



**Data Sharing Agreement  
For Scotland's Adoption Register**

**For the necessary sharing of data**

**Scottish Government  
With  
Registered Placing Adoption Agencies in Scotland**

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## 1. INTRODUCTION

Permanent, stable and secure placements, of which adoption is one option, are shown to provide the best long term outcomes for looked after children. However, in order to ensure that this option is available to all children where it is appropriate a system which is responsive to the needs of children, avoids delay and can identify placement opportunities quickly and effectively is required.

It is vitally important that two aspects of this system operate in tandem; the assessment of the needs of the children involved should be completed as quickly as appropriate in their circumstances, and care planning for the short, medium and long term is required in order that children are not just taken into care, but also have a strategy in place to allow them to exit care appropriately and in a supported fashion. Similarly, opportunities for these children to cease being looked after by a Local Authority must be identified locally and nationally in order that the best available option is always considered. Children should not remain in care just because there is no alternative, they should only be in care as long as is necessary to secure their long term welfare.

Scotland's Adoption Register (the "Register") was initially set up in 2011 in response to the recommendations of the Adoption Policy Review Group and following discussions with stakeholders nationally. The Register provides greater opportunities for placing children, many of whom may be harder to place, in stable and permanent families. It provides information nationally on the demographics of children waiting for adoption, and the families that are currently available. This in turn offers potential opportunities for children who may not have been considered suitable for adoption due to the potential lack of adopters. The Register also provide, helps to inform national policy and practice and to ensure that looked after children are offered the best opportunities available. The Register was placed on a statutory footing by the Children and Young People (Scotland) Act 2014 ("the 2014 Act"), by way of amendment to the Adoption and Children (Scotland) Act 2007 ("the 2007 Act"). By placing the register on a statutory footing, and requiring every adoption authority to use it, the intention is to maximise opportunities for, and accelerate the process of, finding suitable adoption places for children for whom adoption has been identified as the most appropriate way forward.

### 1.1 Data Controllers

The data controllers involved in this data sharing are the referring adoption agency (either a voluntary registered adoption service or local authority - further details in Section 3) and the Scottish Government. The Register is a database which records and stores information that is a duplication of information already held by agencies. Section 4.1 (and Annexes C & D) outlines the information that is processed by the Register. The Register uses this information, or allows agencies and adopters to use this information, to identify potential links between children with a plan for adoption and prospective adopters.

Adoption agencies are the data controllers of the information up to the point where

it is uploaded to the Register, and at the point where they receive information from the Register about potential links. The Scottish Government is the data controller for information uploaded to the Register.

## **1.2 Data Processors**

St Andrew's Children's Society is the data processor on behalf of the Scottish Government. St Andrew's Children's Society is acting on the instruction of the Scottish Government as laid out in the controller processor contract.

## **2 PURPOSE OF THE DATA SHARING**

Scotland's Adoption Register is a free service being hosted by St Andrew's Children's Society and funded by the Scottish Government for the purposes of facilitating adoption in accordance with section 13A of the 2007 Act. St Andrew's Children's Society is authorised to establish and maintain the register on behalf of the Scottish Ministers under section 13B of that Act.

The purpose of the data sharing is detailed within this section of the agreement.

### **2.1 Aims of Data Sharing**

The purpose of the Register, and therefore the data sharing, is to provide a platform that will aid in finding permanent stable homes for vulnerable children across Scotland through the collection of information on approved adopters, information on children who have been approved as suitable to be placed for adoption and providing a service which will link these data sets to produce appropriate matches. Secondly, the information contained in the Register will provide a demographic of the children who are waiting for adoption and are harder to place, and adults who have been assessed as adoptive parents.

By providing resources across Scotland the potential for children to be matched with appropriate adoptive parents to provide them with stable, permanent, homes greatly increases. Adoption Registers in all parts of the United Kingdom have also helped to increase the number of sibling groups and other harder to place children who are matched with a permanent family. The aims of the Register and sharing this data are to improve the process of matching children to compatible adoptive parents. The Register also provides statistics and an improved overview of adoption in Scotland.

### **2.2 Benefits of Data Sharing**

The reports and services provided by the Register can and should be used by local authorities and adoption agencies in providing evidence that they are meeting the needs of the children that are being looked after. The framework for the Register and the delivery of adoption services is set out in the Adoption and Children (Scotland) Act 2007. Under that Act, and the Scotland's Adoption Register Regulations 2016, adoption agencies are required to supply certain information about children and prospective adopters to the Register for the purposes of facilitating adoption. The Register aids local authorities to work towards the Scottish

Government's National Outcomes 5 "Our children have the best start in life and are ready to succeed" and National Outcomes 8 "We have improved the life chances for children, young people and families at risk".

The National Care Standards; Adoption Agencies revised March 2005<sup>1</sup> (see Annex C) set out the expectations that children, young people and their families and prospective adopters should have of these services. The information held on Scotland's Adoption Register can identify and provide evidence about the service delivery to these key stakeholders and service providers.

### **For children awaiting placement**

#### **Standard 5 - Choosing your new family**

- The children being looked after in Scotland are not just the responsibility of the local authority they happen to reside in, they are the responsibility of Scotland and as such every effort should be made to place these children into stable and secure homes.
- Use of the Register demonstrates that as wide a search as possible has been made to find a placement that meets the needs of a Looked After Child. Because of the national resources available to the Register there is an increased possibility of a placement and the welfare of the child being secured.

### **For prospective and approved adopters**

#### **Standard 18 – Getting Information**

- Some families can, and have been waiting for a placement for a significant period of time.
- Prospective adopters may be put off by the timescales that they see and the negative information they in turn provide may impact upon recruitment initiatives.
- By providing information about the families available across Scotland to the Register, adoption agencies can provide evidence to the prospective adopters that their 'resource' as a family had been made available as widely as possible and that the length of time they wait will be minimised.
- The Register also provides prospective adopters with the knowledge that they are being considered for as wide a range of children as possible.
- By producing credible information about the range of children requiring placement across Scotland, prospective adopters will have a realistic view of what adoption entails and the requirements that their local authority and Scotland has at any particular time. Support on managing the expectations of adopters can be provided by the Register.

### **For social workers seeking placements for children**

#### **Standard 32 – Providing a good quality service**

- The Register may also provide a range of families for consideration by some children who may not have had their needs met locally. This provides an optimum 'matching' opportunity between child and family;
- The information held on the Register provides valuable evidence on the availability of families/ likelihood of placement which may be used to inform Children's Hearings and the Courts when considering the care plans and

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<sup>1</sup> All Standards referred to are extracts from National Care Standards: Adoption Agencies, revised March 2005, on line publication 16/5/11

permanence of a child.

- Criteria used by local authorities when assessing families can be targeted not only at accurate information on the children that the authority is caring for, but also throughout Scotland. By using the Register workers can provide evidence that an assessment undertaken on a family locally may be of benefit to a child elsewhere - and help meet the wider responsibility to children across Scotland.
- Knowledge that potential adopters who do not necessarily meet the needs of the local authority at that time, may meet needs elsewhere, helps to ensure that they are not refused assessment on this criteria.

