

Belfast Health & Social Care Trust
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10th October 2025

Nick Mitford
Clerk Committee for the Executive Office
Northern Ireland Assembly
Via Email: Committee.Executive@niassembly.gov.uk

Dear Mr Mitford

RE: Truth Recovery and Redress Bill - Access to records

I write in response to your letter dated 23rd May 2025 in relation to the forthcoming Truth Recovery and Redress Bill seeking information on our Trust processes for facilitating timely access to records for victims and survivors.

Firstly, I would like to extend my sincere apologies for the late reply.

In order to gain a full understanding of the work being undertaken by the Belfast Trust Post Adoption Service to facilitate timely access, it may be helpful to offer some context to the work currently underway.

In January 2024 regional implementation of “*Access to Birth Records and Adoption Agency Case Records for Adults impacted by Adoption*” (the Practice Guidance), issued by the Department of Health (DOH), was introduced for all Adoption Agencies.

The Guidance seeks to ensure a consistent, region-wide approach to managing access to records requests across all adoption agencies. The guidance includes proposed timeframes within which adoption agencies should aim to respond to requests, recommending that records (by way of a minimally redacted copy of a file) are disclosed within 30-90 days. The Belfast Trust adopted this guidance and continues to work to these recommended timeframes. At present the Belfast Trust is meeting the timeframes set out by the DOH. While it can occasionally take up to 90 days for a full file to be disclosed, in the majority of cases a letter of information is provided much earlier, typically within 30-60 days.

In anticipation of an increase in requests in late 2023, the Belfast Trust Adoption Service identified funding for a part-time Band 4 position to support social workers in the administrative aspect of the task of redacting files. Additionally, a specialised computer software programme was procured to assist with waiting times and improving efficiency in the redaction process. Both these measures I am pleased to say have assisted greatly in processing the requests for information in a timely way.

Belfast Trust is the only Trust to have specialist Post Adoption Service for adults, and this has been in place since 1995. This structure has greatly assisted the Adoption Service in implementing this guidance with the professional staff within our specialist Post Adoption Service continuing to be involved in providing support (where required) to those requesting the record.

Any person requesting information in respect of their Adoption record has therefore three avenues that can be followed as follows:

1. An individual can make a record access request through the Subject Access Request process.

The UK GDPR and accompanying Data Protection Act 2018 governs information pertaining to living individuals and provides a right of access to their personal information held by the Trust. The legislation sets out timeframes for processing requests, and the Trust strives to respond to these within one calendar month, or within 3 calendar months where a request is considered complex. It should be noted that both children's social care records and mental health records are often deemed as complex requests, as they are usually voluminous in content, highly sensitive and contain significant third-party information. Furthermore, the legislation does not provide an individual with automatic access to information about related third parties without informed consent. All requests are subject to due diligence to ensure an individual's right of access is balanced with the duty of confidentiality owed to any third parties.

The Access to Health Records (NI) Order 1993 provides a limited right of access to health records (not social care records) of deceased individuals. In general, requests for access to a deceased individual's information will only be considered if the requester falls into one of the following categories:

- the legally appointed personal representative of the deceased (i.e. an executor or administrator of a Will to enable them to carry out their duties); or
- any individual who has a claim arising out of the death (for example, a claim against the estate of the deceased).

In all cases, legal proof of entitlement is required before a request for a deceased person's healthcare records can be processed under the legislation.

The Access to Health Records (NI) Order 1993 does not recognise Next of Kin on its own, as a personal representative with the right to access a late relative's health records; and, in

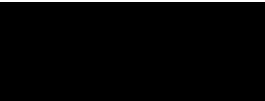
Northern Ireland, Power of Attorney does not apply to health care decisions and ceases to apply on the death of an individual so cannot be used as proof of entitlement. The Trust aims to respond to these requests within 40 days.

2. Following a request to The Adoption Service, a Letter of Information, outlining the content of the individual's adoption record can be provided. This will be shared with the individual alongside professional support from the Post Adoption [Adults] Service.
3. A minimally redacted copy of the original file, prepared by the Adoption social work staff under the "Access to Birth Records and Adoption Agency Case Records for Adults impacted by Adoption" (the Practice Guidance).

The Trust retains its records in accordance with the Department of Health's Good Management, Good Records (GMGR) Disposal Schedule which sets out the minimum retention period for records ([gmgr-disposal-schedule.pdf](#)). The Belfast Trust has been working in partnership with The Public Records Office of Northern Ireland to support work related to the Truth, Recovery and Redress Bill.

The requests to Belfast Trust are much higher than made to other regional Trusts and we would welcome any support or assistance that the Executive Office can bring in proposing and identifying funding to support the Truth, Recovery and Redress Bill in the achievement of its aims for victims and survivors.

I trust that the detail provided above assists you in responding to the Committee's request, however, should you require any additional information please do not hesitate to contact me.



Jennifer Welsh
Chief Executive