
STATUTORY INSTRUMENTS

2005 No. 389

The Adoption Agencies Regulations 2005

PART 7

CASE RECORDS

Access to case records and disclosure of information

42.—(1) Subject to paragraph (3), an adoption agency shall provide such access to its case records and disclose such information in its possession, as may be required—

- (a) to those holding an inquiry under section 81 of the 1989 Act (inquiries) or section 17 of the Act (inquiries) for the purposes of such an inquiry;
- (b) to the Secretary of State;
- (c) to the registration authority;
- (d) subject to the provisions of sections 29(7) and 32(3) of the Local Government Act 1974⁽¹⁾ (investigations and disclosure), to the Commission for Local Administration in England, for the purposes of any investigation conducted in accordance with Part 3 of that Act;
- (e) to any person appointed by the agency for the purposes of the consideration by the agency of any representations (including complaints);
- (f) by and to the extent specified in these Regulations;
- (g) to an officer of the Service or a Welsh family proceedings officer for the purposes of the discharge of his duties under the Act; and
- (h) to a court having power to make an order under the Act or the 1989 Act.

(2) Subject to paragraph (3), an adoption agency may provide such access to its case records and disclose such information in its possession, as it thinks fit for the purposes of carrying out its functions as an adoption agency.

(3) A written record shall be kept by an adoption agency of any access provided or disclosure made by virtue of this regulation.

⁽¹⁾ 1974 c. 7.