## **For Service Managers and Planners**

### **Standard 32 – Providing a good quality service**

The Register will provide information on children awaiting placement and available families, helping to inform;

- children's Service Plans, including the Adoption Support Plan
- policy and practice developments
- monitoring and evaluation of effectiveness of care planning and service provision for children.
- demonstrate action to meet the needs of children across Scotland.

### **2.3 Implications and Consequences of not Sharing Data**

The information being collected by the Register is used to provide greater opportunities for permanence and stability in the lives of hard to place vulnerable children. Providing resources across the country, and recruiting for all of Scotland's vulnerable children, rather than in local areas, increases the range of permanent options available and improves the life chances of these children.

The information provided by the Register enables local authorities and adoption agencies to better plan the strategic commissioning of services and placements for children. However, the Register will only be truly effective at finding permanent homes for Scotland's looked after children and young people if every agency takes part. For that reason, adoption agencies are now under a statutory duty to supply information about children and prospective adopters to the Register under the 2007 Act (as amended by the 2014 Act) and the Scotland's Adoption Register Regulations 2016. If such information is not shared, the adoption agencies would be in breach of their statutory obligations and the Register would not be able to fully meet its commitments to other local authorities, adoption agencies, adopters and children.

## **3 ORGANISATIONS INVOLVED IN THE DATA SHARING**

The list below details the Scottish organisations involved and, where the information is available, the senior responsible individual (or in the Scottish Government's case the Information Asset Owner (IAO)) for each organisation.

Organisation/Business Area      Aberdeen City Council  
Information Asset Owner (IAO)

Organisation/Business Area      Aberdeenshire Council  
Information Asset Owner (IAO)

Organisation/Business Area Information Asset Owner (IAO)	Angus Council
Organisation/Business Area Information Asset Owner (IAO)	Argyll & Bute Council
Organisation/Business Area Information Asset Owner (IAO)	Barnardo's Adoption Placement Service
Organisation/Business Area Information Asset Owner (IAO)	Clackmannanshire Council
Organisation/Business Area Information Asset Owner (IAO)	Dumfries and Galloway Council
Organisation/Business Area Information Asset Owner (IAO)	Dundee City Council
Organisation/Business Area Information Asset Owner (IAO)	East Ayrshire Council
Organisation/Business Area Information Asset Owner (IAO)	East Dunbartonshire Council
Organisation/Business Area Information Asset Owner (IAO)	East Lothian Council
Organisation/Business Area Information Asset Owner (IAO)	East Renfrewshire Council
Organisation/Business Area Information Asset Owner (IAO)	Edinburgh City Council
Organisation/Business Area Information Asset Owner (IAO)	Eilean Siar (Western Isles) Council
Organisation/Business Area Information Asset Owner (IAO)	Falkirk Council
Organisation/Business Area Information Asset Owner (IAO)	Fife Council
Organisation/Business Area Information Asset Owner (IAO)	Glasgow City Council
Organisation/Business Area Information Asset Owner (IAO)	Highland Council
Organisation/Business Area	Inverclyde Council



Information Asset Owner (IAO)

Organisation/Business Area Midlothian Council  
Information Asset Owner (IAO)

Organisation/Business Area Moray Council

Information Asset Owner (IAO)

Organisation/Business Area North Ayrshire Council  
Information Asset Owner (IAO)

Organisation/Business Area North Lanarkshire Council  
Information Asset Owner (IAO)

Organisation/Business Area Orkney Islands Council  
Information Asset Owner (IAO)

Organisation/Business Area Perth and Kinross Council  
Information Asset Owner (IAO)

Organisation/Business Area Renfrewshire Council  
Information Asset Owner (IAO)

Organisation/Business Area St. Andrew's Children's Society Limited  
Information Asset Owner (IAO)

Organisation/Business Area St. Margaret's Children and Family Care Society  
Information Asset Owner (IAO)

Organisation/Business Area Scottish Adoption Voluntary Adoption Agency  
Information Asset Owner (IAO)

Organisation/Business Area Scottish Borders Council  
Information Asset Owner (IAO)

Organisation/Business Area Scottish Government  
Information Asset Owner (IAO) Donald Henderson, Deputy Director, Care & Protection

Organisation/Business Area Shetland Islands Council  
Information Asset Owner (IAO)

Organisation/Business Area Soldiers, Sailors, Airmen and Families Association  
Information Asset Owner (IAO)

Organisation/Business Area South Ayrshire Council  
Information Asset Owner (IAO)

Organisation/Business Area South Lanarkshire Council

Information Asset Owner (IAO)

Organisation/Business Area      Stirling Council  
Information Asset Owner (IAO)

Organisation/Business Area      West Dunbartonshire Council  
Information Asset Owner (IAO)

Organisation/Business Area      West Lothian Council  
Information Asset Owner (IAO)

### **3.1 Sharing information with agencies in other parts of the UK**

By default, Scotland's Adoption Register makes it possible to share information to identify potential links only within Scotland. In some situations, however, it is appropriate to look more widely in order to find the best possible match. There are two mechanisms for sharing information in situations where the child's agency or the adopters and their agency decide to seek links out with Scotland. Firstly, the agency can agree to allow access to profiles on Scotland's Register to workers and adopters from agencies elsewhere in the UK who have completed the same verification / authentication process as applied to Scottish agencies and who are registered with the UK Link Maker service. Secondly, the reciprocal arrangement between the four UK adoption registers allows a request to be made for children or adopters who are on one Register to be included on one or more of the others. The criteria included in the inter-Register referral, established between the four Registers, requires evidence that the prospective adopters have significant links to Scotland in order to be included on Scotland's Register.

### **3.2 Procedure for adding new organisations to the Data Sharing Agreement for Scotland's Adoption Register**

Scotland's Adoption Register can only be accessed and used by authorised members of staff and approved adopters from the adoption agencies named in Section 3.0 of this agreement or as referred to in Section 3.1. The agencies in Scotland that can use Register are either local authorities or voluntary adoption agencies who have been registered and approved to operate under the Regulation of Care (Scotland) Act 2001 (see Annex B).

Partner agencies should comply with Cabinet Office HMG Security Policy Framework and the Scottish Government's Identity Management and Privacy Principles standards (see Annex B). Each Partner agency is responsible for ensuring that their organisational and security measures protect the lawful use of information shared under this Protocol, and process the information accordingly.

The addition of a new agency will be discussed and agreed with the Register Steering Group. Partner agencies will be notified in writing about a new agency joining the Register, it is anticipated that any agency who meets the above criteria will be allowed to use the Register. However, partner agencies may present any objections in writing to the Register within 21 days of that notification and these objections will be considered and discussed with the agency who has applied to join the Register and the agency who has expressed an objection. An agency will not be

granted access to use the Register until any objections are considered and a resolution reached. Any conflict will ultimately be resolved by the Deputy Director/Information Asset Owner (IAO) of the Care and Protection Division in the Scottish Government.

### **3.3 Procedure for excluding organisations from the data sharing agreement for Scotland's Adoption Register**

If any party breaches the Data Protection Act (for example by unauthorised disclosure of personal data) then the Information Commissioner's Office may investigate the breach and could take action against the data controller responsible.

## **4 DATA SHARING: DATA ITEMS TO BE SHARED AND PROCESS INVOLVED**

This section details the types of data to be shared, the procedures involved including how it is shared and what kind of transfer of personal information is acceptable (e.g. profile within secure on-line system) and what is not acceptable (e.g. emailing personal data unencrypted and without any technical safeguards).

