



Samantha Kerr
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3rd Floor
21 Bloomsbury Street
London
WC1B 3HF

Your ref: CAF 18-139
Our ref: Gov/CAF 18-139

Tel 0300 456 4000

03 January 2019

Dear Ms Kerr,

Re: Freedom of Information Request - Internal Review

Thank you for your email of 15 December 2018. You requested an internal review of the response to your Freedom of Information request which was sent to you on 14 December 2018. 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 her response below.

In your request for an internal review of your FOI response (CAF18-139) you requested:

I am writing to request an internal review of Children and Family Court Advisory Support Service's handling of my FOI request 'Interpretation of Disability'.

I am dissatisfied with your response to my request as you have not actually answered my specific question.

I am well aware that Cafcass and its staff are subject to the provisions of the Equality Act 2010, and I know what the legislation states.

In real terms I am asking if your FCA's have a full undertaking of knowledge of their legal requirements under the act, i.e. does their practice match or even remotely meet the minimum statutory requirements and obligations of the legislation to ensure no disability discrimination occurs?

Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive





Cafcass FCAs understand that a mental or physical impairment constitutes a disability and are required to ensure their practice complies with the 2010 Equality Act. Cafcass policy on anti-discriminatory practice is out in paragraphs 2.40 - 2.47 of the Cafcass Operating Framework.

Having read your Diversity and Inclusion policy, it appears that the policy only applies to the 'child', the internal staff of Cafcass and the Cafcass Entity it's self.

Please have this request internally reviewed and I shall look forward to your response.

There is no provision within your policy and your actual 'practice' for diversity and inclusion of disabled parents and grandparents or any disabled service users other than children and your staff.

Cafcass' Diversity and Equality Strategy applies to all Cafcass service users, including adults and service users with disabilities.

Cafcass guidance on diversity, including anti discriminatory practice applies to all service users Cafcass works with, and is set out in paragraphs 2.40 - 2.47 of the Cafcass Operating Framework, which has been sent to you previously.

Please 'state 'directly the relevant policy that affords a disabled adult either parent or grandparent the same protection in law specifically under the Equality Act 2010 or advise if you don't apply this policy to this category of service users or stakeholders?

Cafcass' Diversity and Equality Strategy applies to all Cafcass service users, including adults and service users with disabilities.

Cafcass guidance on diversity, including anti discriminatory practice applies to all service users Cafcass works with, and 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 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,

Fax

01625 524 510

Tel

0303 123 1113

Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive





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Yours sincerely,

Governance Team
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Edward Timpson CBE Chair
Anthony Douglas CBE Chief Executive



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