



Access to Records Policy

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Regulations and Standards:

The Children's Homes Regulations 2015:

- Regulation 14 - The care planning standard.
- Regulation 36 - Children's case records.

Relevant Policies:

'Care and Placement Plans Guidance Policy'

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1. Placing Information in the Confidential Section of a child's file:

Certain information held by HND Children's Care Ltd on children should be placed in the confidential section of their file; such information would not normally be accessible to the child.

Any decision to place information or material in the confidential section must be taken by the manager of the home.

Before giving approval, the manager must be satisfied that one of the following apply:

- That there is a serious risk of injury to the child or others if the information is disclosed.
- That an offence may be committed if the information/material was accessible to the child.



- That there is a legal requirement, for example, in relation to Adoption Records.
- That there is a Court Order or Direction in force in relation to the information / material

Where the author / originator of a report or correspondence requests that it should not be shared with the child, the manager must come to a decision about whether it should be placed in the confidential section of the child's file. In coming to a decision, the manager must consult the author / originator and the child's social worker.

The decision to place the record correspondence (or not) must be communicated to the author / originator and the child's social worker; and the manager must ensure that a cross-referencing note is placed in the main body of the file, or the location where it would normally be kept, so that it may be found/accessed when required.

Once placed in the confidential section the information may only be disclosed with the manager's approval, in consultation with the author / originator and the child's social worker.

All disclosures must be noted at the front of the confidential section of the file.

Where information / materials are too bulky to be held in the confidential section of the child's file, they may be kept in another secure location, as agreed by the manager, and a note placed in the confidential section stating where it may be found.

2. Children Gaining Access to their Files / Records:

Except for information / material held in the confidential section of their files, children should be actively encouraged to take an interest in records held on them, and in their files, and to read and comment on them.

Before records or files are shown to children, consideration should be given to the likely effect of sharing the information. However, all information contained outside the confidential section is normally accessible. If in doubt or if there are concerns about the likely effect on the child, the supervisor or manager must be consulted.

Should HND Children's Care Ltd staff need to share information provided by previous carers or third parties they are strongly advised to ensure that they:

- Read the records / reports beforehand.
- Speak to the authors if possible.
- Collate the records in chronological order.
- Give thought to what questions the child may ask.
- And / or possible responses that the child may make.
- And / or what other information may be required.

A note should be placed on the Daily Record each time a child has access to records or his / her file.



3. Changing a Record:

If a child claims that information contained in the record / file is inaccurate, incorrect or misleading about a matter of fact, she/he may ask for it to be corrected or changed. Records must be changed where an opinion / assumption has been expressed on the basis of inaccurate or incorrect information.

The originator should make any changes. If there is disagreement between the originator and the child, the home manager should decide on whether or how the record should be amended.

This may result in the original record remaining the same and an additional record of the child's views being made.

End.