### **4.1 Types of Data to Be Shared**

The information to be shared with the Register is specified in schedules 1 and 2 of the Scotland's Adoption Register Regulations 2016 (see Annexes B, C & D). This is information that is already gathered by agencies in the course of making a plan for permanence for a child or when assessing adults to become prospective adopters.

#### **4.1.1 Children**

As required by the 2016 Regulations, agencies should refer all children whose plan for adoption has been approved by the Agency Decision Maker within 3 months of the agency decision - unless a match has already been agreed. The consent of the child must be obtained in cases where a child is aged 12 or over and where the agency considers the child capable of providing such consent. As noted above, the information required is specified in Schedule 1 of the 2016 regulations (see Annex B).

#### **4.1.2 Adopters**

As required by the 2016 Regulations, agencies should refer all adopters who have been approved by the Agency Decision Maker within 3 months of the decision to approve, unless a match has already been agreed or written consent has not been obtained from the adopter. The information required is specified in Schedule 2 of the 2016 regulations (see Annex C).

#### **4.1.3 Sensitive Personal Data Shared**

The Register will be recording the following sensitive personal data as identified in the Data Protection Act (1998):

- Ethnic Origins
- Religious beliefs
- Physical or mental health condition

This sensitive information is gathered as part of the process for identifying potential links with particular reference to the obligations set out in the Scotland's Adoption Register Regulations 2016.

## **4.2 Data Sharing Process**

This section details how the data sharing will be carried out, including how the data will be collected from the adoption agencies.

### **4.2.1 Transferring Data to the Register**

Agencies will share information by completing an on-line profile of the child or adopter or submitting a referral form – both require agencies to supply the information specified in the 2016 regulations (see annex C & D). The information requested includes factual data and narrative sections to create a profile of the child or adopters (see annex E).

Once a child's profile has been completed by the agency and submitted to the Register, it will be visible to other users of the on-line Register within parameters set by the agency and in accordance with Regulation 7 of the Scotland's Adoption Register Regulations 2016 (see also section 4.3 below re linking and matching). By default the profile will be available to authorised users of the Register across Scotland, but the agency may choose to limit access to reflect the needs of a particular child by stipulating that the profile should only be available for consideration by adopters living within specified geographical areas. In exceptional circumstances the agency may also choose not to make the profile visible at all – and to manage the linking process themselves by identifying adopters profiled on the Register who might be a suitable match.

Once an adopter's profile has been submitted to the Register by the adopter's agency it will be visible to authorised users of the Register across Scotland, unless the agency has indicated that they want the profile's visibility restricted. The adopters/ their agency may also indicate that they would like the profile available for consideration by agencies responsible for children elsewhere in the UK.

All adoption agencies must ensure that the declaration by the adopters and, where appropriate, the child, giving consent for their information to be shared with the Register, has been signed before a referral is submitted.

### **4.2.2 Authorisation to Submit and Receive Data**

The authority to submit and to access information held on the Register is restricted to authorised staff who have completed the required verification / authentication process.

SAR staff will have access to all information submitted to the Register.

Agency staff with the required authorisation will be able to access information about;

- children or adopters they have referred
- children on the Register who are seeking placement, where the child's agency has agreed that this information should be made visible
- the adopters who are on the Register and seeking a placement.

### **4.3 Identifying Potential Links**

Agencies refer personal information to the Register at St Andrew's Children's Society in order to identify potential links for a child and/or adopters whom they have not been able to match locally within 3 months of registration.

#### **4.3.1 For Adopters**

The on-line system allows the linking process to be managed by Register staff alone or through the direct involvement of the adopter's agency and/ or the adopters themselves. Adopters will only be authorised to view the profiles of children and initiate links with the consent of their agency.

Where the process is being managed by the Register and a potential link is identified, the agency with responsibility for the child will be contacted by Register directing them to the profile(s) of the adopters.

If the adopter's agency is managing the linking process, once they have identified a child who may be linked with their adopter, they will make direct contact through the secure on-line system with the agency with responsibility for the child.

If the adopters have been authorised to initiate links, they will be able to make direct contact with the agency with responsibility for the child in a similar way. Any communication between the adopters and the child's agency will also be visible to the adopter's own agency.

#### **4.3.2 For Children**

The on-line system allows the linking process for children to be managed by Register staff alone or by the agency with responsibility for the child. Once the child's profile is live on the system it will immediately be visible to agencies and adopters within the parameters set by the child's agency.

Where the process is being managed by the Register and a potential link is identified, the agency with responsibility for the adopter will be contacted by the Register directing them to the relevant profile(s) of the child/ children.

If the child's agency is managing the linking process, once they have identified an adopter who may be linked with their child/ children, they will make direct contact through the secure on-line system with the adopter's agency or the adopter's themselves. Any communication between the child's agency and the adopters will also be visible to the adopters' own agency.

#### **4.3.3 Pursuing Links**

Once contact is initiated, agencies and adopters will be able to enter discussions about potential links via the on-line system.

A log of communication is maintained on the system so that the progress of all on-going discussions can be tracked. Reminders will be sent where a link has been initiated but no response received. If an agency or an adopter chooses not to pursue a particular link, they will be asked to give the reason for their decision so that this feedback is available to the person who initiated the contact.

If a link progresses to the point where a match is likely to be considered at panel, the social worker will amend the status of the child's profile so that it is no longer visible to other adopters and agencies.

## **Further Sharing Processes – Restricted Publicity of Children**

### **4.4.1 Scottish Children Waiting Newsletter**

The quarterly Newsletter Scottish Children Waiting is no longer produced having been replaced by the on-line information sharing system.

### **4.4.2 Linking and Matching Events**

The Register organises a number of events to enable adopters to obtain information about children seeking placement directly from the people who know the children best - and in some cases to meet the children directly. These include Adoption Exchange days and Adoption Activity days. Attendance is strictly managed and adopters will only be present with the agreement of their agency.

In most cases information shared at these events is passed directly between the agencies and the adopters. On some occasions agencies are unable to attend but request that personal data on children held by the Register is made available for display so that the information is shared with prospective adopters.

The information on children presented at Exchange days, by agencies or the Register, can be displayed anonymously, under a pseudonym or under the child's actual name. The decision lies with the referring agency which takes advice from its own legal staff on meeting the requirements of schedules 2 and 3 of the Data Protection Act.

## **4.4 Non-Identifying information**

When a referral has been added to the Register non-identifying information from that referral will be used to provide the following services:

### **4.5.1 Court searches**

Requests from children's social workers and safe-guarder or reporting officers for information to inform court reports and/or care plans can be submitted to the Register. The information provided will refer to:

- the number of potential prospective adopters available for children as described by the referrer or
- the Register's experience of making placements for children with similar specific needs.

### **4.5.2 Annual report for general distribution and posting on website**

At the end of each financial year the Register produces an Annual Report on the operation and achievements of the Register in the previous 12 months. This report is published and circulated to every adoption agency in Scotland. It is also posted on both the Register and St Andrew's Children's Society websites where it can be accessed by the general public. This report only contains non-identifying statistical

information; no personal information is included. The information contained in the report includes, but is not be limited to: demographics of children seeking placement; demographics of children matched; demographics of adopters in Scotland; number of placements made by the Register.

