

discuss this with us, but no travel costs or expenses can be met.

Can I attend the meeting?

Yes, you will be invited to attend the review panel meeting. You may bring a supporter; he or she cannot speak on your behalf or act as an advocate but is rather there for moral support.

If you have a physical, sensory or learning impairment, please let us know and we will work with you to meet your additional needs. Please also contact the IRM office if you feel you require an interpreter.

Will anyone else be there?

Your Agency will be invited to send up to two representatives to the panel meeting. It will, of course, be for them to decide who should attend, but we suggest they send someone who will be able to answer the panel's questions, usually the social worker or manager involved in your case.

Will I have to pay for the IRM to review the qualifying determination?

No. Your adoption agency will meet the cost of the review.

What happens after the hearing?

We will send you and your adoption agency a copy of the review panel's recommendation. Your adoption agency will then write to you informing you of its final decision.

What if I want to complain about the IRM?

There is a formal complaints procedure that is available for you to use if you unhappy with the IRM process and sets out the steps you should take. A leaflet is available from the IRM office or on our website.

If you wish to discuss your complaint first you can contact the office.

**For further guidance and regulations relating to Adoption and the IRM please go to our website:
www.independentreviewmechanism.org.uk**

Contact Details:

Contract Manager
IRM
Unit 4
Pavilion Business Park
Royds Hall Road
Leeds
West Yorkshire
LS12 6AJ

Tel: 0845 450 3956 / 0113 202 2080
Fax: 0845 450 3957 / 0113 263 7414
(0845 numbers charged at local rate)

Email: irm@baaf.org.uk

www.independentreviewmechanism.org.uk



Information about IRM applications in relation to Adoption Records Disclosure

This leaflet is for adopted people or birth relatives in cases relating to adoptions made on or after 30th December 2005, in relation to the withholding or disclosing of Adoption Records.

www.independentreviewmechanism.org.uk

What is the Independent Review Mechanism (IRM)?

The Independent Review Mechanism (IRM) is a review process which adopted people or birth relatives can use in cases relating to adoptions made on or after 30th December 2005 when they do not agree with the qualifying determination given to them by their adoption agency. The review process is conducted by a review panel, independent of the adoption agency.

A “qualifying determination” is a determination made by an adoption agency that it will not proceed with an application or that it is proposing to disclose or withhold protected information from adoption records contrary to the views expressed by the person the information is about.

Who can apply to have their case reviewed?

Adopted people or birth relatives who have been given a qualifying determination by their agency.

Independent review panels have the legal only power to consider reviews concerning the disclosure of protected information. They do not have the power to deal with complaints against the adoption agency. Complaints should be dealt with through the agency’s complaints procedure.

So can the review panel make a new decision about my case?

No. The review panel is not a higher

appeals authority and it cannot overturn the adoption agency’s determination. It can make a fresh recommendation to your agency whether or not the agency should proceed with its original determination.

Your agency must take that recommendation into consideration when making its final decision. The review panel will make its recommendation after it has considered:

- A copy of your application for disclosure of information;
- A record of any views obtained by the agency from the person that the information relates to;
- A copy of the agency’s qualifying determination notification;
- Your grounds for requesting a review. If the review panel needs further information, it may request the agency to obtain it, unless it would be more appropriate for you to do so. The panel may also obtain legal or medical advice.

Who will decide whether the protected information from adoption records should be disclosed or withheld?

The decision rests with your adoption agency which must take the recommendation of the review panel into account when making its final decision.

How do I make an application?

There is no prescribed form on which to make an application but your application must be in writing and include the following:

- your grounds, i.e. why you disagree with your adoption agency’s determination;
- the date of the letter you received from your adoption agency; and
- the name and address of your adoption agency so that we can obtain from them the information which the review panel will need.

You must make your application within 40 working days from the date of the adoption agency’s letter. You can send your application to us by post, fax or email.

Our contact details are on the last page of this leaflet. It is important that you do not send your application to any other address since this will delay the review panel considering your application.

Once we have received your application we will write to you to confirm its acceptance. We also ask that you let us know of any dates you are unavailable.

Where will the review panel be held?

Review panels are held in Birmingham, Leeds and London. Once we accept your application, we will identify the panel most suitable to consider your case.

We will try and keep your travelling to a reasonable distance.

So who will consider my case?

The case will be considered by a review panel of three members consisting of two social workers and either a person with professional or personal experience of adoption or a medical practitioner, if there is a health aspect to the qualifying determination. All Panel members will be independent of the Adoption Agency that made the decision.

The review panel will have a written report on your case from its Legal Adviser, and there will be a Professional Adviser who will be able to provide advice on legislation, guidance and research to ensure that all relevant issues are considered and the correct proceedings followed. A Panel Secretary will be present to take minutes of the meeting. The Panel Secretary and Professional Advisor are non-voting members of Panel.

I’ve waited long enough to get to this stage. Am I going to have to wait again to have my case heard by the IRM?

We aim to complete each case within four months of receiving the application.

We will advise you of the date, time and location of the review panel meeting and give you at least one month’s notice. If there is an issue with the date please contact the office immediately to discuss. If you are happy to travel further to have your case possibly heard sooner, please