decisions are carefully made about the sharing (or not) of information that could be distressing or harmful to the adopted adult or others involved in the adoption. Reasons for sharing (or not) such information must be recorded on the client's file, as well as their responses and any outcomes.

7 Service delivery

- 7.1 PAC-UK is committed to providing a sensitive service with due consideration being given to race, gender, age, sexual orientation, physical and mental capacity. This is essential in Birth Records Counselling where the adopted adult may be particularly vulnerable, and background information has to be provided with caution and sensitivity.
- 7.2 Where users have particular needs, the PAC-UK counsellor will liaise with the subscribing authority or referring agency to negotiate additional resources such as transport or specialised support, including interpreter services if appropriate.
- 7.3 Location: an Access to Records service may be provided on request at either PAC-UK's offices in Kentish Town or at an outreach surgery in one of the subscribing local authorities. These venues are generally wheelchair accessible.

8 Monitoring, Evaluation and Review of Service

- 8.1 All applicants will be given clear information about how to make their views known to PAC-UK about its Birth Records Counselling and Access to Records provision. This will include details of the Comments, Compliments and Complaints Procedure.

- 8.2 PAC-UK will ensure that its Birth Records Counselling and Access to Records service provision is regularly monitored and feedback sought from users and referring agencies in an annual mail-out of evaluation forms, to assess the impact of services.
- 8.3 PAC-UK will review its Birth Records Counselling and Access to Records service annually in compliance with prevailing legislation, regulations, standards, guidance and in line with best practice. Any significant changes resulting from the review will be sent to the CEO and the Board of Trustees.