#### **4.5.3 Leaflets**

Leaflets are produced to provide information on the operation of the Register specifically for adopters, foster carers, social workers and children.

#### **4.5.4 Scotland's Adoption Register Website and Social Media**

Scotland's Adoption Register's website, [www.scotlandsadoptionregister.org.uk](http://www.scotlandsadoptionregister.org.uk) contains information about the operation of the Register for both public and agency use. Similar information may be available on the Register's social media accounts (e.g. Facebook/ Twitter).

#### **4.5.5 Briefings and Training**

From time to time staff employed by the Register deliver briefings and training on the work of the Register. No identifying personal details are used in briefings or training to non-Register staff. Only dummy data or aggregated and anonymous trend data is used.

#### **4.5.6 Other uses**

Other than as defined above, St Andrew's Children's Society is not authorised to share any information on the Register with any other third party, unless legally obliged to provide it, in which case the approval of the Scottish Government Information Asset Owner (IAO) will be sought before any disclosures are made.

### **4.5 Permissions and Prerequisites to Access Shared Data**

Agencies will have their own protocols for how they process information before it is referred to the Register.

Only St Andrew's Children's Society staff members employed to work on Scotland's Adoption Register have operational access to the Register. All activity on the Register will be conducted by these members of staff only.

All identifiable information available through the Register should only be shared with those immediately involved in identifying a match for that referral as per Regulation 7(2) of the Scotland's Adoption Register Regulations 2016. It is important that agencies ensure that any individuals who access this information are appropriately aware of their responsibilities under the Data Protection Act 1998.

#### **4.6.1 Transfer of Data**

In general information will be transferred to the Register using the secure on-line process referred to above. If for any reason information has to be transferred to the Register at St Andrew's Children's Society without using the on-line system, the following details what are, and what are not, acceptable forms of transfer.

##### **4.6.1.1 Special Delivery/Courier**

Information can be sent to St Andrew's Children's Society by Special Delivery. St Andrew's Children's Society run a number of family finding services therefore to avoid any doubt only mail marked Private and Confidential, and clearly addressed to Scotland's Adoption Register can be accepted. Special Delivery mail must not be generically labelled for St Andrew's Children's Society. St Andrew's Children's Society - may also enter into an agreement with a courier service and such contract will include the need for mail to be transported securely and that it is traceable.

#### **4.6.1.2 Fax**

The Register cannot accept information by Fax.

#### **4.6.1.3 General Post**

The Register cannot accept information via general post.

#### **4.6.1.4 Email**

The Register cannot accept referrals or identifiable updating information via email.

#### **4.6.1.5 Removable Media and Mobile Media**

Removable media and mobile media, such as CD-ROMs, memory sticks or laptops are generally prohibited for the storage or transfer of information held by the Register. If an exceptional requirement arises, then any information must be encrypted using FIPS 140-2 or CAPS accredited software used with a 256-bit key and the delivery method must be traceable secure courier service or hand delivery. We recognise that there may be exceptional circumstances to this and if there are any issues of concern please seek advice immediately from the Scottish Government's Office of Security and Information Assurance (OSIA).

### **4.7 On-going/Reciprocal Data-sharing**

Data-sharing between St Andrew's Children's Society and adoption agencies will be an on-going and reciprocal arrangement:

- agencies will refer children and adopters in line with the requirements set out in the 2016 Regulations (Annex C & D)
- agencies will update the information referred to the Register until a referral is closed
- the Register will send agencies information on potential links and alternative family finding approaches where links have been hard to identify

### **4.8 Referral to the Register**

Children's referrals are made by completion of an on-line profile – the referral becomes live on the system once the social worker has completed all the required fields and confirmed that the information is correct.

Adopter referrals are made by completion of a similar on-line profile - by the adopter themselves or by their agency. At the point of referral, the agency must agree for the referral to become live on the system. The agency retains the option to withdraw the authority for the adopters to submit information.

### **4.9 Updating information**



As required by the 2016 Regulations (Annex B), agencies must ensure that the Register is notified as soon as is reasonably practicable after the circumstances of a child or adopter change, for example when a match has been identified. In most cases this information will be automatically transmitted to the Register when the agency staff update the on-line system. The information will remain on the Register for 12 months at which point any personal identifying information will be deleted and the remaining information will be archived.

## **5 BASIS FOR SHARING**

This section details the legislative framework which allows the data sharing to occur. It details the relevant adoption legislation and the data protection conditions for processing information.

### **5.1 Legal Basis**

Section 1 of the Adoption and Children (Scotland) Act 2007 requires local authorities to provide an adoption service that meets the needs of children in their area that may be adopted and persons who may adopt, amongst others. This responsibility extends to ensuring that assessments take place when they are approached by persons in their authority wishing to be assessed as potential adopters. Local authorities must also be sure that all resources available for the permanent care of children are investigated to find an appropriate placement.

The 'Scotland's Adoption Register Regulations 2016' provide details of the information that must be provided to the Scottish Ministers for inclusion on the Register (Annex C & D).

### **5.2 Data Protection Act**

This section details what Schedule 2 and 3 of the Data Protection Act (1998) conditions are met for processing personal data for the purposes of the Register. The conditions for the Scottish Government and adoption agencies to share data between them are contained within Schedule 2, condition 3 and 5 as well as Schedule 3, condition 7 of the [Data Protection Act \(1998\)](#).

#### **5.2.1 Adopters**

For the purpose of sharing information on prospective adopters, adoption agencies will secure consent for the information to be referred to the Register. The following conditions from the Data Protection Act (1998) must be met:

Schedule 2: The condition relevant for the purpose of processing personal data of adopters should be met by condition 6(1) - *The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.*

Schedule 3: The condition relevant for the purpose of processing sensitive personal data of adopters should be met by condition 1: *The data subject has given his explicit consent to the processing of the personal data.*

## 5.2.2 Children

The Register will receive data on children that have been identified for matching by the registered adoption agencies. The Schedule 2 and Schedule 3 conditions from the Data Protection Act (1998), which will apply and allow for the processing of the children's personal data are as follows:

Schedule 2 condition 6(1): *The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.*

Schedule 3 condition (1): *The data subject has given his explicit consent to the processing of the personal data.* If the child is unable to provide consent due to age and/or maturity then the local authority can give consent for the child in question if the local authority has responsibility for the child under the Children (Scotland) Act 1995.

## 6 Information Governance

This section details the information governance which is in place for this data sharing process, including how information requests are handled, how long the data is held for and how it is destroyed securely.

### 6.1 Information Assurance and Security

The LinkMaker system used by the Register is independently certified to ISO27001 by a UKAS accredited body. Regular security testing of the service is carried out for LinkMaker by an independent CREST and CHECK certified organisation. An independent review of the security arrangements has also been undertaken by the Scottish Government's Cyber Defence and Integrated Security Service.

#### 6.1.1 Identity and Background Checks

All staff at Scotland's Adoption Register and LinkMaker with operational access to the Register are background checked to Baseline Personnel Security Standard (BPSS) or similar quality of checks, including confirming identity, residence and right to work in the UK, past 3 years of employment/unemployment/study history and criminal background checks. The persons should also be trained in data protection to an appropriate level, taking into account the information they will be handling.

