



<i>Adoption Act</i>	Program	Post-Adoption Services	
	Subject	Adoption Records	Policy # 6.01
Effective Date: November 28, 2000		Authorized by:	
Revised Date: January 28, 2021		Deputy Minister David Keedwell	

1.0 PURPOSE

The purpose of adoption records is to document the assessments, decisions, services provided and other information associated with an adoption.

2.0 DEFINITIONS

- 2.1 **Adoption record:** the confidential record that contains information about the adult adopted person, the birth parents and the adoptive parents.
- 2.2 **Parties of an adoption:** the birth parent(s), the adoptive parent(s), and the adult adopted person.
- 2.3 **Post-Adoption Services:** an adoption disclosure service for those persons impacted by an adoption once the adopted person reaches the age of 18 years old.

3.0 POLICY STATEMENT

- 3.1 Post-Adoption Services must be provided according to the requirements of the *Adoption Act* (sections 48 to 53).
- 3.2 Adoption records must be maintained and managed with special consideration to the need for confidentiality.
- 3.3 Adoption records must be maintained and managed with special consideration to the physical protection of the adoption record.
- 3.4 Post-Adoption Services only provides service to individuals whose adoption was finalized in the province of Prince Edward Island. Any inquiry for Post-Adoption Services where the adoption was not finalized in Prince Edward Island must be re-directed by the applicant to the location where the adoption was finalized.

4.0 PROCEDURE STATEMENT

Creating and Maintaining Adoption Records

- 4.1 Upon the placement of the child with the prospective adoptive parents, adoption application files and child-in-care files are merged to create the official adoption record (“matched file”). Upon the finalization of the adoption, the file is known as the “completed adoption file”.

Once the completed adoption file (“adoption record”) is created, the adoption record is exempt from the *Freedom of Information and Protection of Privacy Act*.

- 4.2 Parties of an adoption may provide Post-Adoption Services with up-to-date information in the adoption record to assist with the provision of Post-Adoption Services as legislated. Examples of this updated information may include, but are not limited to, health information, letters, and pictures.
- 4.3 Information obtained from other sources that are relevant to the best interest of the parties of an adoption may be placed in the adoption record.
- 4.4 Any bequest or offer of a gift is to be noted in the adoption record. Any person wishing to make a bequest to an adopted person is advised:
- to seek legal counsel;
 - that the adopted person be identified in the will by birth name, date of birth, and the fact that they were adopted;
 - to provide for the distribution of the bequest in the event that the adopted person refuses it or is deceased; and
 - to advise the Executor of the will to contact Post-Adoption Services when the will is probated.

Storing and Handling Adoption Records

- 4.5 All adoption records must be kept indefinitely in a secure facility, which can only be accessed by permitted Adoption Services staff.
- 4.6 Any adoption records that are removed from the secure facility, for the purposes of Post-Adoption Services, must be recorded in the Adoption Records ledger.

Client Access to Adoption Records

- 4.7 Post-Adoption Services does not allow hands-on access to any adoption records or relevant files by clients.
- 4.8 If there are portions of an adoption record that Post-Adoption Services identify as being beneficial for the client to have or know about, copies of that information may be provided to the client with all identifying information (as defined in the *Adoption Act*) removed. Identifying information should only remain if consents have been obtained. Examples of information that may be beneficial for the client could include, but are not limited to, a letter from a foster parent or a copy of the adoption order.

5.0 REFERENCES

- 5.1 *Freedom of Information and Protection of Privacy Act*
-

HISTORY:

January 28, 2021: Updated to align with current practices relating to Post-Adoption Services (e.g. how records are merged, use of Adoption Records ledger) and editorial changes.

November 28, 2000: Original policy drafted and approved ("Policy, Principle, Standards", # 41.13.01)