MIRRA

Memory – Identity – Rights in Records – Access

Whose records are they? Agency and subject access to social care records

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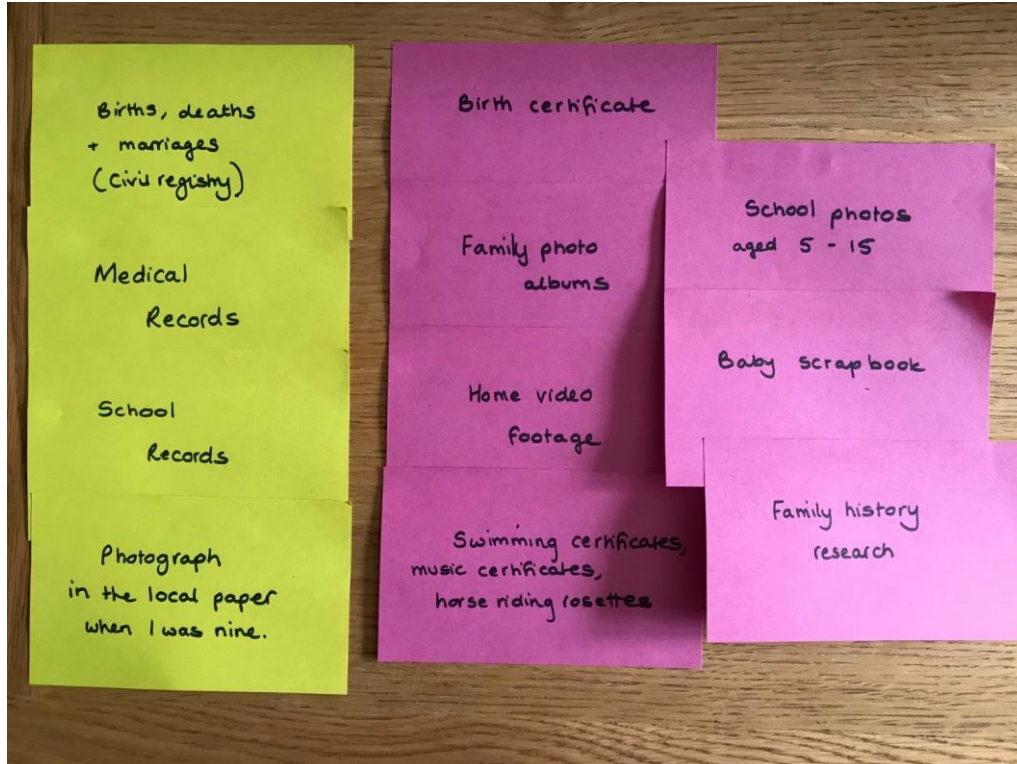Arts & Humanities Research Council

The Care Leavers' Association

MIRRA

Memory – Identity – Rights in Records – Access

- A two-year Arts and Humanities Research Council funded project, exploring information rights and responsibilities in social care records.

- Led by University College London (UCL) from the Department of Information Studies and in partnership with the Care Leavers' Association.

Personal memory records

- 1 post-it per record type
- One colour for organisational records
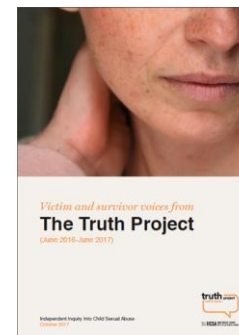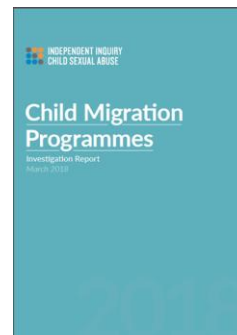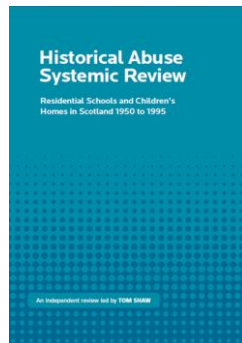- Another colour for records held by you or your family

Background

- **Children Act 1948** – establishes first recordkeeping requirements for child protection/social care.

- **Case files** – primary 'device used to render the individual knowable and calculable' as an 'administrative subject' of social work. (Parton, 2008)

- Produced by **multiple agents** - social workers, education/health practitioners, foster carers/residential workers, birth family.

- **Personal and idiosyncratic** ⟷ **Formulaic and repetitive**

- '**Paper self**' - impacts on how people are subsequently treated and understood by others, and on how they treat and understand themselves.

England – *Access to records for care leavers / child migration*

Scotland – *Access to records / use in abuse inquiries*

Australia – *Access to records / social justice / archival autonomy*

It's My Journey: It's My Life!
Care leavers and access to social care files

A report on a series of multi agency roundtable discussions on Data Protection, Subject Access Requests and Support

- Needs and experiences of care leavers often not understood.
- Inconsistent practices across England – 'postcode lottery'.
- Lack of support services.
- Inadequate records management.
- Poor contextual information about historic care provision.
- No specific advice on how to apply generic legislation like the Data Protection Act.

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Who are the subjects of the records.

Who create and use the records.

Care leavers aged 18+

Social care practitioners

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Information professionals

Academics

Who manage and provide access to the records.

Who want to use the records in their research.

What are the mechanisms and processes currently in use? Do they serve people's needs? How could they be improved?

Accessing records

Support and services

What support is currently available in relation to social care records? What should support look like? How could it be provided?

Redaction of third party information

Who decides what can be disclosed? How are such decisions made and justified? Is it possible to better support care leavers' needs for this information?

Key questions

Language and content

How can the difficult and hurtful contents of care files be shared? What is the role of contextual information?

Memory and identity

Why are care records valuable for memory and identity? How could this value be increased?

Recordkeeping practices

How has social care recording changed? How will the shift to digital systems impact on information rights in the future?

Initial Findings – Access to Records 1

- Dynamics of power and lack of self-determination experienced in childhood are replicated.
- Protocols and procedures fail to account for the needs of care leavers.
- Experiencing access to files is a complex affective process that is 'double-edged'
- There is potential for re-traumatising *but also for* vindication.
- Provision of access to records is inconsistent.

Initial Findings – Access to Records 2

- 'Subject Access Request' under Data Protection Act
- Lack of contextual and 'pre-access' information.
- Lack of integration between life story work and personal memory curation and the 'official' record.
- Redaction is the pressure point for both care leavers and practitioners.
- Absence of the voice of the child, young person and family.
- Motivations to access records are complex and multiple.
- Access is not a single moment in time.

What do we want to achieve?

1. **Support care leavers' rights to information, memory and identity.**
   ➢ Through the creation of access to records resources.
2. **Influence public policy debates about social care records.**
   ➢ Through a policy brief targeted at influencers and decision-makers.
3. **Support practitioners and researchers in their recordkeeping responsibilities.**
   ➢ Through the co-production of a recordkeeping framework.

Has this workshop affected your thinking about care records or care leavers' information rights?

Is there anything you would change in your work?

Has thinking about these issues impacted in any other way?

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