Access to the Register's on line system is limited to authorised practitioners as per Regulation 7(2) of the Scotland's Adoption Register Regulations 2016 and adopters as per Regulation 7(3). Authorisation is performed by a nominated worker from the agency through his or her user-account. If this is not possible, Link Maker staff perform the authorisation by speaking to a duty-worker at the agency. Only publicly-listed telephone numbers are used, and the name of the authorising worker is recorded.

The system will only allow users to login from recognised devices (i.e. those that have successfully authenticated in the past). In the event a user logs in from a new location they are required to reconfirm their identity via a unique link sent to assigned and verified email account. Login is by unique ID, password and selected digits from a PIN.

All users are required to read, understand, and agree to the terms of conditions of use before registering. This privacy page forms part of those terms and conditions.

### **6.1.2 Copying information**

Copying (other than the defined backup/disaster recovery plan) of individual or bulk records is strictly prohibited. Disciplinary procedures will be followed and an investigation carried out should any unauthorised copying or disclosure of data occur.

## **6.2 Access and Individual's Rights**

FOI requests relating to the Register will require to be considered on a case by case basis however it is under Section 38 of the Freedom of Information (Scotland) Act 2002, the personal details held by the Register about individuals is likely to be considered to be exempt from the requirement to disclose information under FOI.s. The Register may be asked to provide more general information, for example about which agencies are involved or statistical information and would be obliged to provide this. Any information would be non-identifying in terms of individuals although individual agencies may be identified. No additional procedural requirements are imposed by the Register that are not already in place on adoption agencies .

## **6.3 Data Protection Subject Access Requests**

### **6.3.1 Request for information from child with adoption plan**

As noted in section 4.9, Scotland's Adoption Register will hold identifying personal information for 12 months after being informed that the child has been matched or withdrawn before the data is made unidentifiable. All of the information that is held on the Register will continue to be held by the adoption agency under regulation 28 of the Adoption Agencies (Scotland) Regulations 2009. The Data Protection (miscellaneous Subject Access Exemptions) Order 2000 provides the legal framework which exempts individuals from gaining access to certain information held about them (see Annex B for link).

As the information held on the Register will only be identifiable for 12 months after being notified of a child being matched or withdrawn, if a request should come from a child who was once on the Register the Register staff would refer the child to the local authority who had originally referred the child to the Register.

### **6.3.2 Requests for information from prospective adopters on the Register**

Adopters will always be able to view their own profile on the Register subject to Regulation 7(3) of the Scotland's Adoption Register Regulations 2016.

### **6.3.3 Information requests for academic and training purposes**

Requests for statistics and information about how the Register fits with everyday adoption practice are anticipated from

- Students
- Trainers
- Writers
- Researchers

Any information provided in response to such requests will not include any details of individuals on the register. Only anonymous aggregate information/statistics or dummy data will be provided.

### **6.3.4 Media**

In response to requests for information or interviews, no personal or identifiable information will be disclosed.

## **6.4 Retention & Destruction of Shared Data**

Local Authorities and voluntary adoption agencies create records for children and for adopters and prospective adopters. Regulation 27(1) of the Adoption Agencies (Scotland) Regulations 2009 (See Annex B for link) obliges adoption agencies to create case records for;

- Any child for whom an adoption panel has recommended that adoption is in his or her best interests; and
- Any prospective adopter.

Regulation 27(2) Adoption Agency Regulations 2009 lists the minimum content for both types of case record and the record should contain all of the information contained on the Register as well as additional information.

The rules about retention of adoption agency records are in regulation 28 of the Adoption Agencies (Scotland) Regulations 2009.

Statutory rules are therefore in place to determine how long information is held within adoption agencies. The Register will not hold any information that is not held elsewhere and as such once notified that the information is no longer required for the purpose for linking by the referring agency, all information will be archived on the Register for 12 months. After 12 months all personal identifiable information will be completely deleted while the remaining information will be archived.

The circumstances which will determine the timing for when information is deleted from the Register are as follows:

- The Register is notified the child has been placed for adoption
- The Register is notified the child is withdrawn
- The Register is notified a child has been placed for adoption with a family
- The Register is notified the family have withdrawn

## **6.5 Termination of the Scotland's Adoption Register**

The information held on the Register will be destroyed if it is decided that the Adoption Register should cease to operate. The Scottish Government and St Andrew's Children's Society will hold discussions 6 months prior to any proposed closure and will advise all adoption agencies no later than 4 months from closure so that they can take action, if necessary, to recover information and make new arrangements.

#### **6.6 Review of the Data Sharing Agreement**

This agreement will be reviewed by the Scottish Government in consultation with Local Authorities and adoption agencies on an annual basis to ensure that it meets the objectives as set out in section 2. Any proposed amendments will require agreement by all stakeholders.

## 7 SIGNATORIES

Organisation/Business Area      Aberdeen City Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Aberdeenshire City Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Angus Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Argyll and Bute Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Barnardo's Adoption Placement Service  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Clackmannanshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Dumfries and Galloway Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Dundee City Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      East Ayrshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      East Dunbartonshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      East Lothian Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      East Renfrewshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:  
Date:

Data Sharing Agreement for Scotland's Adoption Register

Organisation/Business Area      Edinburgh City Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Eilean Siar (Western Isles) Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Falkirk Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Fife Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Glasgow City Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Highland Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:



Data Sharing Agreement for Scotland's Adoption Register

Organisation/Business Area      Inverclyde Council Community  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Midlothian Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Moray Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      North Ayrshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      North Lanarkshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      Orkney Islands Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Data Sharing Agreement for Scotland's Adoption Register

Organisation/Business Area Perth and Kinross Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area Renfrewshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area St Andrew's Children's Society Limited  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area St. Margaret's Children and Family Care Society  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area Scottish Adoption Voluntary Adoption Agency  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area Scottish Borders Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Data Sharing Agreement for Scotland's Adoption Register

Organisation/Business Area Scottish Government  
Information Asset Owner (IAO) Donald Henderson  
(if applicable) or Equivalent Deputy Director for Care and Protection  
Name:  
Signature:  
Date:

Organisation/Business Area Shetland Isles Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area Soldiers, Sailors, Airmen & Families Association  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area South Ayrshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area South Lanarkshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area Stirling Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Data Sharing Agreement for Scotland's Adoption Register

Organisation/Business Area      West Dunbartonshire Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

Organisation/Business Area      West Lothian Council  
Information Asset Owner (IAO)  
(if applicable) or Equivalent  
Name:  
Signature:  
Date:

**PRIVACY IMPACT ASSESSMENT (PIA)****Proposals Definition: Scotland's Adoption Register**

Questions to identify Privacy Issues	Risk	Impact	Likelihood
<b>1. Technology</b>			
(1) Does the proposal include the use of new or additional technologies with the potential for privacy intrusion?	The Register uses an IT platform provided by the Social Enterprise 'LinkMaker'. This platform has been operating since 2014 and is used by approximately 85% of Local Authorities in England as well as a number in Scotland. It is used to store and process the data gathered. Information is submitted on-line accessed by agency staff and adopters who have completed a rigorous authentication and verification process. The security has a high level of external scrutiny (ISO27001 accredited) and has been subject to separate independent scrutiny. Data breach' is unlikely, but the impact of any occurrence would be medium to high significance.	<b>Medium/High</b>	<b>Medium</b>
<b>2. &amp; 3. Identity</b>			
(2) Identity: Does the proposal include new identifiers, or substantially change or re-use existing, identifiers or any intrusive or onerous identification, authentication or identity management processes?	Personal data will be anonymised for use in statistical returns.  Personal data will be held internally and no linkages will be provided to external parties unless provided by The Scotland Adoption	<b>Low</b>	<b>Low</b>

