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STATUTORY INSTRUMENTS

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**1996 No. 3266**

**The Adoption Agencies (Scotland) Regulations 1996**

**Confidentiality and preservation of case records**

**23.—(1)** Subject to regulation 24, any information obtained or recommendations, reports or decisions made by virtue of these Regulations or given to the adoption agency, shall be treated by the agency as confidential.

(2) Where a case record has been set up by an adoption agency in respect of a child or a prospective adopter any report, recommendation or decision made by that agency by virtue of these Regulations in respect of that child or that prospective adopter shall be placed on the case record relating to that child or, as the case may be, that prospective adopter, and any case records set up by the agency together with the indexes to them shall be kept in a place of special security.

(3) Subject to regulation 26(2), an adoption agency shall preserve the indexes to all its case records and the case records in respect of those cases in which an adoption order is made in a place of special security for at least 75 years and shall preserve other case records in a place of special security for so long as it considers appropriate; and such case records and indexes may be preserved on computer records or such other system as reproduces the total contents of any such record or index.