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**Your ref: CAF 15-189**  
**Our ref: Gov/CAF 15-189**

Tel 0300 456 4000

18 November 2015

## **Re: Freedom of Information Request**

Thank you for your email of 9 November 2015. You made the following requests for information:

1. Does Cafcass share information with an ex partner or other parent, that is private, such as medical history or juvenile or adult record?

Cafcass court reports may include information related to health and criminal records where these are relevant to the statutory role of the Cafcass, which is to safeguard and promote the welfare of the child.

The court report will be shared with the court and will usually be shared with the other parties involved in the case. Please see section 6 of the Cafcass [Reporting to Court Policy](#) for more information on when a report is shared with parties. If there is a dispute about what material is disclosed then this is a matter for the court.

2. Once a report is made, and provided to the other parent, how does Cafcass ensure that this information is not shared by the party it is given to?

Individual parties are responsible for keeping information relating to proceedings confidential where necessary, as required by the Family Procedure Rules 2010 which set out who the information can be communicated to (see [Rule 12.73](#) and [Practice Direction 12G](#)). It is clearly marked on all reports prepared by Cafcass that the contents are confidential.

3. In the case of medical information, do you need permission to share that information, with a third party other than the court magistrates?

Medical information, if it is relevant to the court proceedings and included within the Cafcass court report, will be shared with the court and with the parties to the proceedings, unless the court orders otherwise. The information that is relied

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upon in family proceedings can only be disclosed to third parties, in line with the Family Procedure Rules 2010 (Rule 12.73) which sets out clearly who can receive information relating to the proceedings and in what circumstances.

No personal information would be disclosed to any other third party without consent.

#### 4. How do you protect the human right of privacy and dignity?

Information relating to how Cafcass protects the personal information of service users is set out in the Cafcass [Privacy Notice](#). Please see the Cafcass [Operating Framework](#) for information related to how Cafcass practitioners work with children, young people, parents and carers (sections 1.16 – 1.29), and our Customer Care Standards (section 8.5).

#### 5. Are you at liberty to disclose to a user of your service, what information will be gathered about them, during a report?

This is set out in the Cafcass [Privacy Notice](#) sections 'What information do we collect about you?' and 'Where do we collect this information from?', relevant extracts of which are set out below.

*The information we collect can include personal characteristics, criminal record information, local authority record information, health information and some other types of information. We hold this information where it is relevant to our statutory role.*

*We also aim to collect diversity information in order for our workforce to better understand and integrate equality and diversity considerations into their work and so provide the best possible service to children and families.*

*We collect this information from court application documents, from you in phone or face-to-face interviews, from other parties on the case and also any other person the practitioner considers it necessary in the course of their enquiries to speak to.*

*We also obtain information from other agencies, such as the police and local authorities; we collect information relevant to safeguarding assessments and this is obtained in line with the arrangements set out in the [Child Arrangements Programme](#) (see paragraph 13.3).*

*During the course of the case, we may undertake further enquiries with other agencies such as your GP or your child's schools; your consent will be sought for these, but if you refuse this, a court direction may also be sought.*





For more information on when checks are made with other agencies, please see our [Operating Framework](#) [sections 2.4, 4.1, 4.7, 4.21, 8.23, 8.24 and Appendix 4 are relevant].

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 ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.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,

Governance Team

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