



Access to Records Policy

Policy & Guidelines

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1.0 RIGHTS OF ACCESS

1.1 Who can see their records?

People have the right to see personal information that Concrete Rose holds about them, unless a legal exemption applies. This right covers both paper and electronic records.

Records should be organised clearly so that people can understand their history and the decisions made about them.

With a host's permission, their assessment records may be shared with another relevant agency if they apply to become a supported lodgings host elsewhere.

1.2 When information may be withheld

Concrete Rose may withhold or redact information where the law allows this, including when disclosure could:

- cause serious harm to the physical or mental health of the person or someone else;
- go against the best interests of a person where the records contain child abuse information;
- involve a person who cannot manage their own affairs;
- reveal information that the person expected, or clearly asked, to remain confidential;
- reveal identifiable information about another person without their consent, unless disclosure is reasonable;
- affect the prevention or investigation of crime, or public or national security; or
- involve information supplied to a court during legal proceedings.

A request may also be refused if it is clearly unfounded or excessive, for example when it repeats a request that has already been answered.

Only the protected information should be withheld. All other information should be provided. These exemptions do not apply where disclosure is required by a court order or for legal proceedings.

1.3 Informal requests

Concrete Rose encourages staff to share information routinely and provide copies of key documents where appropriate.

If a current host asks for a particular document or piece of information, staff should first consider whether it can be provided informally.

Young people should be able to see, understand, challenge and add to their records, with appropriate support. Records should clearly describe their achievements, history, experiences and future plans.

1.4 Formal requests

For a formal request, staff should follow these steps:

1. Ask the person to make the request in writing and explain what information they want.
2. Record the date the request was received.

3. Confirm the person's identity. If they are not known to staff, ask for photo identification such as a passport or driving licence.
4. Find all relevant paper and electronic records.
5. Ask a Concrete Rose director to approve access. If approval is refused, explain the decision to the person.
6. Check that the records are complete, clear and easy to understand.
7. Remove or redact only information covered by a legal exemption, including protected third-party information.
8. Arrange access as soon as possible and remind the person to bring proof of identity.

A Concrete Rose representative should be available to explain the records and answer questions. Information must be provided in a suitable format for anyone with language, literacy or disability-related needs, using approved interpreters where needed. Support may be offered, and sensitive information may be shared over more than one meeting.

The person will receive one copy of their data. A fee may be charged for extra copies.

If a document belongs to another organisation, such as a local authority or health service, the person should contact that organisation directly.

1.5 Timescales

Information that can be disclosed must normally be provided within one month of receiving the request, confirming identity and receiving any applicable fee.

For complex or multiple requests, Concrete Rose may take up to two more months. The person must be told about the delay and the reason within the first month.

1.6 Requests from young people

Requests from young people should be handled in the same way as adult requests. Concrete Rose must decide whether the young person understands the request, consulting their social worker where relevant. Written confirmation from an adult may be requested where appropriate.

Do not assume that a disability affects a young person's understanding. Assess each person individually.

A young person who understands the request should have regular access to information about them when this is in their best interests, unless an exemption applies.

1.7 Requests from parents or people with parental responsibility

A young person's personal data belongs to the young person, not to their parent. If the young person understands their rights, Concrete Rose should respond to them rather than the parent.

When deciding whether a parent should have access, consider:

- the young person's maturity and ability to make the decision;
- the nature of the information;
- any relevant court orders;
- possible harm if access is given, especially where abuse has been alleged;

- possible harm if access is refused; and
- the young person's views.

Access may be refused if the young person provided information expecting it to remain confidential or clearly asked for it not to be shared.

A parent should receive information only when a Concrete Rose director, working with relevant social workers, is satisfied that access is in the young person's interests rather than the parent's interests.

1.8 Requests through an agent

An agent, such as a solicitor, may request records. The agent must provide proof of identity and satisfactory evidence that they are authorised to act. A Concrete Rose director will decide whether access is allowed and may seek legal advice.

1.9 Requests about someone who has died

The applicant must explain in writing their relationship to the person, what information they need and why. A Concrete Rose director will decide whether information can be provided and will give the decision and reasons in writing.

1.10 Correcting or deleting records

A person may ask verbally or in writing for inaccurate information to be corrected or deleted. Concrete Rose must reply within one month.

Concrete Rose will take reasonable steps to check accuracy and correct information where needed. The level of checking will depend on the nature of the information, how it is used and the importance of accuracy.

A request may be refused if it is clearly unfounded or excessive, including repeated requests.

1.11 Refusing access

If there may be a legal reason to refuse access to all or part of a record, Concrete Rose will obtain legal advice where required.

A Concrete Rose director will make the final decision. The request date and reason for refusal must be recorded on the file.

The person must be told the decision and reasons in writing, or in another format that meets their needs.

1.12 Appeals

The person may ask a court to order the disclosure, correction or deletion of information. They may also complain to the Information Commissioner.