Data Sharing Agreement for Scotland's Adoption Register

Questions to identify Privacy Issues	Risk	Impact	Likelihood
	Register Regulations 2016 in which it is disclosed solely for the purposes of matching. Some linkage may be considered with data held by the Scottish Government in the future at which point a new PIA would be undertaken to judge impact and appropriateness.		
(3) Identity: Does the proposal affect anonymity or pseudonymity; will previously anonymous or pseudonymous transactions be identified?	No previously anonymised data will be affected	<b>Low</b>	<b>Low</b>
<b>4. Justification</b>			
(4) Is the justification for the proposal either unpublished or unclear?	The justification for this proposal is well documented and clear	<b>Low</b>	<b>Low</b>
4a) Does the proposal involve new or changed data collection policies or practices that may be unclear or intrusive?	No new data collection processes have been created by this proposal, the register will use already collected and available data.	<b>Low</b>	<b>Low</b>
4b) Does the proposal involve new or changed quality assurance or security processes or standards that may be unclear and/or unsatisfactory?	There will be some new quality assurance processes involved in the uploading of the data and ensuring the correct information is gathered <sup>2</sup> . These are not new processes and are well used and clear from examples across the country.	<b>Low</b>	<b>Low</b>
4c) Does the proposal involve new or changed data access or disclosure	Making data available to agencies and authorised adopters on-line, rather than	<b>Medium</b>	<b>Low</b>

<sup>2</sup> Referral forms have been developed to ensure there is clarity about the information required.

Data Sharing Agreement for Scotland's Adoption Register

<b>Questions to identify Privacy Issues</b>	<b>Risk</b>	<b>Impact</b>	<b>Likelihood</b>
arrangements that may be unclear or permissive?	indirectly from the Register staff, is a new arrangement, that will involve new referral and data sharing procedures. However, as the system has been used across the UK since 2014, the procedures are clear and well understood, and the security framework well tested.		
4d) Does the proposal involve new or changed data retention processes that may be unclear or extensive?	The data retention processes have become well established over the last 4 years and are identical to those used in other parts of the UK. Data retention and processing procedures are clear and well presented to adoption agencies and will not change significantly as a result of using an on-line system.	<b>Medium</b>	<b>Low</b>
4e) Does the proposal involve a new or changed medium or method of disclosure for publicly available information so data is more readily accessible?	The move to an on-line system makes data available directly to agencies and adopters for the first time – albeit that these are the same people who received the data indirectly from the Register under the previous system.	<b>Medium</b>	<b>Low</b>
<b>5. Multiple organisations</b>			
(5) Will the proposal involve multiple organisations, either government agencies (e.g. 'joined-up government' initiatives) or the private sector?	The proposal involves one central organisation which will be provided with information from 40 other organisations <sup>3</sup> . There will be a data sharing contract in place for this to happen	<b>Low</b>	<b>Low</b>

<sup>3</sup> 32 Local Authorities, 5 voluntary adoption agencies and the Adoption Registers in England, Wales and Northern Ireland

Data Sharing Agreement for Scotland's Adoption Register

<b>Questions to identify Privacy Issues</b>	<b>Risk</b>	<b>Impact</b>	<b>Likelihood</b>
<b>6. &amp; 7. Data</b>			
(6) Does the proposal involve personal data of particular concern to individuals?	The majority of the data collected is sensitive personal data and therefore security measures need to be high	<b>High</b>	<b>Low</b>
(7) Does the proposal involve the linkage of personal data with data in other collections, or any significant change to existing data links or holdings?	The proposal does not currently involve the linkage with data held by other organisations.	<b>Medium</b>	<b>Low</b>
<b>8. 9. &amp; 10. Data handling scope</b>			
(8) Will the proposal handle a significant amount of data about each person, or significantly change existing data-holdings?	There will be no changes to existing data holdings. The proposal requires some information to be held about each person. The data will not be of significant volume, but will be personal (including sensitive personal) information. All the data duplicates information held by the agencies who make referrals to the Register.	<b>High</b>	<b>Low</b>
(9) Will the proposal handle data about a significant number of people, or change significantly the existing population scope or coverage?	The proposal will not handle details of a significant volume of people, or change the existing population scope of information held	<b>Low</b>	<b>Low</b>
(10) Does the proposal consolidate, inter-link, cross-reference or match personal data from multiple sources?	The data does not interlink or cross refer information from multiple sources, nor does it match information held on the same person from existing sources. The proposal considers matching details of one individual to that of other	<b>Low</b>	<b>Low</b>



Data Sharing Agreement for Scotland's Adoption Register

Questions to identify Privacy Issues	Risk	Impact	Likelihood
	individuals		
<b>11.12. &amp; 13 Exemptions &amp; exceptions</b>			
(11) Is the proposal to process any data that is exempt from legislative privacy protections?	Information that is processed about children in terms of subject access requests would be considered on a case by case basis under Data Protection legislation. The information held on the database will not be different from that which is held locally, and will also not be subject to access by the public	<b>Low</b>	<b>Low</b>
(12) Does the proposal's justification include significant contributions to public security measures?	no	<b>Low</b>	<b>Low</b>
(13) Does the proposal intend to disclose personal data to, or access by, third parties that are not subject to EU or comparable privacy regulation?	no	<b>Low</b>	<b>Low</b>

## LEGISLATIVE FRAMEWORK AND STANDARDS

- The Scotland's Adoption Register Regulations 2016  
<http://www.legislation.gov.uk/ssi/2016/154/made>
- Children and Young People (Scotland) Act 2014  
<http://www.legislation.gov.uk/asp/2014/8/contents/enacted>
- Scottish Government's Identity Management and Privacy Principles -  
<http://www.scotland.gov.uk/Publications/2010/12/PrivacyPrinciples>
- HMG Security Policy Framework -  
<https://www.gov.uk/government/publications/security-policy-framework>
- National Care Standards: Adoption Agencies: Revised March 2005 -  
<http://www.scotland.gov.uk/Publications/2011/05/16142227/0>
- Children (Scotland) Act 1995 –  
<http://www.legislation.gov.uk/ukpga/1995/36/contents>
- Adoption and Children (Scotland) Act 2007  
<http://www.legislation.gov.uk/asp/2007/4/contents>
- Regulation of Care (Scotland) Act 2001  
<http://www.legislation.gov.uk/asp/2001/8/contents>
- Adoption Agencies (Scotland) Regulations 2009  
<http://www.legislation.gov.uk/ssi/2009/154/contents/made>
- The Adoption (Disclosure of Information and Medical Information about Natural Parents) (Scotland) Regulations 2009  
[www.legislation.gov.uk/sdsi/2009/9780111005286/pdfs/sdsi\\_9780111005286\\_en.pdf](http://www.legislation.gov.uk/sdsi/2009/9780111005286/pdfs/sdsi_9780111005286_en.pdf)
- Data Protection Act 1998  
<http://www.legislation.gov.uk/ukpga/1998/29/contents>
- Data Protection (Miscellaneous Subject Access Exemptions) Order 2000 - Schedule Exemptions from Section 7  
<http://www.legislation.gov.uk/uksi/2000/419/schedule/part/IV/paragraph/c/made>

