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STATUTORY INSTRUMENTS

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**1991 No. 910**

**The Foster Placement (Children) Regulations 1991**

**PART III**

**RECORDS**

**Retention and confidentiality of records**

**14.**—(1) The record for a foster parent or other person compiled under regulation 13, and any entry relating to him in the register maintained under regulation 12, is to be retained for at least 10 years from the date on which his approval is terminated, or until his death if earlier.

(2) The requirements of paragraph (1) may be complied with either by retaining the original written record (or a copy of it) or by keeping all the information from the record in some other accessible form (such as by means of a computer).

(3) The authority or organisation responsible for the maintenance of any register or record under regulation 12 or 13 are to secure its safekeeping and to take all necessary steps to ensure that the information which it contains is treated as confidential subject only to—

- (a) any provision in or by virtue of a statute under which access to such register, record or information may be obtained or should be granted;
- (b) any court order under which access to such register, record or information may be obtained or given.

(4) Each voluntary organisation, where they are not acting as an authorised person<sup>(1)</sup>, shall provide a guardian ad litem of a child—

- (a) such access as may be required to—
  - (i) case records and registers maintained in accordance with these Regulations,
  - (ii) the information from such records or registers held in whatever form (such as by means of computer);
- (b) such copies of the records or entries in the registers as he may require.

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<sup>(1)</sup> For access by guardian ad litem to local authority and authorised person's records see section 42 of the 1989 Act as amended by paragraph 18 of Schedule 16 to the [Courts and Legal Services Act 1990](#)(c.41). person is defined in section 31 of the 1989 Act.