



Victoria Soeder
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Your ref: CAF 18-160
Our ref: Gov/CAF 18-160

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09 January 2019

Dear Ms Soeder,

Re: Freedom of Information Request

Thank you for your email of 21 December 2018. You made the following requests for information:

- a. "Resources for assessing domestic abuse"
- b. "Resources for assessing harmful conflict"

1. Please name the author of these resources of both of the above a & b ?

The [resources for assessing domestic abuse](#) and [resources for assessing harmful conflict](#) are tools which have been developed by Cafcass. They have been developed by the Cafcass National Improvement Service (NIS).

The NIS supports practice improvement through a team of Improvement Managers. Improvement Managers are commissioned by local managers to drive up standards and to support quality improvement, to disseminate learning and best practice and to provide coaching and training to staff. Improvement Managers are all qualified social workers. NIS also provides specialist training on contemporary practice issues arising as development needs in the organisation.

For more information about NIS, please see our [Operating Framework](#) (sections 10.9 – 10.16).

Cafcass is unable to provide you with personal information belonging to individual staff members. The information you have requested is personal data relating to employees to whom Cafcass owes a duty of confidence.

Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive





Disclosure is therefore exempt under Section 40 of the Freedom of Information Act 2000. The exemption from the duty to disclose third party personal data where to do so would breach a data protection principle is an absolute exemption.

[Section 40 of the Freedom of Information Act](#) provides that:

1. Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
2. Any information to which a request for information relates is also exempt information if-
 - a. it constitutes personal data which do not fall within subsection (1), and
 - b. either the first or the second condition below is satisfied.
1. The first condition is-
 - a. in a case where the information falls within any of paragraphs (a) to (d) of the definition of "data" in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-
 - (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - b. in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

Where the resources have been developed by an external organisation or individual and not Cafcass, this is noted on the Resources pages by each individual tool under the column 'Source'.

2. Please supply named Stakeholders or any external independent person/party who has confirmed that both resources above a & b are free from discriminatory practice in line with 2010 Equality Act

The resources for assessing domestic abuse and resources for assessing harmful conflict were not confirmed by any stakeholders or any external independent person/party as being free from discriminatory practice in line with 2010 Equality Act.

The resources are reviewed regularly and in all our work, Cafcass practices anti discriminatory practice and as stated in our [Operating Framework](#), our vision is to ensure 'we never knowingly act in a way that could give rise to the perception of bias or discrimination' and this approach would also be adopted in the development of our tools and resources. Please also see guidance on diversity, including anti

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discriminatory practice which is set out in paragraphs 2.40 - 2.47 of the [Cafcass Operating Framework](#).

3. Have Cafcass any concerns to challenge any possible discrimination within resources for assessing domestic abuse or resources for assessing harmful conflict ?

This is a request for an opinion and is not a valid Freedom of Information request.

4. Have "all" Cafcass resources been officially stamped as non discriminatory in line with 2010 Equality Act? Please name persons whom have verified Cafcass assessment tools are non discriminatory in line with 2010 Equality Act

Cafcass resources been not officially stamped as non-discriminatory in line with the 2010 Equality Act.

In all our work, Cafcass delivers anti discriminatory practice and as stated in our [Operating Framework](#), our vision is to ensure 'we never knowingly act in a way that could give rise to the perception of bias or discrimination' and this approach would also be adopted in the development of our tools and resources. Please also see guidance on diversity, including anti discriminatory practice which is set out in paragraphs 2.40 - 2.47 of the [Cafcass Operating Framework](#).

We hope that you feel your question has been answered effectively. If you are unhappy with the decisions made in relation to your request, you may ask for an internal review to be undertaken. 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/>):

Post

Information Commissioner's Office
Wycliffe House, Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Fax

01625 524 510

Tel

0303 123 1113

E-mail

casework@ico.org.uk

Yours sincerely,

Governance Team
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Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive





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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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