



Victoria Soeder  
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**Your ref: CAF 19-179**  
**Our ref: Gov/CAF 19-179**

Tel 0300 456 4000

19 November 2019

Dear Ms Soeder,

### **Re: Freedom of Information Request - Internal Review**

Thank you for your email of 24 October 2019. You requested an internal review of the response to your Freedom of Information request (CAF19-179) which was sent to you on 24 October 2019. An internal review involves a review of the decision on disclosure in the original response and the way in which the request was handled. The internal reviewer can either uphold or overturn the original decision.

Melanie Carew, Head of Legal who was not party to the original decision on whether to release the information, has now conducted the internal review. Please see their response below.

In your original request (CAF19-179) you requested:

1. All tools, guidance and assessment processes and information/guidelines CAFCASS make available to FCA's specifically written by CAFCASS for grandparents October 2018 - Present
2. All information CAFCASS provide pertains specifically to FCA's working with grandparents
3. Please provide all information available within CAFCASS to include guidelines for assessing grandparents mental health

In our response it was explained that Cafcass does not have tools, guidance and assessment processes and information/guidelines specifically written by Cafcass for grandparents. Detail was given regarding the Harmful Conflict guide, which forms part of the Child Impact Assessment Framework, as the Harmful Conflict guide states the following under 'Factors which 'buffer' the impact of conflict':

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*Beneficial relationships with siblings and/or wider family members. “Having a close grandparent relationship matters particularly for grandchildren whose parents have divorced. Grandparents from both sides of the family could be important resources for children, and good relationships with grandparents might help them to cope better with the divorce or separation of their parents.” (Jappens, 2018)*

It was also explained that Cafcass does not have guidelines, policies or other information for assessing grandparents' mental health.

You were also provided with Cafcass' resource lists regarding grandparents which lists the resources available to staff from the Cafcass library on topics regarding grandparents.

In your request for an internal review you stated:

#### INDIRECT DISCRIMINATION: GRANDPARENTS

“THIS” says it ALL

I requested information on grandparents and CAFCASS send me an attachment in “HARMFUL CONFLICT” !!!

You have NO tools and FCA's access a library like any person can ?

This is the last straw: your FCA's are not qualified to assess mental health but they are and without due diligence.

CAFCASS are applying generic one size fits all policies and procedures to grand parents which is INDIRECT DISCRIMINATION and AGE DISCRIMINATION . CAFCASS are applying neutral policies and arrangements and applying them to 'everyone' whatever their age/health condition.

It is recognised that older grandparents have 'unique mental health' needs that require specialist skills 'distinct' from the general adult population therefore your GENERIC FRAMEWORK is putting grandparents at a disadvantage. Older people face 'double whammy discrimination here because of age and disability.

Indirect discrimination is legally unjustifiable. This is a sickening and horrifying what CAFCASS are applying. Grandparents health is distinctly different clinically from working age people. Grandparents with Alzheimer's, Anorexia, Brain injury, delirium, Huntingtons disease ,Parkinson's disease,stroke are dramatically different, contextually different from the mental health of separating/divorcing parents and you have NO TOOLS to assess.

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This added to the process of LEEDS FCA undertaking FPR 22 in more ways than witness statement to include sitting listening and analysing recording without directions of the court of material, and Exhibits not shared with parties. This is the last straw.

Information on too many FOIA shows CAFCASS haven't a clue what they're doing, untrained unqualified.

This organisation can not be based upon this indirect discrimination and all mentioned provide an accurate report to the Judiciary; inaccurate data throughout ECMS and providing inaccurate 'meaningless' reports as, based on NO tools but Indirect discrimination.

This is disgraceful for this shameless national organisation. The framework applied to grandparents is a sham this FOIA says it ALL.

The onus is now on CAFCASS to justify this indirect discrimination.

As stated in our original response, the use of tools is a matter for the practitioner's professional judgement. Although Cafcass does not have tools specifically for working with grandparents, Cafcass tools can be used in a variety of cases and with a range of service users. Cafcass has brief guidance for staff on the use of each tool, which can be seen on our [website](#) next to the link to each individual tool. This provides a guide to which tool could be selected in which circumstance and for what purpose, which will be identified by the practitioner when planning a case. Guidance for the use and choice of tools which are relevant to individual cases is also set out in the Cafcass [Operating Framework](#) section 10.

Cafcass has no guidelines, policies or other information for assessing grandparents' mental health and does not have tools, guidance and assessment processes and information/guidelines specifically written by Cafcass for grandparents. As Cafcass does not have the information requested, the original response to this Freedom of Information request is upheld.

We hope that you feel your question has been answered effectively. If you are dissatisfied with the way the internal review is handled or with the final decision made at that review about the information released, you are free to contact the Information Commissioner's Office (<https://ico.org.uk/>):

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Wycliffe House, Water Lane,  
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Yours sincerely,

Governance Team

Cafcass

[Governance@cafcass.gov.uk](mailto:Governance@cafcass.gov.uk)

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Cafcass, the Children and Family Court Advisory and Support Service, is a non-departmental body of the Ministry of Justice  
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