**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**Access to Records**

* Access to records held about children in residential services is governed by data protection legislation, namely the EU General Data Protection Regulations (GDPR) and the Data Protection Act 2018.
* These rights of access apply to paper records and electronic records, and both should be presented in a way that helps the child understand the contents. There are some exemptions to the right of access – *see Tri X for more information.*
* Children should be actively encouraged to read their records and to add further information to them. This includes reports written about them (CLA review reports, Monthly reports) and records kept on them in the home.
* Children should be regularly reminded of their rights to see information kept about them and be given information about how they might be supported to access their records in later life.
* Children with disabilities have the same rights as others to have access to information held about them. No assumption should be made about their level of understanding. This should be assessed on an individual basis as with all children.

**Staff responsibilities**

* Staff must also be familiar with information sharing requirements relating to the children they care for. They should have access to the information sharing policy and procedures specified by the West Sussex Safeguarding Children’s Partnership or the Safeguarding board for the area where the home is located.
* The home’s records on each child represent a significant contribution to their life history. Children and their parents should be supported to understand the nature of records kept by the home and how to access them.
* Staff should understand their important role in encouraging the child to reflect on and understand their history, according to their age and understanding. Staff should keep and encourage children to keep appropriate memorabilia of the time spent living at the home and help them record significant life events.
* Formal access requests to view the child’s social care file (as opposed to their residential file) should be passed to the child’s allocated social worker, who will work with the requestor to ascertain certain key details, and will co-ordinate the request form that point.
* Staff should use their discretion when deciding whether a child is in the right frame of mind to review their records and consider whether arranging an alternative time might be more beneficial.
* Many children’s files may contain information about a third party which should not be shared with the child. This information should be stored within the Confidential section of the file and can be temporarily removed for ease at the time the child is reviewing their file.

**What happens to files when a child leaves a home**

* The Child’s file will be sent on to the case holding social worker

* Files are archived after three years if there has been no activity during this time and are destroyed 75 years after date of birth by West Sussex County Council – Records Office. Files may be retrieved from archiving if necessary.

**When a child moves to another provider**

* The WSCC keyworker for the child will ensure that all current documents are photocopied (or sent via protected email) to the new external provider ensuring the original documents are retained by West Sussex.
* Photocopied documents should be assembled in a Transfer file for the child and given in person to a manager from the new service.
* The original file should be sent to the case holding social worker in West Sussex or stored confidentially while waiting to be archived.

**If a children’s home closes**

* If a home closes or is taken over by a different registered provider, it is important that children’s case records continue to be stored securely for the required period of time so that children can access their case records in later life.

**Links to related documents:**

Confidentiality

Case recording