**SCOTLAND'S ADOPTION REGISTER REGULATIONS 2016: REGULATION 3 AND 4, SCHEDULE 1**

**Information about children who ought to be placed for adoption**

1. The full name of the child ("C") and the name by which C is known if different.
2. The name and address of the adoption agency providing the information about C.
3. The name and telephone number of C's social worker.
4. C's date of birth.
5. C's gender.
6. C's nationality.
7. C's racial origin.
8. C's religious persuasion if any (including details of any baptism, confirmation or equivalent ceremonies) and whether C practises C's religion.
9. Any wishes expressed by C's parents or guardians as to C's religious upbringing.
10. The local authority area in which C lives.
11. If C is a looked after child within the meaning of section 17(6) of the 1995 Act, details of any accommodation being provided to C under section 25 of that Act or, if C is subject to an order mentioned in section 17(6) of that Act or an order mentioned in section 17(6) of that Act has been made in respect of C, details of that order.
12. Whether the adoption agency proposes to make arrangements for C to be adopted or for an application for a permanence order with authority for C to be adopted should be made under section 80 of the Act.
13. Whether the adoption agency intends to place C for adoption with C's siblings and if so the full name and date of birth of each sibling to be placed and whether C and C's siblings are currently accommodated together.
14. C's first language and details of any other languages spoken by C and details of languages spoken by C's parents.
15. Details of any geographical considerations in relation to C's placement.
16. Details of any planned contact between C and any other person.
17. C's state of health including C's physical, emotional and mental health, any medical treatment C is currently receiving and any anticipated future health problems.
18. C's health history including, so far as practicable, C's family health history.
19. Details of any past experience C has had of neglect, physical abuse or sexual abuse.
20. Details of any additional support needs which C has or any co-ordinated support plan prepared in respect of C within the meaning of the Education (Additional Support for Learning)(Scotland) Act 2004(7).
21. Details of any qualities that the adoption agency is looking for in a family to meet the needs of C.
22. Where an assessment of C's needs for adoption support services has been carried out under section 9 of the Act, details of C's needs for such services.
23. A photograph, film or any other audio-visual recording of C.

**SCOTLAND'S ADOPTION REGISTER REGULATIONS 2016: REGULATION 5,  
SCHEDULE 2**

**Information about prospective adopters**

1. The full name of the prospective adopter ("P") and the name by which P is known if different.
2. P's gender.
3. P's date of birth.
4. P's nationality.
5. P's address including the local authority area.
6. P's racial origin.
7. P's religious persuasion if any and whether P practises their religion.
8. P's first language and details of any additional languages spoken.
9. The name and address of the adoption agency providing the information about P.
10. The name and telephone number of P's social worker.
11. P's current occupation and hours of work.
12. P's proposed employment arrangements after any placement.
13. Details of other members of P's household (including any children of P whether or not resident in the household) and any caring responsibilities which P has.
14. Details of any adults not living in P's household who have responsibility for any of P's children on a regular basis.
15. Details of any pets that P has.
16. Details of any recommendation of the adoption panel as to the children that P would be suitable to adopt including any recommendation as to the maximum number, gender and age of such children.
17. P's views about contact with C's birth family.
18. P's views about the health and past experience of children that might be placed with P.
19. Where an assessment of P's needs for adoption support services has been carried out under section 9 of the Act, details of P's needs for such services.

## INFORMATION CONTAINED IN CHILD'S ON-LINE PROFILE

Information	Mandatory?	Notes
<b>Child details</b>		
First name	√	
(any false name)	X	
Legal status	√	List of possible options provided
Internal reference number	X	For agencies to reference their own records
Month and year of birth	√	
Gender	√	
First language	√	
Second language	X	
Ethnicity	√	Menu of possible options provided + free text for additional information
Religion	√	List of possible options provided
- practising or not	X	
Personality	X	Free text: brief description of child's personality
Appearance	√	Fixed options provided in relation to aspects of child's appearance: Height/ Weight/ Skin tone/ Hair colour/ Eye colour: e.g. for Height and Weight options are: above average/ average/ below average
<b>Child's wishes</b>		
Child's views	X	Free text: may include child's own works to convey what they want from future placement
Child's wishes - pets	X	Fixed options about whether child can live with pet. Free text to give additional information on child's views
<b>Meeting needs</b>		
Level of contact envisaged with birth parents	√	Fixed options: none/ indirect/ indirect and direct
Level of contact envisaged with birth siblings	√	Fixed options: none/ indirect/ indirect and direct
Level of contact envisaged with birth parents	√	Fixed options: none/ indirect/ indirect and direct
<b>Health and development</b>		
Progress made in care	X	Free text: brief overview of child's progress
Attachment difficulties	√	} Fixed options: none known/ increased chance / mild/ significant + free text to provide further information
Behavioural difficulties	√	
Sexualised behaviour	√	
Developmental delay	√	
Learning difficulties	√	
Mental health issues	√	
Special educational needs	√	} Fixed options: yes/ no + free text to provide further information
Down's syndrome	√	
Autistic spectrum disorder	√	} Fixed options: none known/ increased chance / yes + free text to provide further information
Foetal alcohol syndrome	√	
Mobility impairment	√	} Fixed options: none known/ increased chance / yes + free text to provide further information
Physical impairment	√	
Visual impairment	√	
Hearing impairment	√	

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Hepatitis	√	Fixed options: none known/ increased chance / yes + free text to provide further information
HIV	√	
Cerebral palsy	√	
Other medical condition	√	
<b>Favourite things</b>		
Child's likes and dislikes	X	Free text to describe child's likes and dislikes in relation to Perfect day/ At home they enjoy . . / Days out they enjoy . . / TV, films and books they like . . / Food they like . . / Hobbies they like . . / Activities they enjoy . . /
<b>Family sought</b>		
Seeking ?	√	Initially only adoption. Can be extended to make other fixed options visible - i.e. Long term fostering/ Early permanence (multiple entries can be selected)
Family: lower age preference	√	Fixed options: 20/ 25 /30 / 35/ 40/ no preference
Family: upper age preference	√	Fixed options: 30 / 35/ 40/ 45/ 50/ 55/ 60/ no preference
Male / female	√	Fixed options: no preference/ only male (single or couple)/ Must include male parent/ Only female (single or couple)/ Must include female parent/ Only mixed couples
Couple/ single	√	Fixed options: No preference/ Single adopters - carers preferred/ Couples preferred
Other children in household	√	Fixed options: No preference/ Ideally should be only child/ Ideally placed with other child – children/ Can be placed with other child - children
Minimum age gap	X	Free text – only asked for if child can be placed with other children
Must be youngest	X	Tick box
Preferred religion	√	List of possible options provided
Preferred ethnicities	√	List of possible options provided
Any additional preferences	X	Free text for additional preferences

**Please note:** minor changes to the information required for the on-line profile may be introduced as part of the normal process of ensuring the system remains accurate and up to date.

