



Samantha Kerr  
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**Your ref: CAF 18-149**  
**Our ref: Gov/CAF 18-149**

Tel 0300 456 4000

18 December 2018

Dear Ms Kerr,

**Re: Freedom of Information Request**

Thank you for your email of 05 December 2018. You made the following requests for information:

1. What professional “qualifications” do your FCA’s have to specifically assess domestic abuse?

All Cafcass Family Court Advisers (which includes those acting as Children’s Guardians) are qualified social workers with a Diploma in Social Work (or recognised equivalent) and at least three years post qualifying experience in social work with children and families at risk. As a condition of employment, Family Court Advisers must maintain their registration with the Health and Care Professions Council (HCPC).

Further to experience in social work, our Family Court Advisers receive training while at Cafcass in order to assist with their continued professional development; as part of registration with the HCPC, all social workers on a biennial basis must provide evidence of their professional development.

- All social work staff are required to complete six core in-house training modules upon joining the organisation, which will be completed within the first six months:
  - Risk and Harm in Cafcass;
  - Legal Context and Court Skills;
  - Case Work Start to Finish;
  - Interviewing Skills in Cafcass;
  - Child Sexual Exploitation;
  - Introduction to Private Law/Public Law.

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The Risk and Harm training includes two required eLearning modules to be completed prior to the training day: 'Risk and Harm in Cafcass' and 'Risk and Harm Domestic Abuse eLearning'.

## 2. What “resources” do FCA’s use for “assessing domestic abuse” ?

The main training we provide on domestic abuse, is included in our Risk and Harm induction training. This training aims to help ensure practitioners:

- understand Cafcass’ legal responsibilities regarding the assessment of risk and harm
- understand the key requirements of Cafcass’ [Child Protection Policy](#) and [Operating Framework](#) regarding risk identification and risk assessment.
- understand what [risk assessment tools](#) are available and when to use them
- apply Cafcass’ expectations regarding risk identification and risk assessment to case planning, assessment and analysis in public and private law cases.
- be able to use assessment tools correctly and with confidence

Risk and Harm training includes two required eLearning modules to be completed prior to the training day: 'Risk and Harm in Cafcass' and 'Risk and Harm Domestic Abuse eLearning'.

Core training of Legal Context and Court Skills includes information on domestic violence and the law.

Cafcass also has an eLearning module on Coercive and Controlling Behaviour.

Cafcass is a learning organisation and further to training, there are learning and development opportunities through monthly 'Learning and Development Bulletins' which highlight available learning; 'knowledge alerts' shared when new practices are in place; 'development days' for teams on relevant topics; and the Cafcass Library which are able to provide up to date research, resources and information on requested areas such as domestic abuse.

A range of additional training, courses and resources are available to Cafcass staff. These include:

- *Legal Roadshow*: this looks at different family law topics each year
- *Knowledge Bites*: these are short updates in relation to a range of topics with up to date reference lists. These include:
  - *Contact in Private Law Proceedings*: the messages from research and key practice considerations.
  - *Post-Separation Control: the impact on the child*
  - *'Emotional Harm'*;
  - *Domestic abuse and Practice Direction 12J*
- *Cafcass Knowledge Alert on the Joint Targeted Area Inspection: Domestic Abuse*

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- Off the Shelf training package ‘Contemporary practice in domestic abuse assessment’. Off-the-shelf training packages are intended for Practice Supervisors/Service Managers to deliver locally at team meetings and development days. They promote team working and sharing of local expertise.

Cafcass has evidence informed tools which are used by practitioners to support their direct work with adults and children in order to improve the quality of evidence informed analysis in our reports. These include [tools and resources for assessing domestic abuse](#), including the [Domestic Abuse Practice Pathway](#). The practice pathway has been formulated to provide the practitioner with a structured, focussed and stepped framework for assessing cases where domestic abuse is a feature, to assist the practitioner in assessing child impact.

### 3. What E Learning qualification does Cafcass FCA's hold to make assessments on the 10 tools referenced in the "Domestic abuse pathway" ?

Cafcass does not have eLearning specifically on the tools referenced in the Domestic Abuse Pathway which are resources for assessing domestic abuse. Cafcass has an eLearning module 'Evidencing Private Law assessment tools' which includes some brief guidance on the use of some of the tools referenced in the Domestic Abuse Pathway.

Cafcass has brief guidance for staff on the use of each tool. These can be seen on our [website](#) next to the link to each individual tool.

Guidance for the use and choice of tools which are relevant to individual case is also set out in the Cafcass [Operating Framework](#) section 10.

### 4a Do Cafcass FCA's hold any nationally recognised qualifications in assessing domestic violence ?

Please see the answer to question one.

and if so

### 4b. Please list nationally recognised qualifications FCA's hold to assess domestic violence ?

Please see the answer to question one.

### 5. Do Cafcass FCA's use an "Evidencing private law or criminal law assessment tool" ?

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Cafcass does not have a tool titled 'Evidencing private law or criminal law assessment' tool.

6. Is the E learning module FCA's of Cafcass have access to : Evidencing private law assessment tool :

a. Guidance for the FCA in assessing domestic abuse ?

Cafcass has an eLearning module titled Evidencing Private Law assessment tools. This eLearning is designed to introduce practitioners to the private law assessment tools. It is not a formal qualification.

Or

b. A nationally recognised qualification in assessing domestic abuse ?

Please see the answer to question 6a.

7. Who are the authors in the 10 tools in the Domestic abuse pathways and what nationally recognised qualifications does each author hold?

The tools in the Domestic Abuse Pathway are a mixture of tools developed internally by Cafcass and external tools from other organisations such as SafeLives. Please see the [resources for assessing Domestic abuse](#) on our website, which details the source of the various tools from the pathway.

The Cafcass tools for assessing domestic abuse were developed by Cafcass' National Improvement Service (NIS).

The Domestic Abuse Practice Pathway was developed internally by Cafcass staff, including NIS staff. Linda Nelmes, Commissioning Service Manager, lead for Domestic Violence Perpetrator Programmes) largely contributed to developing the pathway along with other members of staff at Cafcass. Please see the [news piece](#) on the website about the pathway for information on the development of the pathway.

Cafcass is unable to provide you with the names and qualifications of the staff involved in formulating the tools as Cafcass is unable to provide you with personal information belonging to an individual staff members. The information you have

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requested is personal data relating to a member of staff to whom Cafcass owes a duty of confidence.

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.

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](mailto:casework@ico.org.uk)

Yours sincerely,

Edward Timpson CBE Chair  
Anthony Douglas CBE Chief Executive





Governance Team  
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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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