



Retrieving birth history files in the UK: Adoption, Foster & Kinship

Carers & Parents who are supporting a child in care or care experienced have the right to access the information that is written about their child saved on their files for medical, education and support purposes.

There may be sometimes confusion between professionals of the rules under the Data Protection Act UK and the Adoption Act 2002 UK; it is very clear as it protects the rights of the parents and child, to receive this level of detail of birth history information.

Making reference to the Adoption Act 2002 section 54 that provides the general regulation making power under section 9 of the Act may be used to oblige agencies in prescribed circumstances to provide prescribed information to adopters.

The Act goes on to state how important this is to provide necessary information to support needs, interests, education and health.

Furthermore reference in section 56 para 164 re transferring data and section 57 para 167 re the power can be exercised to oblige to disclose information if not satisfied.

Therefore a request can be made to access children's birth files, to include CPR, police files and any held health records including the health red book (if you have not already had copy to this already) as a carer/parent.

This **will never** require any contact with the birth family as information would all be kept on files prior to and post placement / adoption; this level of detail would be needed to build a case for the placement/adoption, but would need to be requested and saved securely for this purpose.

Following the NICE Quality Standards for FASD birth mothers are now asked if they consume alcohol in pregnancy by midwives.

Children's social workers and the Police should be looking for alcohol/drugs found at the scene where there is a woman or pregnant woman present which by good practice should be recorded.

This information should be collated in the child or/and police files linked to a domestic incident or similar, but this is not always the case where often drugs is recorded, but not always alcohol; where there is drugs often alcohol is used as a crutch to get to the next fix, where a pragmatic approach is needed by the assessing clinician to consider this.

It is important to gather as much information all information as possible but an FASD assessing clinician will only need a sentence by an expert witness to provide evidence of prenatal alcohol exposure.

This evidence gathering can be requested for medical conditions and alcohol/drug intake of birth parents and any epigenetic history of grandparents / other family members.

Looking for other genetic conditions at the same time can be helpful as FASD has up to 428 co-occurring conditions.

For the need to support the request for the detailed background search, it is useful is to make reference to Clinical Psychologist Dr Cassie Jackson and FASD Informed UK who in a recent ask the expert event with professionals and parents supported the importance of early intervention.

When it comes to FASD, early diagnosis and appropriate intervention is strongly associated with better outcomes for children and their families. In turn, this reduces the risk of secondary mental and physical health complications to those affected and also reduces cost to tertiary services if some of these difficulties are prevented.

Suggested template for your email to make your request to your adoption, foster or kinship agency:

As per the Data Protection act & Adoption Act 2002 section 54, under section 9 of the Act, I request retrieval of my child named XXXX birth files, date of birth XXXX.

I am requesting FASD Fetal Alcohol Spectrum Disorder is considered as part of a Multi-disciplinary / Paediatric Assessment and therefore **information regarding birth family genetic medical conditions & alcohol/drug intake** is vital to provide evidence as per the NICE Quality Standards for FASD to support for a possible diagnosis.

We are looking specifically for alcohol evidence in pregnancy but epigenetic history is helpful too where I understand birth parents, birth grandparents and other extended family members may have a relationship with alcohol/drugs and this is likely to be recorded in pre adoption report gathering.

Also, police records for the birth mother where police or other services including social workers may have attended a scene where she was drunk or alcohol or drugs was on the scene. I would also like to look for details of any substance abuse relating to any domestic incidents.

It may be that the children's social worker had noted alcohol from maternity files of pregnancy and birth.

If this fails to provide any evidence then I request a subject area / freedom of information request for Child Care Files can be made.

As discussed by Consultant Clinical Psychologist, Dr Cassie Jackson, *'Intervention and support for FASD strongly improves outcomes for both family and children, and reduces costs as some difficulties can be prevented'*.

I await your response as soon as possible.

Yours