## INFORMATION CONTAINED IN ADOPTER'S ON-LINE PROFILE

Information	Mandatory?	Notes
<b>Basic details</b>		
Email address	√	
First name	√	
Last name	√	
Phone	√	
Address and postcode	√	
Single or couple	√	Fixed options: single / couple
Family finding for . . .	√	Initially only adoption. Can be extended to make other fixed options visible - i.e. Long term fostering/ Early permanence (multiple entries can be selected)
Local authority/ agency	√	Fixed options: list of all LAs and agencies
Stage of process	√	Fixed options: Approved/ Not approved
Approval date	√	Only requested if approved
Disclosure checks	√	Tick box
LA/ agency contact name	√	
LA/ agency contact email	√	
<b>About you</b>		
Gender	√	Fixed options: male / female
Date of birth	√	
Ethnicity	√	List of possible options provided
Religion - currently practicing?	√ X	List of possible options provided Fixed options Yes/ No
First language	√	
Second language	X	
Occupation	√	Free text
Parental leave	√	Fixed options: None/ Up to 1 month/ Up to 6 months/ Up to 1 year/ More than 1 year/ Other/ NA
Work plans	√	Fixed options: Not working/ Part time/ Full time/ Other
Appearance	√	Fixed options provided in relation to aspects of child's appearance: Height/ Weight/ Skin tone/ Hair colour:/ Eye colour: e.g. for Height and Weight options are: above average/ average/ below average
<b>Your Household</b>		
Number of existing children	√	Specify number: 0-8
Child's details: age	√	Birth month and year
Child's details : gender	√	Fixed options: male / female
Child's details : relationship	√	Fixed options: Birth relative/ Adopted relative/ Child in care/ Other
Child's details: description		Free text: brief description of child
Number of other adults in household	√	0-8
Adult's details: age	√	Birth month and year
Adult's details : gender	√	Fixed options: male / female
Adult's details : relationship	√	Fixed options: Relative/ Care Leaver/ Other
Adult's details: description	√	Free text: brief description of child
Current pets	X	Fixed options: Cats/ Dogs/ Small animals/ Farm animals

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Information	Mandatory?	Notes
Description of home	√	Free text
Surrounding environment	√	Fixed options: Rural – 30 mins walk from transport links/ Small community with limited transport links/ Small community with good transport links/ own or city/ Other
<b>Your ideal match</b>		
Ideal ages: from - to	√	0-16
Preferred sibling group size	√	Fixed options: Single child/ 1 or 2 children/ 2 children/ Other range ( 0-8)
Gender	√	Fixed options: Only consider boys/Preference for boys/ No preference/Preference for girls/ Only consider girls/Preference for mixed group/ Mixed group only
Make profile visible	√	Fixed options: Hidden/ Social workers everywhere/ To your own agency/ To your own consortium
<b>What level of contact would you be willing to consider with each of the following</b>		
Birth parents	√	Fixed options: None/ Indirect/ Indirect and direct
Birth siblings	√	Fixed options: None/ Indirect/ Indirect and direct
Extended family	√	Fixed options: None/ Indirect/ Indirect and direct
<b>Meeting needs. Willingness to accept a child different to you in:</b>		
Religion	√	Fixed options: Not able/ Would discuss/ Willing/ Particularly able
Which religion?	X	List of possible options provided
Ethnicity	√	Fixed options: Not able/ Would discuss/ Willing/ Particularly able
Which ethnicities?	√	List of possible options provided
<b>Health and Development: To what extent could you support a child with:</b>		
Attachment difficulties	√	Fixed options: Not able/ Would discuss/ Willing/ Particularly able:  Further 'How can you meet this need' free text field appears if 'Willing' or 'Particularly able' is selected.
Behavioural difficulties	√	
Emotional difficulties	√	
Sexualised behaviour	√	
Special educational needs	√	
Down's syndrome	√	
Mental health issues	√	
Hepatitis	√	
HIV	√	
Cerebral palsy	√	
Other medical condition	√	
Developmental delay	√	Fixed options: Not able/ Would discuss/ Willing/ Particularly able. Further 'How can you meet this need' free text field appears if 'Willing' or 'Particularly able' is selected.  Fixed options for 'level willing to support': Mild/ Moderate/ Significant, only appear if 'Willing' or 'Particularly able' selected
- Level willing to support	√	
Learning difficulties	√	
- Level willing to support	√	
Autistic spectrum disorder	√	
- Level willing to support	√	
Foetal alcohol syndrome	√	
- Level willing to support	√	
Mobility impairment	√	
- Level willing to support	√	
Physical impairment	√	
- Level willing to support	√	
Visual impairment	√	
- Level willing to support	√	
Hearing impairment	√	
- Level willing to support	√	



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Information	Mandatory?	Notes
Other needs that can be met	X	Free text
Support network	√	Free text
Child care experience	√	Free text
Childcare	X	Free text
<b>Favourite things</b>		
Adopter's likes/ dislikes / interests	X	Free text to describe adopters likes and dislikes in relation to: Perfect day/ At home they enjoy /Days out they enjoy /TV, books and films they like /Food they like/ Hobbies they like/ Activities they enjoy
Personality	X	Fixed options: Not at all / Slightly / Somewhat/ Very/ Extremely, in relation to : Adventurous/ Easy going/ Energetic/ Funny/ Thoughtful/ Sensitive/ Sociable/ Patient/ Earnest

**Please note:** minor changes to the information required for the on-line profile may be introduced as part of the normal process of ensuring the system remains accurate and up to date.

## **GLOSSARY OF TERMS**

For definitions of data protection terms please see the UK Information Commissioner's Officer (ICO) Glossary:  
<https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

The following terms listed below are specific to Scotland's Adoption Register.

### **Adoption Exchange Days**

One-day events, organised by Scotland's Adoption Register. Adoption agencies are invited along to display information about the children they have waiting for placement. Only adults who have been approved as adopters (or have an approval panel pending) and their social workers are invited to attend.

### **Adoption Activity Days**

An activity event organised for children and attended by prospective adopters and social workers, that gives the children and adults the opportunity to spend some time together in a supported, safe and fun environment.

### **Agency Decision Maker**

A senior member of staff in an adoption agency with responsibility for deciding whether prospective adopters should be approved or whether adoption is in the best interests of the child.

### **LinkMaker**

The social enterprise that provides the IT platform that is used to run the Register's on-line data base and linking service.

### **CAPR (Child Adoption and Permanence Report)/ Form E**

Industry standard forms, licensed by Coram/BAAF, used by a majority of agencies when completing an assessment of a child.

### **Form F**

Industry standard form, licensed by Coram/BAAF, used by a majority of agencies when completing an assessment of prospective adopters.

### **Matched**

Term used when prospective adopters and children with a plan for adoption are successfully linked together.

### **Potential Link**

Term used when it is identified that specific criteria for a child could be met by prospective adopters

**Unidentifiable**

The process of removing any personal or identifiable information (name, personal statement, date of birth) from the Register.

**Withdrawn**

Term used when prospective adopters and children with a plan for adoption are removed from the Register for any reason other than being matched.